Rule 2.1 ACCEPTANCE OF GIFTS / FAVORS

It is the policy of the Village that all employees are prohibited from accepting any personal gift and/or favor from any individual or corporation related to one’s employment by the Village.

Rule 2.2 DRUG AND ALCOHOL FREE WORKPLACE

A. POLICY STATEMENT

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

We recognize that alcohol and drug dependency require medical supervision and treatment if there is to be successful rehabilitation. Our desire and intent is to encourage any employee with alcohol or drug dependency to voluntarily enter a drug or alcohol rehabilitation program. It is the responsibility of each employee to initiate and obtain assistance before any difficulties with drugs or alcohol affects his or her work. Accordingly:

EMPLOYEES ARE HEREBY NOTIFIED THAT IT IS A CONDITION OF EMPLOYMENT FOR EACH EMPLOYEE TO REFRAIN FROM REPORTING TO WORK OR WORKING WITH THE PRESENCE OF DRUGS OR ALCOHOL IN HIS OR HER BODY. IF AN EMPLOYEE TESTS CONFIRMED POSITIVE OR REFUSES TO SUBMIT TO A TEST FOR DRUGS OR ALCOHOL, THE EMPLOYEE IS SUBJECT TO DISCIPLINARY ACTION, INCLUDING TERMINATION, AND MAY FORFEIT ELIGIBILITY FOR MEDICAL AND INDEMNITY BENEFITS.

Our Policy complies with the Florida Drug-Free Workplace Program, as provided in Section 440.101, et seq., Florida Statutes, and the applicable Administrative Rules, as amended. This Drug and Alcohol Free Workplace Policy requires all employees to be free from the influence of drugs and alcohol while working or while on Village property. The use, possession, sale, distribution, or manufacture of any drugs, and/or the unauthorized possession and/or use of alcohol, while working or while on Village property are prohibited.

All job applicants for special-risk or mandatory testing positions will be tested for drugs prior to beginning work. All employees will be subject to drug and alcohol testing upon reasonable suspicion, after an accident or injury which requires medical attention, as a follow-up to release from a rehabilitation program, and as part of a routine fitness for duty (physical) examination. Certain classifications/positions may be subject to random drug and alcohol testing pursuant to federal law or collective bargaining agreements. All employees are encouraged to be aware of the effects of and to advise their supervisor when taking prescription medication, which may affect their performance at work.

To ensure a workplace free from the influence of illegal drugs and alcohol abuse, the following Policy has been established. The Policy applies to all employees, supervisors and managers. Any violation of the Policy will result in discipline, up to and including termination of employment.
B. DEFINITIONS

1. **Drug**: means alcohol, including a distilled spirit, wine, a malt beverage, or an intoxicating liquor; an amphetamine; a cannabinoid; cocaine, phencyclidine (PCP); a hallucinogen; methaqualone; an opiate; a barbiturate; a benzodiazepine; a synthetic narcotic; a designer drug; or a metabolite of any of the substances listed in this paragraph. The Village may test job applicants and employees for any or all such drugs.

2. **Drug rehabilitation program**: means a service provider established pursuant to Florida law that provides confidential, timely, and expert identification, assessment, and resolution of employee drug abuse.

3. **Employee assistance program**: means an established program capable of providing expert assessment of employee personal concerns; confidential and timely identification services with regard to employee drug abuse; referrals of employees for appropriate diagnosis, treatment, and assistance; and follow-up services for employees who participate in the program or require monitoring after returning to work.

4. **Job Applicant**: means a person who has applied for a position with Pinecrest.

5. **Employee**: means an individual who works for the Village on a full-time or part-time basis and receives salary, wages, or other remuneration.

6. **Drug Test**:

   6.1 "Drug test" means any chemical, biological or physical instrumental analysis administered by a laboratory certified by the United States Department of Health and Human Services (HHS) or licensed by the Agency for Health Care Administration (AHCA) for the purpose of determining the presence or absence of a drug or its metabolites, including alcohol.

   6.2 Drug testing may require the collection of blood, urine, breath, saliva, or hair of an employee or job applicant. The Village has the right to use more accurate, scientifically accepted methods which may be approved in the future by the United States Food and Drug Administration (FDA) or the AHCA as such technology becomes available in a cost effective form.

   6.3 "Chain of custody" refers to the methodology of tracking specified materials or substances for the purpose of maintaining control and accountability from initial collection to final disposition for all such materials or substances and providing for accountability at each stage in handling, testing and storing specimens and reporting test results.

   6.4 "Initial Drug Test" means a sensitive, rapid, and reliable procedure to identify negative and presumptive positive specimens, using an immunoassay procedure or an equivalent, or a more accurate scientifically accepted method approved by the United States FDA or the AHCA, as such more accurate technology becomes available in a cost effective form.
"Confirmation test," “confirmed test,” or “confirmed drug test” means a second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen, which test must be different in scientific principle from that of the initial test procedure and must be capable of providing requisite specificity, sensitivity and quantitative accuracy. All tests to confirm an initial positive result for drugs other than alcohol shall use a gas chromatography/mass spectrometry or equivalent method. All tests to confirm positive results for alcohol use a gas chromatography method.

Drug Testing Methodology: Specimens for drug testing will be collected, handled, maintained and tested in accordance with the Florida Drug and Alcohol Free Workplace Program. Urine will be used for the initial and confirmation tests for all drugs except alcohol. Blood will be used for the initial and confirmation tests for alcohol.

Mandatory Testing Position: Mandatory testing position shall mean a job assignment that requires the employee to: carry a firearm; work closely with an employee who carries a firearm; perform life-threatening procedures; work with heavy or dangerous machinery; work as a safety inspector; work with children; work with detainees in the correctional system; work with confidential information or documents pertaining to criminal investigations; work with controlled substances; work in job assignments that require an employee security background check pursuant to section 110.1127 of the Florida Statutes; work in job assignments in which a momentary lapse in attention could result in injury or death to another person; or, perform safety-sensitive job duties and responsibilities.

Medical Review Officer: "Medical Review Officer” (MRO) means a licensed physician, employed or contracted with the Village, who has knowledge of substance abuse disorders, laboratory testing procedures and chain of custody collection procedures; who verifies positive confirmed test results; and who has the necessary medical training to interpret and evaluate an employee’s positive test result in relation to the employee’s medical history or any other relevant biomedical information.

Prescription or Non-Prescription Medication: means a drug or medication obtained pursuant to a prescription as defined by Section 893.02, Florida Statutes, or a medication that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.

Reasonable Suspicion Drug Testing: means drug testing based on a belief that an employee is using or has used drugs in violation of this 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 of work performance;
c. A report of drug use, provided by a reliable and credible source, which has been independently corroborated;

d. Evidence that an individual has tampered with a drug test during his or her employment with the Village;

e. Information that an employee has caused, contributed to, or been involved in an accident while at work; or

f. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the Village’s premises or while operating a vehicle, machinery, or equipment of the Village.

11. Random Drug Testing: a drug test chosen to be conducted based on a computer generated random sampling of employees within each group subject to random drug testing. All employees within a group subject to random drug testing shall have an equal chance of being selected each time selections are made. Federal law or a collective bargaining agreement may set forth further restrictions or rules on random drug testing.

12. Special-Risk Position: means a position that is required to be filled by a person who is certified under Sections 633 or 943, Florida Statutes, as amended.

13. Specimen: means tissue, hair, or product of the human body capable of revealing the presence of drugs or their metabolites as approved by the FDA or the AHCA.

C. RULES ON DRUGS AND ALCOHOL

EMPLOYEES ARE HEREBY NOTIFIED THAT IT IS A CONDITION OF EMPLOYMENT FOR EACH EMPLOYEE TO REFRAIN FROM REPORTING TO WORK OR WORKING WITH THE PRESENCE OF DRUGS OR ALCOHOL IN HIS OR HER BODY. IF AN EMPLOYEE TESTS CONFIRMED POSITIVE OR REFUSES TO SUBMIT TO A TEST FOR DRUGS OR ALCOHOL, THE EMPLOYEE IS SUBJECT TO DISCIPLINARY ACTION, INCLUDING TERMINATION, AND MAY FORFEIT ELIGIBILITY FOR MEDICAL AND INDEMNITY BENEFITS.

It is not the Village’s intent to intrude into the private lives of its employees. However, the effect of drug and alcohol use, abuse and/or dependency on safety, work quality, increased medical expenses and lost productivity requires that this Policy be implemented. Any employee who violates any of these rules will be subject to disciplinary action up to and including termination of employment. The following rules apply under the Village’s Policy.

1. Pre-Employment Conditions

1.1 The following pre-employment conditions are established to determine the suitability of employees to work for the Village.
1.2 All job applicants, for mandatory testing or special risk positions, must submit to a drug test prior to starting employment in that position. Any job offer, which a job applicant may receive from the Village for such a position, is contingent upon the applicant successfully completing the drug and/or alcohol test.

1.3 Any job applicant for a mandatory testing or special risk position who refuses to submit to drug and alcohol testing as part of the pre-employment testing process will be refused employment. Any such job applicant who tests positive for drugs or alcohol on a confirmation test will be refused employment at that time. Confidentiality will be maintained pursuant to this Policy.

1.4 The Village will not discriminate against an applicant for employment because of the applicant's past addiction to drugs or alcohol. It is the current use/abuse of drugs or alcohol that will not be tolerated.

2. Conditions of Continuing Employment

It is a condition of continuing employment for each employee to receive a copy of the Village's Drug and Alcohol Free Workplace Policy, and to abide by the Policy. The rules contained in the Policy are to be considered conditions of continuing employment and are to be consistently followed. Any violation of these conditions of continuing employment will result in disciplinary action, up to and including termination.

3. Prohibition of Possession, etc.

The unlawful manufacture, distribution, dispensation, possession, sale or use of any drug or un-prescribed, controlled substances and/or the unauthorized possession or usage of alcohol by employees while working or when on any Village property, including parking lots, is strictly prohibited.

4. Prohibition of Drug Use

All employees are prohibited from being at work or on Village property, including parking lots, with the presence of any drug or its metabolite, as set forth herein, in the employee's body. Any employee who has a confirmed positive test of a drug or its metabolite at the levels defined herein will be presumed to be under the influence of the drug and in violation of Village Policy.

5. Requirement to Report Medication Use

5.1 The Village does not prohibit the use of prescribed medications which have currently accepted medical uses, provided:

a. The drug is prescribed or authorized for an employee by a medical doctor; and

b. The use of the drug at the prescribed or authorized level is consistent with the safe performance of the employee's duties; and

c. The drug is used at the dosage prescribed or authorized.
5.2 Employees are encouraged to notify their immediate supervisor when reporting for work or during the course of a work shift if the use of any prescription or non-prescription medication may adversely affect his or her ability to satisfactorily and safely perform his normal job duties (e.g., including but not limited to drowsiness). A form for reporting the use of prescription or non-prescription medication is attached. Additional forms are available from the Human Resources Office. Employees in mandatory testing or special-risk positions are required to provide their supervisor with such information.

6. **Employee Drug and Alcohol Testing**

6.1 All employees will be required to submit to drug testing upon reasonable suspicion as defined in this policy; during a routine fitness for duty (physical) examination; after release from a drug or alcohol rehabilitation program; and after an accident or injury, which requires medical treatment. Certain employees may be subject to random drug testing pursuant to federal law or collective bargaining agreements.

6.2 An employee who refuses to submit to a drug test will be subject to discipline, up to and including termination. A refusal to complete and sign a Drug Testing Chain of Custody Form or the failure to appear at the collection site within the specified time frame will be considered a refusal to submit to a drug test and will be subject to discipline, up to and including termination.

6.3 An employee who tests positive on a confirmation test will be subject to discipline, up to and including termination.

6.4 Refusal of a Treatment Program: If the employee is offered an opportunity to enter into a treatment program and refuses to do so, the employee will be immediately terminated.

6.5 Treatment Program Requirements: Employees who have been provided with an opportunity to enter a treatment and/or rehabilitation program must meet all requirements of that program including any required after-care. Failure to follow or complete the treatment and/or rehabilitation program or a subsequent positive confirmed drug test will result in immediate termination.

6.6 Confidentiality will be maintained at all times except to the extent necessary to comply with these policies and to the extent permitted by law.

7. **Employee Drug or Alcohol Related Criminal Charges or Arrests**

7.1 Employees are required to notify the Human Resources Office of any drug or alcohol related criminal charge or arrest no later than five days after such charge has been filed. Employees in positions which require driving a Village vehicle or a personal vehicle on Village business must notify the Human Resources Office of any alcohol or drug related arrest (e.g., including but not limited to Driving while Under the Influence) on the next workday.
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7.2 The Village will take appropriate action with respect to an employee who is so charged, which action may include transfer to another position and/or discipline.

7.3 Employees are required to notify the Human Resources Office of the outcome of all drug or alcohol related criminal charges no later than five days after any change in status of such charges. This includes notification of a conviction, a plea of guilty, an adjudication of guilty, plea of nolo contendere, an adjudication withheld, an acquittal or a dismissal of the charges.

7.4 The Village will take appropriate disciplinary action against such employee within thirty days of receiving notice of the outcome or any change in the status of such drug or alcohol related charges.

8. Rehabilitation Procedures

8.1 An employee who is experiencing problems as a result of drug and/or alcohol abuse should contact the Human Resources Office for referral to an Employee Assistance Program for treatment and/or counseling. This discussion will be kept confidential. Such employee will be subject to testing to verify recovery from substance abuse pursuant to the Policy requirements and failure to take or pass a drug test will result in termination of employment. Where an employee voluntarily enters a treatment program before disciplinary action is initiated, the Village, in its sole discretion, may elect to waive follow-up drug testing. If follow-up drug testing is required, it must be conducted on a periodic basis, at least quarterly, for a two-year period after completion of the program. Advance notice of a follow-up testing date to the employee to be tested is strictly prohibited.

8.2 An employee in a mandatory testing position who enters a substance abuse rehabilitation program will be assigned to a position other than a mandatory testing position, or, if such a position is not available, will be placed on leave while the employee is participating in the program. The employee shall be permitted to use any accumulated leave credits before leave will be ordered without pay.

8.3 An employee in a special-risk position is subject to discipline or discharge for the first positive confirmed test result if the drug confirmed is an illicit drug under Section 893.03, Florida Statutes. A special-risk employee who is participating in an employee assistance program or drug rehabilitation program may not be allowed to continue to work in any mandatory testing or special-risk position, but may be assigned to a position other than a mandatory testing position or special-risk position, or placed on leave while the employee is participating in the program. The employee shall be permitted to use any accumulated annual leave credits before leave will be ordered without pay.

9. Employee Education and Referral Program

9.1 It is the responsibility of each employee to seek assistance before drugs and alcohol use or abuse leads to disciplinary problems. Employees who may require assistance for substance dependency and related
programs are encouraged to seek assistance and information from the Human Resources Office regarding the Employee Assistance Program.

9.2 Once a violation of this Policy occurs, subsequent use of a counseling or rehabilitation program on a voluntary basis will not affect the determination of appropriate disciplinary action.

9.3 An employee's decision to seek assistance or referral from the Human Resources Office prior to any incident warranting disciplinary action will not be used as the basis for disciplinary action or in any disciplinary proceeding.

9.4 Upon successful completion of a drug treatment program an employee may be released to resume work but, except as provided in Section 8 above, will be subject to follow-up drug testing on a periodic basis, at least quarterly, for a two-year period as a condition of continued employment.

9.5 An individual's participation in an alcohol or drug treatment program will not be made part of any personnel records and will remain confidential except to the extent necessary to comply with this Policy and to the extent permitted by law. Medical and insurance records, if any, will be preserved in the same confidential manner as all other medical records. The Human Resources Office will maintain program participation records.

10. **Employee Education Information**

10.1 The following "crisis information centers" will provide information regarding employee assistance programs and local alcohol and drug rehabilitation programs available to employees:

- Miami Dade County Switchboard of Miami: (305) 358-4357
- Broward County Crisis Information Line: (954) 537-0211
- Palm Beach County Center for Information and Crisis Services, Inc.: (561) 383-1134
- Monroe County Help Crisis Line, Inc.: (305) 296-4357, (800) 886-7340

10.2 Other available resources include:

- 1-800-356-9996 Al-Anon
- 1-800-252-6465 Alcoholics Anonymous
- 1-800-527-5344 American Council of Alcoholism Helpline
- 1-272-842-2433 Narcotics Anonymous
- 1-800-662-HELP Federal Substance Abuse & Mental Health Services Administration Treatment Referral Routing Service
- 1-800-WORKPLACE (Drug-Free Workplace Hotline)
- 1-800-COCAINE Cocaine Hotline
- 1-800-NCA-CALL National Council on Alcoholism
- 1-800-843-4971 National Institute on Drug Abuse Hotline
10.3 Employees may obtain further information regarding available drug and alcohol assistance and rehabilitation programs by contacting the Human Resources Office.

11. Management's Responsibilities

11.1 The Village Officials, Managers, and Supervisors (hereafter collectively referred to as "supervisors") are responsible for implementing the Drug and Alcohol Free Workplace Policy. It is the responsibility of supervisors to observe the behavior of employees on the job as a precaution against unstable or unreliable behavior which could threaten the safety and well-being of employees or the public.

11.2 Supervisors are responsible for maintaining a safe work environment by determining each employee's fitness for duty.

11.3 In the event a supervisor has a reasonable suspicion (as defined in this policy) that an employee may be affected by drugs or alcohol or has otherwise violated this Policy, the employee will be sent for drug testing. A form for reporting the reason(s) for drug testing is attached and should be completed as soon as practicable following the incident or observations giving rise to such reasonable suspicion. Where reasonable suspicion is based upon observed irregular behavior, two supervisors will confirm the suspicious behavior.

11.4 In all cases when an employee is being removed from duty for drug testing, the supervisor should notify his superior at the earliest possible time.

12. Employees' Responsibilities

12.1 It is each employee's responsibility to be fit for duty when reporting for work and to inform his or her supervisor if he or she is under the influence of medication, whether prescription or non-prescription medication, which may affect job performance or safety.

12.2 In the event an employee observes behavior which raises a doubt as to the ability of a co-worker to work in a safe and reliable manner, the employee should report this behavior to his/her supervisor.

12.3 Employees who voluntarily or, as a condition of continued employment, enter a drug or alcohol treatment and/or rehabilitation program must participate and complete recommended treatment. Any employee who enters a drug or alcohol treatment and/or rehabilitation program will be responsible for payment for the treatment and/or program to the extent not covered by medical insurance provided by the Village. If the employee fails to comply with the treatment and/or the program, the employee will be subject to discipline, up to and including termination.

13. Employee Education

13.1 Employees and supervisors will be required to participate in a drug-free awareness program on an annual basis. The program will inform employees about the following:
a. The legal, social, physical and emotional consequences of the use, misuse and/or abuse of alcohol or drugs;
b. The Village’s commitment to maintain a drug-free workplace;
c. Available drug counseling, rehabilitation and employee assistance programs;
d. Assistance in identifying personal and emotional problems which may result in the misuse of alcohol or drugs; and
e. The penalties which may be imposed by the Village on employees for drug abuse violations occurring in the workplace.

14. Rights Under Collective Bargaining Agreements:

Employees who are covered under any collective bargaining agreement between the Village and any certified labor organization may have the right to file a grievance regarding discipline imposed by the Village as a result of a violation of this policy if said grievance is permitted to be filed pursuant to the collective bargaining agreement. Such collective bargaining agreements may set forth further rules and/or restrictions regarding employee testing.

D. TESTING PURSUANT TO THE DRUG AND ALCOHOL FREE WORKPLACE POLICY

1. Types of Testing: In order to maintain a drug and alcohol free work environment and in accordance with Florida’s Drug-Free Workplace Program, Section 440.101, et seq., Florida Statutes, as amended, and applicable Administrative Rules, the Village will test for the presence of drugs and/or alcohol in the following circumstances:

1.1 Pre-Employment: All job applicants for a mandatory testing or special-risk position who have been offered a position of employment must submit to a drug and/or alcohol test before beginning employment or work for the Village. In the event that an employee is permitted to begin working prior to receipt of the results of drug or alcohol testing such employment shall be contingent upon passing the drug or alcohol test.

1.2 Random: Eligible employees will be chosen based on a computer generated random sampling of employees within each group subject to random testing. All employees within each group shall have an equal chance of being selected each time a selection is made. Federal law or the collective bargaining agreement may set forth further restrictions or rules on random drug testing.

1.3 Reasonable Suspicion: Employees who are determined to be under reasonable suspicion of drug or alcohol use (as defined in this policy), will be required to submit to a drug and/or alcohol test.

1.4 Fitness-For-Duty: All employees who are subject to a routine fitness for duty medical examinations must take a drug and/or alcohol test as part of their medical examination.

1.5 Follow-up: All employees who have entered an employee assistance program or rehabilitation program for drug abuse must take drug tests on
at least a quarterly basis for two (2) years after returning to work. This requirement may be waived in the sole discretion of the Village in cases where an employee voluntarily enters a drug treatment program before disciplinary action has been taken.

1.6 Post-Accident or Injury: All employees who are involved in an accident or occupational injury to an employee which requires medical treatment occurring while at work which was caused by, contributed to or involved an employee must take a drug test after administration of emergency medical treatment. If it cannot be determined who was driving a Village’s vehicle at the time of an accident, then anyone who was driving the vehicle during the applicable time period will be required to submit to testing. Employees involved in an accident must not use alcohol for eight (8) hours following an accident or until a post-accident test is conducted, whichever comes first.

2. Consequences of Refusing a Drug Test

2.1 An employee who refuses to submit to a drug test will be subject to discipline, up to and including termination. An employee who refuses to submit to a drug test following an occupational injury which requires medical treatment forfeits his eligibility for all workers’ compensation medical and indemnity benefits in accordance with Florida law.

2.2 A job applicant who refuses to submit to a drug test will not be hired.

3. Actions Following Positive Confirmed Test: The Village may institute disciplinary action, up to and including termination, for any employee who has a positive, confirmed drug test.

4. Reporting of Use of Medication: Employees and job applicants may confidentially report the use of prescription or non-prescription medication to the MRO during the testing process. A form for reporting medication use is attached.

5. Notice of Common Medications: A list of the most common medications by brand name or common name, as applicable, as well as by chemical name, which may alter or affect a drug test, is attached. Employees and job applicants should review this list prior to submitting to a drug test.

6. Medication Information: An employee or job applicant may consult with the Village’s MRO or the testing laboratory for technical information regarding prescription and non-prescription medication.

7. Drugs To Be Tested And Cut-Off Levels

7.1 Drug testing may be required for any or all of the following drugs:

(a) Alcohol, including distilled spirits, wine, malt beverages and intoxicating liquors
(b) Amphetamines
(c) Cannabinoids
(d) Cocaine
(e) Phencyclidine (PCP)
(f) Methaqualone
(g) Opiates
(h) Barbiturates
(i) Benzodiazepines
(j) Synthetic narcotics (Methadone and Propoxyphene)
(k) A metabolite of any of the substances listed herein
(l) Hallucinogens
(m) Any other abused substances as added by federal law or Florida Statutes

A list of drugs by brand names or common names is attached at Appendix 2.

The cut-off levels for reporting positive results for both initial and confirmation drug tests are set forth below:

### 7.2 Drug Cut-Off Levels - Initial Drug Test:

All levels equal to or exceeding the following for urine specimens shall be considered to be presumptively positive and submitted for confirmation testing:

<table>
<thead>
<tr>
<th>Substance</th>
<th>Cut-Off Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol</td>
<td>0.04 g/dL%</td>
</tr>
<tr>
<td>Amphetamines</td>
<td>1,000 ng/mL</td>
</tr>
<tr>
<td>Cannabinoids (Marijuana)</td>
<td>50 ng/mL</td>
</tr>
<tr>
<td>Cocaine</td>
<td>300 ng/mL</td>
</tr>
<tr>
<td>Phencyclidine</td>
<td>25 ng/mL</td>
</tr>
<tr>
<td>Methaqualone</td>
<td>300 ng/mL</td>
</tr>
<tr>
<td>Opiates</td>
<td>2000 ng/mL</td>
</tr>
<tr>
<td>Barbiturates</td>
<td>300 ng/mL</td>
</tr>
<tr>
<td>Benzodiazepines</td>
<td>300 ng/mL</td>
</tr>
<tr>
<td>Methadone</td>
<td>300 ng/mL</td>
</tr>
<tr>
<td>Propoxyphene</td>
<td>300 ng/mL</td>
</tr>
</tbody>
</table>

All levels equal to or exceeding the following for hair specimens shall be considered presumptively positive on initial screening and submitted for confirmation testing:

<table>
<thead>
<tr>
<th>Substance</th>
<th>Cut-Off Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amphetamines</td>
<td>5 ng/10mg of hair</td>
</tr>
<tr>
<td>Cannabinoids (Marijuana)</td>
<td>10 pg/10mg of hair</td>
</tr>
<tr>
<td>Cocaine</td>
<td>5 ng/10mg of hair</td>
</tr>
<tr>
<td>Phencyclidine</td>
<td>3 ng/10mg of hair</td>
</tr>
<tr>
<td>Opiate/Synthetic Narcotics and metabolites</td>
<td>5 ng/10mg of hair</td>
</tr>
</tbody>
</table>

### 7.3 Drug Cut-Off Levels* - Confirmation Drug Test:

All levels for urine specimens which are equal to or exceeding the following shall be reported as positive:

<table>
<thead>
<tr>
<th>Substance</th>
<th>Cut-Off Level</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1NOTE: The types of testing as well as the levels on initial and confirmation testing may change pursuant to Federal or state law or regulations. Further, the minimal levels for drugs and alcohol reported to the Village may be different for employees subject to federal drug testing regulations. The Village intends that its policy be in accordance with applicable laws at all times.
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Alcohol 0.04g/dL%
Amphetamines 500 ng/mL
Cannabinoids (Marijuana) 15 ng/mL
Cocaine 150 ng/mL
Phencyclidine 25 ng/mL
Methaqualone 150 ng/mL
Opiates (codeine, morphine) 2000 ng/mL
Barbiturates 150 ng/mL
Benzodiazepines 150 ng/mL
Methadone 150 ng/mL
Propoxyphene 150 ng/mL

All levels for hair specimens which are equal to or exceeding the following shall be reported as positive:

Amphetamines 5 ng/10mg of hair
Cannabinoids (Marijuana) 1 pg/10mg of hair
Cocaine 5 ng/10mg of hair
Phencyclidine 3 ng/10mg of hair
Opiate/Synthetic Narcotics and metabolites 5 ng/10mg of hair

8. Random Drug Testing

8.1 The Human Resources Office shall be responsible for maintaining updated employee lists within each group subject to random drug testing and shall submit lists to the MRO for random generation of employees’ names to be tested. It is within the discretion of the Village to decide when and how often lists will be submitted to the MRO for random generation of employees’ names.

8.2 The MRO shall notify Human Resources with the list of employees to be tested.

8.3 The Human Resources Office shall complete the referral form and schedule each employee for the test.

8.4 Once an employee is randomly selected and scheduled for a test under the provisions of this procedure, the Human Resources Office shall:

a. Give selected employees no more than 24 hours’ notice of the scheduled drug test.

b. Notify the employees of the collection or testing site.

c. Meet with the employees to notify them that they are to be drug tested, require the employee to read and sign the Employee Random Drug Testing Notice attached at Appendix 10 and answer any questions. The Village shall keep the original copy and give a copy to the employee.

d. Complete a referral form indicating the drug test time range, approved collection site and location, type of testing required, and advise the testee to return the signed and dated referral form to the Human Resources Office.
8.5 Employees shall not be excused from random drug testing unless they are on prior approved leave of absence.

8.6 Additional rules and restrictions may apply to particular groups of employees based upon federal law and/or the provisions of a collective bargaining agreement.

9. Reasonable Suspicion Drug Testing

Employees will be required to submit to drug and/or alcohol testing when a supervisor has "reasonable suspicion", as defined in this policy, to believe that an employee is using or has used drugs or alcohol in violation of this Policy. The supervisor will document the circumstances which formed his or her determination of "reasonable suspicion" in writing within seven days from the date of his determination. A form for the use of a supervisor to specify the reason(s) for the test is attached at Appendix 4. A copy of this documentation will be given to the employee upon request within seven (7) days from the date of the supervisor's determination of "reasonable suspicion."

Reasonable suspicion shall be based on specific, objective and articulable facts and reasonable inferences drawn from those facts in light of experience. In making this determination, relevant factors may include, but are not limited to:

- Observable phenomena, such as direct observation of drug use or of physical symptoms or manifestation of being under the influence of a drug or alcohol;
- Abnormal conduct, erratic behavior or a significant unexplained deterioration in work performance;
- A report of drug use, provided by a reliable source;
- Evidence that an individual has tampered with a drug test during his or her employment with the Village;
- Information that an employee has caused or contributed to an accident or injury while at work;
- Evidence that an employee has negligently or recklessly operated a vehicle, equipment or machinery while at work;
- Evidence that an employee has used, possessed, manufactured, cultivated, sold, solicited, or transferred drugs.

10. Confidentiality and Records Maintenance

10.1 Confidentiality of records concerning drug testing pursuant to the Drug and Alcohol Free Workplace Policy will be maintained in accordance with Florida law. All information, records, drug test results in the possession of the Village, laboratories, employee assistance programs and drug and alcohol rehabilitation programs will be kept confidential. No such information or records will be released unless written consent, signed by an employee or job applicant, is provided or unless disclosure of such information or records is compelled by an administrative law judge,
hearing officer, or court of competent jurisdiction. The Village may also disclose such information when relevant to its defense in any civil, disciplinary or administrative hearing. The Village will maintain records concerning drug testing separate and apart from a job applicant or employee's personnel file.

10.2 Information on drug testing results will not be released in any criminal proceeding.

11. Challenge of Test Results of Drug Test Under Florida Law

11.1 An employee or a job applicant who receives a positive confirmed test result may submit information to the Medical Review Officer ("MRO") contesting or explaining the results in writing within ten (10) working days of receipt of notification of a positive confirmed test result.

11.2 If the explanation or challenge of the employee or job applicant is unsatisfactory to the MRO, the MRO shall report a positive result back to the Village.

11.3 Within five (5) working days after receiving notice of a positive confirmed test result from the MRO, the Village shall inform the employee or job applicant in writing of the positive test result, the consequences of such results, and the options available to the employee or job applicant. Upon request, the Village shall provide a copy of the test result to the employee or job applicant.

11.4 Within five (5) working days after receiving notice of a positive confirmed test result from the Village, the employee or job applicant may submit information to the Village explaining or contesting the test result, and explaining why the result does not constitute a violation of the Village's policy.

11.5 If the explanation or challenge of the employee or job applicant is unsatisfactory to the Village, the Village shall provide a written explanation (within fifteen (15) days of receipt) as to why the employee or job applicant's explanation is unsatisfactory, along with a copy of the report of positive confirmed test results. All such documentation will be kept confidential except as provided in Section 9, above, and will be retained by the Village for at least one (1) year.

11.6 An employee may further challenge the results of the test in a court of competent jurisdiction or, if the drug test was administered due to a workplace injury, by filing a claim for benefits with a Judge of Compensation Claims, pursuant to Chapter 440, Florida Statutes.

11.7 If an employee or job applicant contests the drug test results, he or she will be solely responsible for notifying the laboratory and the Village in writing by certified mail and provide a copy of the written notice, by certified mail, to the Village. The notice must include reference to the chain of custody specimen identification number.

11.8 An employee or a job applicant who receives a positive, confirmed test result may, at the employee's or job applicant's expense, obtain a retest of a portion of the original specimen at another licensed and approved...
laboratory selected by the employee or job applicant, within one hundred eighty (180) days of the notice of the positive test result.

11.9 An employee or job applicant has the responsibility of notifying the drug-testing laboratory of any administrative or civil action brought pursuant to Chapter 440, Florida Statutes. The test laboratory will preserve specimens of confirmed positive results for at least two hundred ten (210) days after the result was mailed to the MRO. If timely notified of such action, the testing laboratory will maintain the sample until the case or administrative appeal is resolved.

12. Medical Review Officer's Responsibilities for Testing Under Florida Law

12.1 The MRO shall fully comply with all of the requirements set forth in applicable Administrative Rules. The MRO shall be a licensed physician, under contract with the Village, who has knowledge of substance abuse disorders, laboratory testing procedures, chain of custody collection procedures, and medical use of prescription drugs and pharmacology and toxicology of illicit drugs.

12.2 The MRO shall review and verify drug test results prior to the transmittal of the test results, either positive or negative, to the Village. The MRO shall evaluate the drug test result(s), verify the chain of custody forms and ensure that the donor’s identification number on the laboratory report and the chain of custody form accurately identifies the individual.

12.3 If the test results reported are negative, the MRO shall notify the Village of the negative test result and submit the appropriate documentation to the ACHA.

12.4 If the test results reported are positive, the MRO shall notify the employee or job applicant of a confirmed positive test result within three (3) days of receipt of the test result from the laboratory and inquire as to whether prescriptive or over-the-counter medications could have caused the positive test result. Within five (5) days after receiving written notification of the positive test result, the employee or job applicant may contest or explain the result to the MRO. If the employee or job applicant's explanation or challenge is unsatisfactory to the MRO, the MRO will report a positive test result back to the Village.

12.5 Upon contacting an employee or job applicant who has received a positive test result, the MRO shall properly identify the donor, inform the donor that the MRO is an agent of the Village whose responsibility is to make a determination on test results and report them to the Village, and inform the donor that medical information revealed during the MRO’s inquiry will be kept confidential, unless the donor is in a safety sensitive position and the MRO believes that such information is related to the safety of the donor or to the other employees.

12.6 Additionally, the MRO shall outline the rights and procedures for a retest of the original specimen for the donor and process any employee’s or job applicant’s request for retest of the original specimen within one hundred eighty (180) days of notice of the positive test result in another licensed laboratory selected by the employee or job applicant. The employee or job applicant who requests the additional test shall be required to pay for
the cost of the retest, including handling and shipping expenses. The MRO shall contact the original testing laboratory to initiate the retest.

12.7 Upon receipt of information and/or documentation from the employee or job applicant, the MRO shall review any medical records provided, authorized and/or released by the individual's physician, to determine if the positive test result was caused by a legally prescribed medication. If the donor does not have prescribed medication, the MRO shall inquire about over-the-counter medications which could have caused the positive test result. The donor shall be responsible for providing all necessary documentation (i.e., a doctor's report, signed prescription, etc.) within the five (5) day period after notification of the positive test result.

12.8 If the MRO determines that there is a legitimate medical explanation for the positive test result, the MRO shall report a negative test result to the Village. However, should the MRO feel that the legal use of the drug would endanger the individual or others, then the MRO shall report that the test is negative due to a validated prescription and shall request that the individual be placed in a position which would not threaten the safety of the individual or others.

12.9 If the MRO has any question as to the accuracy or validity of a test result or has a concern regarding the scientific reliability of the sample, the MRO may request the individual to provide another sample. As a safeguard to employees and job applicants, once an MRO verifies a positive test result, the MRO may change the verification of the result if the donor presents information which documents that a serious illness, injury, or other circumstances that unavoidably prevented the donor from contacting the MRO within the specified time frame and if the donor presents information concerning a legitimate explanation for the positive test result.

12.10 If the MRO is unable to contact a positively tested donor within three (3) days of receipt of the test results from the laboratory, the MRO shall contact the Village and request that the Village direct the donor to contact the MRO as soon as possible. If the MRO has not been contacted by the donor within two (2) days from the request of the Village, the MRO shall verify the report as positive.

12.11 If the donor refuses to talk with the MRO regarding a positive test result, the MRO shall validate the result as a positive and annotate such refusal in the remarks section. If the donor voluntarily admits to the use of the drug in question without a proper prescription, the MRO shall advise the donor that a verified positive test result will be sent to the Village.

12.12 The MRO shall notify the Village in writing of the verified test result, either negative, positive, or unsatisfactory, and appropriately file chain of custody forms to the Village and submit the proper forms to the ACHA.
E. DRUG AND ALCOHOL TESTING OF COMMERCIAL MOTOR VEHICLE DRIVERS

In addition to the policies and procedures set forth above, Village employees who are connected with the operation of commercial motor vehicles are subject to drug and alcohol testing as required by the Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. § 31306, and pursuant to all applicable procedures and regulations promulgated by the Department of Transportation and the Federal Highway Administration, as well as any additional policy adopted by the Village pursuant to those federal laws and regulations. In cases where the requirements of both federal and state drug and alcohol laws and regulations and the Village's Drug and Alcohol Free Workplace Policy may be applicable, the requirements of federal drug and alcohol laws and regulations will control if a conflict arises between federal law and regulations and the requirements of state law or the Village's Drug and Alcohol Free Workplace Policy.
CHAPTER II

VILLAGE POLICIES

Rule 2.3 EQUAL OPPORTUNITY EMPLOYMENT POLICY

The Village is committed to the concept and practice of equal employment opportunity and affirmative action to assure equal employment opportunity in all aspects of employment. It is the policy of the Village to recruit, hire, train, and promote into all job levels, employees and applicants for employment without regard to race, sex, condition related to sex (pregnancy), color, religion, national origin, age, genetic information, disability, marital status, familial status, veteran status (except if eligible for veterans’ preference), gender identity and expression, and/or sexual orientation or retaliation.

The Village bases all such decisions on individual merit, qualification and competence, as they relate to the particular position and promotion of the principle of equal employment opportunity. The Village’s commitment to equal opportunity applies to all facets of the employment relationship, including compensation, benefits and all other terms, conditions and privileges of employment. All employment decisions will be made in accordance with principles of Equal Employment Opportunity.

It is the policy of the Village to ensure that all employees are able to work in an environment which is free from all forms of harassment on the basis of race, color, age, sex, national origin, religion, marital status, sexual orientation, or disability. Harassment of any form is prohibited and will result in disciplinary action up to and including termination. The Village also prohibits retaliation against any individual who has exercised any right protected by any federal, state or local law regarding equal employment opportunity.

It is extremely important that all employees conscientiously follow the Village’s commitment to equal opportunity. Discrimination/harassment will not be tolerated. The Village Manager or his/her designee is charged with the overall responsibility for the administration of this policy. The Village’s basic goal is the equal treatment of all employees.

Rule 2.4 PROHIBITION OF HARASSMENT POLICY

The Village is committed to maintaining a work environment free of harassment based upon sex (including gender), race, national origin, ethnicity, disability, religion, color, age, pregnancy, veteran status and marital status. The Village will not tolerate the inappropriate harassment of any of its employees, customers or any other individual conducting business with the Village. It is the affirmative responsibility of all personnel for maintaining a workplace that is free from harassment and intimidation.

The Village is committed to promptly and thoroughly investigating all complaints of harassment as set forth in this policy. If, after a thorough investigation, it is determined that inappropriate harassment has occurred in violation of this policy, immediate and appropriate disciplinary action, up to potential discharge will be taken to promptly end the harassment. Appropriate follow-up steps will also be taken where necessary to ensure that the harassment ceases and does not re-occur.

A. SEXUAL HARASSMENT

Sexual harassment includes harassment on the basis on one’s sex. The Village wishes to provide its employees with a pleasant work atmosphere, therefore, sexual harassment of any kind destroys that atmosphere and does not further the business mission of the Village. It is the policy of the Village that no employee’s work or emotional well-being should suffer because of sexual harassment. The Village will not tolerate any sexually related conduct by any employee, vendor, customer or supplier, which harasses, disrupts, embarrasses, intimidates, offends or threatens another person. Any employee, vendor, customer or supplier, who sexually harasses another
person during work hours, while on Village property and/or while conducting Village business shall be subject to the strictest disciplinary measures available to the Village under the circumstances, up to and including termination of employment and/or cessation of contact with the Village.

The following are guidelines that the Village will follow:

1. All employees are expected to act in ways, which establish a professional work atmosphere free of sexual harassment and sexual discrimination. Each Department Head shall ensure that the workplace is free of sexual harassment. All employees have a duty to report any suspected sexual harassment by a Village employee, or a non-employee while on Village property or when Village business is being conducted, to the appropriate Department Head even if they are not the target. An employee’s rights and status with the Village shall not in any way be harmed due to any good faith report of suspected sexual harassment, nor shall any retaliation against such employee be tolerated.

2. No supervisor or non-employee shall threaten or insinuate that an employee’s refusal to submit to sexual advances, or any type of sexual harassment, will adversely affect his or her employment in any way including evaluations, wages, advancement, duties, shifts, disciplinary matters or benefits.

3. Any other sexually oriented behavior by an employee, which is unwelcome by another person, is prohibited. Such conduct may include, but is not limited to:
   a. Unwelcome and/or repeated sexual flirtations, advances, staring or propositions;
   b. Verbal abuse of a sexual nature, sexual innuendo including sexually related comments or jokes, requests for sexual favors, graphic or degrading comments about a person’s appearance or sexually-degrading words to describe a person;
   c. Sexually-suggestive body movements directed toward a person;
   d. Any uninvited physical contact which is sexual or offensive, such as patting, pinching, groping, or constant brushing against another’s body;
   e. The display of sexual-suggestive pictures or objects in the workplace other than what is necessary in the normal course of business; and,
   f. Using the computer to access any content that contains material of a sexual nature.

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

5. Sexual harassment may occur when the intended target of the conduct is not offended, but others find the conduct to be intimidating, hostile, or offensive.

B. OTHER FORMS OF PROHIBITED HARASSMENT

In addition to sexual harassment, the Village also prohibits harassment on the basis of gender, race, national origin, ethnicity, disability, religion, color, age, pregnancy, veteran status, and marital status. Any verbal or physical conduct of an offensive or harassing nature and which is based upon or directed toward any employee based upon any of these characteristics will not be tolerated. Such prohibited conduct includes, but is not limited to:
1. Derogatory, critical, offensive or uncomplimentary jokes, comments, displays, posters, other written materials based upon another’s gender, race, national origin, disability, religion, color, age, pregnancy and marital status.

2. Any physical conduct taken against another individual because of his or her gender, race, national origin, disability, religion, color, age, pregnancy and marital status.

3. Teasing or making fun of another individual’s ethnicity, accent, cultural or religious beliefs or practices, mental or physical disabilities or medical limitations and other similar characteristics.

Rule 2.5 EQUAL EMPLOYMENT OPPORTUNITY / HARASSMENT COMPLAINT PROCEDURE

All employees are responsible for maintaining a workplace that is free of harassment and intimidation.

1. Any person who believes that they have been discriminated against or harassed in the workplace, or any person who witnesses harassment in the workplace even if they are not the target, shall lodge a complaint (either oral or written) directly with any of the following individuals: The Village Manager, the Human Resources Manager, or the employee’s supervisor or Department Head.

2. The individual receiving a complaint, if other than the Human Resources Manager, shall promptly report the complaint to the Human Resources Manager, unless the complaint is made about the Human Resources Manager, in which case the complaint shall be reported to the Village Manager.

3. All employees have a duty to file a complaint on any suspected incident of discrimination or harassment. Failure to report a complaint to the appropriate Village official shall result in termination of employment.

4. Once the Human Resources Manager receives a complaint (or the Village Manager if the complaint is about the Human Resources Manager), the complaint shall be investigated within three (3) work days of notification. The investigation shall include an interview with the employee(s) who made the complaint, and the person(s) toward whom the complaint was directed. Any other persons who have information regarding the alleged complaint may also be interviewed. The investigation may also entail reviewing pertinent documents, e-mail communications, pictures and/or any other relevant physical evidence.

5. The Human Resources Manager shall prepare a written investigation report within ten (10) work days of the notification of the suspected discrimination/harassment unless extenuating circumstances prevent from doing so. The investigation report shall include a finding that discrimination/harassment occurred, did not occur or is inconclusive evidence as to whether discrimination/harassment occurred. The results of the investigation shall be sent to the employee(s) to whom the suspected discrimination/harassment was directed, and the employee(s) suspected of the discrimination/harassment. The report and any disciplinary action which results will be placed in the appropriate employee(s) personnel file.

6. To the extent possible, all complaints will be handled in a confidential manner. Employees must be aware that the Village may have an obligation to investigate a report of discrimination even if the person reporting requests otherwise; it may not be possible for requests of anonymity to be honored. Anyone involved in a complaint will be instructed not to discuss the subject outside the investigation except for a legitimate reason. A legitimate reason would be, for example, to make a report to or respond to an inquiry from law enforcement.
enforcement, a fair employment practices agency, a court, or other similar reason. Gossip, spreading rumors, or maliciously seeking to harm someone’s reputation are not legitimate reasons. Personnel violating confidentiality, for other than a legitimate reason, is subject to discipline. The purpose of this provision is to protect the confidentiality of the employee who files the complaint, to encourage the reporting of any incidents of discrimination, and to protect the reputation of any employee wrongfully charged with discrimination. This provision is not intended to restrain any person from exercising any legally protected right.

7. The results of the investigation will be reported to the person who filed the complaint. If the investigation confirms the existence of harassment/discrimination, the Village will take prompt disciplinary action against the offender, up to and including termination of employment.

8. Any employee wishing to appeal the finding of an investigation may do so by submitting a request for review to the Human Resources Manager within fifteen (15) workdays of receiving the report. If the complaint was about the Human Resources Manager, the request for review will be submitted to the Village Manager. The Human Resources Manager (or Village Manager) shall notify all other parties who were informed of the investigation results that an appeal has been filed within three (3) workdays of the appeal’s receipt. The Village Manager shall interview the employee(s) who filed the appeal and may interview all other persons deemed necessary, and will reach a conclusion as expeditiously as possible. If the complaint was initially investigated by the Village Manager, the Village Manager shall designate an individual to review the initial investigation and reach a conclusion.

9. If, after reporting the harassment as outlined above, the harassment continues or any further incidents of inappropriate behavior occur, employees must immediately report it. Since the Village may not be aware that the harassment is ongoing or that the initial handling of the matter has not satisfactorily resolved the issues or caused the offending conduct to cease, employees are required to report any continuing harassment or new incidents of misconduct even where he or she has previously reported a complaint.

10. No retaliatory action of any kind will be taken toward an individual for filing a complaint based upon a reasonable belief that a violation has occurred or requesting a review of the determination of any investigation. Every complaint will be expeditiously investigated at the direction of the Human Resources Manager, or the Village Manager if the complaint is against the Human Resources Manager. Disciplinary action shall be brought against any employee who files false allegations with malicious intent.

**Rule 2.6 SMOKE-FREE WORKPLACE**

The Village of Pinecrest has established a smoke-free workplace policy for the purpose of promoting a healthful lifestyle and thus reducing the liability exposure and lost productivity time to the Village. The Village recognizes that:

1. The Surgeon General of the United States has declared that the use of tobacco or tobacco products is a hazard to an individual’s health.

2. An employee’s poor health, due to the continued use of tobacco or tobacco products, increases the loss experience of the group health insurance plans and group life insurance plans’.

3. Increases in claims’ loss experience result in increases in premium costs for insurance plans.

4. Increases in premium costs from employees are borne by the General Fund and subsequently, by the taxpayers of the Village of Pinecrest.
5. An employee’s poor health, due to continued use of tobacco or tobacco products, increases the amount of lost workdays and limited activity and thus reduces an employee’s productivity; and decreases in employee productivity result in the decrease in efficiency of the Village government; and decreased efficiency is not an effective use of taxpayer’s dollars.

It is therefore, the policy of the Village of Pinecrest not to employ individuals who have used tobacco products within twelve months of filing an employment application. All applicants must be nonusers of tobacco or tobacco products for at least one year immediately preceding the date of application, as evidenced by the sworn affidavit on the employment application. Furthermore, an employee who uses tobacco products subsequent to becoming employed with the Village of Pinecrest will be subject to termination.

**Rule 2.7 SAFETY**

The Village of Pinecrest is committed to providing employees with a safe and healthful workplace. The safety of every Village of Pinecrest employee is a matter of prime importance and we constantly strive to keep the Village a safe place to work. Each department shall communicate that department’s safety rules and procedures to each employee. Employees shall study these rules and keep them in the Employee Policies and Procedures Manual binder. In addition, a comprehensive guide to safety procedures is contained in the Workplace Safety and Health Manual, a copy of which may be obtained through the Human Resources Office. The Village meets or exceeds all applicable State and Federal Safety requirements.

It is the policy of this organization that employees report unsafe conditions and not perform work tasks if the work is considered unsafe. Employees must immediately report all accidents, injuries, and unsafe conditions to their supervisors in writing. Failure to report an unsafe condition shall result in disciplinary action.

Employee recommendations to improve safety and health conditions will be considered by the Safety and Health Committee. Recommendations for safety improvements from the Safety and Health Committee will be reviewed by the Village Manager. The correction of unsafe conditions is essential in maintaining a healthy work environment and shall be determined by the Village Manager.

Any employee who willfully or repeatedly violates workplace safety rules shall be subject to disciplinary action. This action may include verbal or written reprimands and may ultimately result in termination of employment.

The primary responsibility for the coordination, implementation, and maintenance of the Village’s workplace safety program has been assigned to the Human Resources Manager.

**Rule 2.8 DRESS CODE**

As public employees and representatives of the Village of Pinecrest, we have a responsibility to present ourselves in a clean, neat and professional manner during working hours or when representing the Village. Employees are expected to exercise common sense and good judgment when choosing their work attire and report to work at all times presenting a well-groomed and professional image. Acceptable personal appearance is an on-going requirement of employment with the Village. To accomplish this goal, the Village has established the following dress-code guidelines for non-uniformed personnel.
CHAPTER II

VILLAGE POLICIES

A. GUIDELINES

Employees are expected to choose business appropriate clothing and footwear that communicates professionalism for the type of work being performed and the setting in which the work is performed. While climate and custom may permit a, somewhat, casual work attire, employees are reminded that the type of casual attire one may choose to wear to the workplace is quite different from weekend casual attire. At a minimum, clothing should provide a professional appearance; not be dirty, wrinkled, unkempt, provocative or otherwise inappropriate for the job duties of the individual.

1. Non-Uniformed Personnel
   a. Acceptable Attire: Collared shirts (long or short sleeves), polo shirts, Village logo apparel, sweaters, blouses, skirts, dresses, dress pants or slacks, and khaki pants. Suits, sport jackets and neckties are optional. Skirt length should be no shorter than 2 inches above the top of the knee. Shirts must be neatly tucked in at all times.

   b. Inappropriate Attire (includes but is not limited to): Jeans, or denim fabric of any kind or color, sweatshirts, tank tops, t-shirts, shorts, sun-dresses, Capri or cropped pants, spandex items, leggings, tight pants/ tops, overalls, tropical print shirts or apparel, clothes exposing midriff/torso, ripped, wrinkled, torn, bleached, faded or offensive or revealing clothing, (i.e. low-cut blouses, see-through garments), solid color or prints on any kind of attire that do not present a professional and businesslike appearance, or any other attire which does not present a businesslike appearance for the workplace.

   c. Acceptable Footwear: Business appropriate, such as closed-toe shoes, pumps, oxfords, penny-loafers, and flats, are acceptable. Open-toe dress shoes are acceptable.

   d. Inappropriate Footwear: Tennis/gym shoes, clogs, flip-flops, beach sandals, flat sandals are not acceptable footwear.

   e. More traditional business attire, such as suits, jackets or neckties may be appropriate and required for certain meetings/presentations, either within or outside the Village.

   f. Tattoos may be required to be covered if deemed offensive by management.

   g. Body piercings (other than earrings) may need to be removed and/or covered if deemed offensive by management or pose a safety hazard.

   h. Jeans are not considered professional work attire, but may be worn on Friday’s.

2. Uniformed Personnel

For personnel required to wear a uniform, it should be clean, fresh and intact when reporting for duty and shall be in compliance with any departmental operating procedures. Damage to or loss of uniforms or any part thereof is to be reported immediately to your supervisor.

   a. Replacement and Disposal of Uniforms

Uniforms are replaced as needed due to wear and tear. Employees needing replacement uniforms must return the old or damaged uniforms to their supervisor prior to receiving a replacement. Donation of old or damaged uniforms is not permitted.

All uniforms are the property of the Village and shall be returned to the respective Village department upon separation of employment. See Rule 7.7.
All employees should be mindful of the Village’s commitment to a workplace of dignity and respect and dress and present themselves accordingly. Employees’ reporting to work wearing clothing that is deemed to be inappropriate, unprofessional or in violation of this policy, will be required to clock-out and go home to change and may face disciplinary action up to and including termination.

The Village Manager or the Human Resources Manager in their sole discretion shall make the final determination as to what is acceptable attire under this policy. Employees with questions or concerns about what is professional and appropriate attire should direct their inquiries to the Human Resources Manager.

Rule 2.9 VILLAGE IDENTIFICATION

Employees shall display their Village issued photo identification card during working hours in a visibly conspicuous place on their attire. Employees shall present their card for entry to the Village during periods of emergency or when necessary to identify oneself to residents in the conduct of official business. ID cards are not transferable to any other employee or individual. Employees are to report any loss or damage to their card as soon as possible. The identification card must be returned to the Village upon separation of employment.

Rule 2.10 REIMBURSEMENT FOR DAMAGED PERSONAL PROPERTY

An employee may be reimbursed for damage to personal property in the performance of his or her duty subject to the following restrictions:

a. The maximum reimbursement for prescription eyeglasses and/or hearing aids shall be one hundred fifty ($150.00) dollars. Any workers' compensation benefit for the same shall be signed over to the Village. For a wristwatch, up to seventy-five ($75.00) dollars.

b. Request for reimbursement shall be made within the shift in which the damage occurs.

c. Reimbursement shall be approved by the Department Head and the Village Manager.

Rule 2.11 EMPLOYEE REPORTING PROCEDURES DURING DISASTER OPERATIONS

As employees of the Village of Pinecrest, it is our responsibility to be prepared at all times to respond to disaster situations that may affect the citizens of the Village. In order to accomplish this goal, the Hurricane Preparedness and Recovery Plan has been developed by the Village’s administrative staff. During disaster operations, it is imperative that all personnel follow the guidelines outlined in the plan. In addition, all personnel should make advance plans for the safety of their families and personal property and be prepared to respond well ahead of the general public to the disaster threat.

When the Village Manager has declared a Village-wide emergency (e.g., natural or man-made disasters), employees of the Village that perform essential services (or designated as essential personnel) shall be required to work as deemed necessary by their Department Head.

Personnel will report for duty during disaster operations as directed by their Department Head. All personnel called to duty shall be given a specific reporting time, allowing for reasonable time to make arrangements for the safety of family and personal property. Personnel may be recalled to duty based upon the type and severity of the emergency. Failure to report for duty, without prior leave approval from the Department Head, shall result in termination of employment.
During a hurricane watch, all personnel should make arrangements for the safety of family and personal property. If possible, family members should relocate to a safe area, well inland to avoid the effects of the approaching storm. Personnel should prepare to bring appropriate personal supplies to enable them to effectively perform their duties for at least three days of operation. The following personal supplies should be assembled and brought in by personnel when reporting for duty: Extra uniforms, tee shirts, socks, underwear, shoes; toilet articles (toothbrush, toothpaste, deodorant, soap, shampoo, razor and shaving cream); rain gear; Village of Pinecrest Identification Card; prescribed medications; mosquito repellent.

Personnel will be assigned to duties as outlined in the Hurricane Preparedness and Recovery Plan and shall not leave their assigned post unless relieved by their Department Head or other appropriate authority.

**Rule 2.12 TELEPHONE SYSTEM AND VOICE MAIL RECORDING**

The Village’s telephone systems are the property of the Village of Pinecrest. Office telephones are provided to facilitate Village business activities. Although the Village realizes that there are times when an employee may need to use the telephone for personal reasons, it is expected that good judgment will be used in limiting the length and frequency of such calls, and in making such calls only during breaks. Additionally, no long distance personal calls, other than toll free calls, may be made on Village phones without prior approval from the employee’s supervisor.

During work time and while in the office, employees should limit the use of their personal cell phones (including smart phones and personal digital assistants (PDA)) for calls and text messages in the same way they must limit personal use of their office telephone for non-business use. Employees that have excessive telephone or cell usage for personal calls or text messages will be subject to disciplinary action, up to and including termination.

Additionally, employees working in view of the public, such as park service aides, permit clerks, maintenance workers, receptionists, police officers and other positions who typically perform work in view of the public are prohibited from using their personal cell phones to conduct personal (non-business related) calls or texts.

Employees who have voice mail capabilities may, from time to time, establish personalized messages. The messages shall be limited to an appropriate greeting that identifies the person’s department and name. Recordings shall be responsible, professional, and related to Village business. Employees with voice mail shall be responsible for retrieving their messages daily.

Voicemail is not secure; as a result, voicemail must never include sensitive information, therefore, do not leave or accept transactional information via voicemail.

**Rule 2.13 COMPUTER USE, ELECTRONIC COMMUNICATIONS AND EQUIPMENT**

**A. PURPOSE**

1. This policy is intended to provide guidelines for the appropriate utilization of the Village’s information technology resources. This policy applies to all employees of the Village. Use of the Village’s information technology resources is for municipal purposes only and must meet standards as specified in this rule. The Village provides resources including electronic mail, intranet and Internet service, desktop support services, including network office automation file and print sharing, and peripherals, the primary purpose of which is to support and enhance the research and information capabilities of the Village and to encourage electronic communications and sharing of information resources within the organization and to the public at large.
2. Acknowledgement of Receipt of the Employee Policies and Procedures Manual (or addendums) shall indicate understanding of, and, agreement with the policies and regulations set forth in this rule.

B. DEFINITIONS

For the purpose of this policy, the following definitions apply:

1. **Computer** – includes any desktop computer, laptop, iPad, tablet or any other electronic data storage device purchased and/or issued by the Village.

2. **E-mail** – information created or received via an electronic mail system, which includes any attachments transmitted with the message.

3. **Hardware** – the physical components of a computer system including input and output devices.

4. **Internet** – a worldwide collection of networks utilizing the TCP/IP protocol consisting of commercial, governmental, educational and other systems that route data and messages.

5. **IT** – shall mean the Village’s information and technology infrastructure.

6. **IT Manager** – is the chief information officer.

7. **Network** – a group of computers and associated devices that are connected by a communication device.

8. **Password** – a unique string of characters assigned to a user to allow access to the Village’s information technology resources.

9. **Payment Equipment** – a device used to conduct credit card transactions.

10. **Peripherals** – a device that is connected to a computer such as a printer.

11. **Server** – a processing unit which stores the Village’s mission-critical software applications and data files.

12. **Smart Mobile Device** – device with capability to connect to the Village’s information and technology resources including but not limited to e-mail and calendar services. This definition includes, without limitation, smart phones, PDA’s and tablets.

13. **Software** – a computer program that performs functions.

14. **Users** – individuals authorized to use Village issued information technology resources as part of their assigned official duties.

15. **Virus** – a self-duplicating program that interferes with a computer’s hardware or operating system.
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C. GENERAL GUIDELINES

1. Data. All electronic data on the Village’s IT resources are the property of the Village. All mission critical data shall be stored on the user’s assigned network drive. Only network drives are backed up on a regular basis. Users shall not store personal files on Village computers.

2. Right to Access and Monitor. The Village reserves the right to access and monitor all data, including e-mail and Internet usage, on Village IT resources. The Village has software and systems in place that can monitor and record all Internet usage. All employees should be aware that the Village’s network is capable of recording each World Wide Web site visit, each chat, newsgroup or e-mail message, and each file transfer into and out of the Village’s network. The Village Manager and/or his/her designee may review the Internet activity and analyze usage patterns to assure that the Village’s Internet and computer resources are devoted to maintaining the highest level of productivity. All data is subject to inspection by Department Heads, the IT Manager and the Village Manager. All such data is to be available in accordance with the Sunshine Laws of the State of Florida. Employees have no right to privacy as it relates to any data stored on the Village’s IT resources including all computers.

3. Hardware/Software. All IT resources, including hardware and software, are provided to an employee for the purpose of aiding in the performance of the employee’s job functions. All hardware and software used is to be supplied by the Village and installed by the IT Manager. Hardware and software that is unauthorized or unlicensed by the Village may not be used or installed on any Village computer. Users may not alter and/or modify software or any computer settings or install any personal equipment on the Village’s network without prior approval of the IT Manager.

D. SECURITY

1. User Name/Passwords. In order to use the Village’s IT resources, every user is provided a user name and password. Only authorized users may use Village IT resources. Users should not reveal their password to anyone – even fellow employees under any circumstances.

2. Access. Users must prevent access to the Village’s IT resources by unauthorized individuals. Employees shall immediately report to their Department Head any incident or activity that could compromise the security of the Village’s IT resources. Access to confidential information will be granted on a minimum level of access necessary to perform assigned responsibilities. Only authorized users will be granted remote access as this access introduces a higher level of risk. Only computer systems provided by the Village of Pinecrest (in compliance with minimum anti-virus and security standards) will be authorized to remote in.

3. Terminated Employees. Any user no longer employed by the Village shall be immediately denied access to the Village’s IT resources upon notification to the IT Manager from the Human Resources Office or Department Head.

4. Flash Drives. “Thumb Drives” or similar USB devices pose one of the highest data security risks to a network environment including the transmission of viruses. Employees may only use flash drives that are purchased by the Village and only with permission from their Department Head. Utilization of personally owned flash drives or other USB storage devices is prohibited.
E. ACCEPTABLE USES OF IT RESOURCES

1. Village-related business purposes only, including communicating with Federal, state or local government personnel, vendors and other private businesses.

2. Uses conducted in a responsible, efficient, ethical, and legal manner for which users must acknowledge their understanding of this rule and guidelines as a condition of receiving access with the burden of responsibility being upon the user to inquire as to acceptable and unacceptable uses prior to such use.

3. Only those activities that enhance the ability of the user, increase their productivity and provide opportunities for professional growth, pursuant to which employees are encouraged to develop uses which meet their work-related performance objective needs and which take advantage of the network function. Examples of job-related responsibilities are accessing external databases; searching on-line public access information; disseminating documents to individuals or groups; participating in electronic mail discussion groups on job related topics; gaining access to software user support information and documentation.

F. UNACCEPTABLE USES

Unnecessary or unauthorized usage causes network and server congestion. Unlawful usage may also garner negative publicity for the Village and expose the Village to significant liabilities. Exceptions are limited to police investigations into criminal activities, which may require the use of the IT resources for information and intelligence gathering. This is permissible with the prior approval of the Police Chief with notice to the Village Manager.

The following are unacceptable uses – this list is meant to be illustrative and may not be all-inclusive:

1. Violation of any laws, regulation, departmental or Village policies, including State and County Codes of Ethics.

2. Using profanity, obscenity or other language that may be offensive to another person, including the use of the computer for threats, harassment, slander, defamation, obscene or suggestive images or offensive graphical images. The display of any kind of sexually explicit image or document is a violation of the Village’s policy on sexual harassment. Sexually explicit material may not be archived, stored, distributed, edited, or recorded using the Village’s IT resources.

3. Sending political endorsements or chain letters.

4. Engaging in commercial activities, except as may be conducted or authorized by the Village Manager and/or his/her designee for purchasing purposes.

5. Installation of non-approved software, including, but not limited to, screen savers, games, remote control software, or entertainment software, use for any personal reasons, resulting in or relating to personal gain or for profit enterprise; copying (uploading or downloading) commercial software in violation of copyright law.

6. Transmission of any material in violation of Federal, state or local law, ordinance, regulation or policy including unlawful or inappropriate communications as stated above, including, but not limited to, offensive, intimidating or embarrassing
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7. comments, jokes, slurs, insinuations, rumors or pictures based on race, sex, sexual orientation, age, religion, color, national origin, or disability.

8. Attempting to circumvent security measures or accessing data of another user (e.g. disabling virus protection or tunneling a protocol through a firewall.

9. Harm or destroy any data files or physical equipment other than editing or deleting information in the normal course of the employee’s duties.

10. The use of personal computing systems or test devices within the Village of Pinecrest networks.

11. The use of the Internet for Email for any unlawful activity or personal gain.

12. Sending credit card information by email or any other messaging technology.

G. E-MAIL

1. Public Records. E-mail messages and attachments are official records when created or received in the transaction of official business and are subject to disclosure, in the absence of exception, as provided by Chapter 119, F.S.

2. Responsibility. Employees are responsible for monitoring their e-mail account on a daily basis. Employees are also responsible for the content and dissemination of their e-mail. This responsibility includes that their messages are, (a) accurate; (b) courteous; (c) sent only to the pertinent staff; (d) protect confidentiality where appropriate; (e) are sent in a timely manner; and, (f) are filed and discarded appropriately.

3. Blast E-mails. Users shall not send blast e-mails to all employees without the prior authorization of their Department Head.

4. Use. E-mail shall be used for business communications only.

H. INTERNET

1. Use. The use of the Village’s Internet resources is limited to acquiring information related to or designed to facilitate the performance of assigned duties or the performance of any task or project. The use of the Internet must be supportive of organizational objectives and be consistent with the mission of the Village. The use of Internet resources for commercial uses or profit or for personal use is prohibited.

2. Internet Media Sites. The use of the Village’s Internet resources to access music or video sites for non-business use is prohibited unless otherwise authorized by the Department Head. These services consume a vast amount of bandwidth and therefore should only be used when the information needed is critical.

5. Disclaimer of Liability. The Village is not responsible for material viewed or downloaded by users from the Internet. Users are cautioned that included among the massive amount of information on the Internet is offensive, sexually explicit and inappropriate material. In general, it is difficult to avoid coming into contact with some of this material on the Internet even when performing innocuous search requests. In addition, having an e-mail account may lead to receipt of unsolicited e-mails containing offensive content. Users accessing the Internet do so at their own risk and the Village disclaims all liability.
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I. LAPTOPS

The primary use of laptop computers is to provide users access to the Village’s IT resources in a mobile environment. Employees assigned a laptop shall observe the following protocols in addition to any departmental policies relating to same:

1. Users shall be solely responsible for the care and safeguarding of the equipment.

2. Laptops used in vehicles shall be mounted in a docking station and shall not be used while the vehicle is in motion if it interferes with the safe operation of the vehicle.

3. Users shall limit the use of the laptop to work-related functions.

4. Users shall not allow access to their laptop by anyone not authorized to use Village equipment.

5. Users shall make their laptop available for inspection by their Department Head or the IT Manager at any time.

6. Users shall immediately notify their Department Head if the laptop has been stolen or is otherwise no longer in the possession of the employee.

J. SMART MOBILE DEVICES

The use of a smart mobile device in connection with accessing the Village’s e-mail and calendar system is a privilege only granted to employees classified as "Exempt" under FLSA (Fair Labor Standards Act). Exceptions to this policy must be approved in advance and in writing by the Village Manager.

Release of Liability and Disclaimer to Users of Personal Smart Mobile Devices:
The Village hereby acknowledges that the use of a personal smart mobile device in connection with Village business carries specific risks for which the employee, as the user, assume full liability. These risks include, but are not limited to, the partial or complete loss of data as a result of a crash of the OS, errors, bugs, viruses, and/or other software or hardware failures, or programming errors which could render a device inoperable.

K. TEXT MESSAGING

Employees conducting Village business on wireless communication equipment shall have no expectation of privacy regardless of whether the equipment is the property of the Village or personal equipment.

Text messages sent or received by Village employees in connection with official Village business are public records and subject to disclosure under Florida’s Public Records Laws. In the event that a Village business related text message is received or sent, via any text messaging application, the user shall be responsible for ensuring that the text message(s) is properly archived for retention purposes.

For purposes of this section, "properly archived" shall mean forwarding a copy of the said text message(s) to the user’s Village email account with the subject line "Text Message" and a specific description. Should the employee not have a Village issued email, he/she shall forward the sent or received text message(s) to the Office of the Village Clerk for proper archiving.
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1. Procedure: Until such time as an enterprise-wide solution is implemented, the user shall preserve any texts that require archiving by forwarding a copy to their Village-issued email account in one of the following ways:

   a. Forward the actual text message. The message will be sent as a text file.
   b. Take a screen shot of the message and forward the image.

L. TRAINING

   1. If needed, new employees shall schedule an appointment with the IT Manager prior to being granted access to the Village’s IT resources at which time they shall be provided with their network credentials and basic information regarding the use of IT resources. New employees shall also be required to sign an acknowledgement of an understanding of the provisions of Rule 2.13.

   2. Employees are responsible for learning proper techniques and standards for use of the IT resources.

M. HELP DESK

   Employees shall immediately contact their department’s Help Desk or IT staff, in accordance with departmental policies, to report any issues with the Village’s IT resources.

N. RESPONSIBILITY OF EMPLOYEES

   Employees are responsible for understanding that, if they misuse the IT resources, or violate provisions of Rule 2.13, they may lose access and may be subject to disciplinary action, including termination, as may be provided by the Village’s Employee Policies and Procedures Manual. Particular concerns include issues of privacy, copyright infringement, e-mail etiquette, computer viruses, and any unintended use of network resources. Additional policies, procedures and requirements may be set forth by the Village Manager from time to time.

O. ENERGY EFFICIENCY GUIDELINES

   In keeping with the Village’s commitment to minimize its impact on the environment by reducing energy consumption, the Village’s Information Technology Division (“IT”) has created the following energy efficiency guidelines. This policy shall apply to all Village departments and employees. IT will provide assistance to all Village departments in implementing the guidelines.

   1. All staff monitors and peripherals should be turned off at the end of the day, or when the user will be away from the device for more than two (2) hours. All computers, monitors and peripherals should be turned off when the user will be out for an extended period of time (e.g. weekends).

   2. All screen savers should be disabled in favor of “power-down” mode. Desktop computers can draw 50-100 watts when in full operation and a laptop between 25-50 watts.

   In “power-down” mode, these can be reduced to 20 and 5 watts, respectively. For monitors, the energy use can be reduced from 25-40 watts to 5 watts. Please contact IT for assistance.
3. Training room and shared equipment should be turned off when not in use, including all peripherals.

4. All computer equipment that is no longer in use must be reused, recycled or disposed of through IT.

5. Devices that require charging, such as laptops and cell phones, should not have their chargers plugged in without the device. It is recommended that this extend to any device that has an AC/DC converter.

6. Wherever possible, devices that draw a trickle charge when off should be fully disabled when not in full use.

7. Whenever feasible, the Village will purchase equipment certified by the U.S. Environmental Protection Agency's (EPA) "ENERGY STAR" program. ENERGY STAR is a program helping businesses and individuals protect the environment through superior energy efficiency, and ENERGY STAR-rated equipment will improve the Village's energy and financial performance.

8. Networking/sharing a printer is a more energy/cost-efficient solution than purchasing multiple personal printers. Whenever feasible, IT will purchase strategically, networked or shared printers capable of printing on both sides of a sheet of paper in lieu of personal printers.

9. Employees will print only when necessary in order to reduce paper, energy consumption and ink cartridges.

10. As a part of the Village's website, the Website Administrator will dedicate a section, page, or area that details our involvement in the Florida Green Builders Association's "Green Local Government Standard".

11. From time to time, the Village Manager may revise these guidelines and will distribute changes with a new effective date.

**Rule 2.14 WORK SPACE MAINTENANCE, SECURITY AND PRIVACY**

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

Employees are required to ensure that all sensitive/confidential information in hardcopy or electronic form is secure in their workspace at the end of the day and when they are expected to be gone for an extended period.

The following standards are established to ensure information is handled responsibly:

a. Computer workstations must be locked when workspace is unoccupied.

b. Computer workstations must be shut completely down at the end of the workday.

c. Keys used for access to restricted or sensitive information must not be left at an unattended desk.
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Rule 2.15  DIRECT DEPOSIT

a. Employees for regular, provisional, seasonal, temporary, part-time or substitute positions are eligible and encouraged to obtain and maintain a bank account for the purpose of receiving wages from the Village of Pinecrest via an electronic funds transfer system (i.e., direct deposit).

b. Reimbursement for expenses such as mileage, uniform allowance, supplies, travel expenses, or any other reimbursable expenses shall be made via direct deposit.

c. An exemption from the direct deposit program will be granted for any employee claiming a hardship upon receipt of a written request to the Human Resources Office.

Rule 2.16  HIPAA – PRIVACY POLICY

The Village of Pinecrest complies with all applicable provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The Village of Pinecrest has designated the Human Resources Manager as the HIPAA Compliance Officer. All questions regarding HIPAA and protected health information should be directed to the HIPAA Compliance Officer. The Village of Pinecrest will maintain the confidentiality of all protected health information to the extent required by HIPAA and any other federal, state, or local law or regulation.

Rule 2.17  ATTENDANCE AND PUNCTUALITY

The Village of Pinecrest is a service-oriented organization providing important and valuable services to residents and the public at large. In order to accomplish this goal, it is imperative that every employee be present when scheduled to work to fulfill customer expectations. It is therefore, the purpose of this policy to promote the efficient operation of Village departments and minimize unscheduled absences.

A. GUIDELINES

1. Employees’ are expected to be regular in their attendance and report to work as scheduled, and on time and prepared to start work at their assigned workplace each day on which scheduled to work.

2. Employees are expected to remain at work for their entire work schedule. Late arrival, early departure, or other absences from scheduled hours are disruptive and must be avoided.

3. It is the employees’ responsibility to notify his or her Department Head or supervisor as far in advance as is possible of any tardiness or absence. The employee should speak directly with the supervisor and provide an explanation for the absence or lateness. Failure to give such timely notification, without good cause, will forfeit any claim for sick pay and may be grounds for disciplinary action.

4. Scheduled (known) absence shall be requested via the timekeeping software as far in advance as possible.

5. Unscheduled, (unplanned) absences must be recorded in the timekeeping software immediately upon returning to work. In the event an employee does not return to work by the end of the pay period, it is the responsibility of the supervisor to record the absence in the timekeeping software.

6. Supervisors are responsible for impressing upon employees the importance of good attendance and the effect that unplanned absences have on the department’s operation.
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7. Habitual tardiness and/or absences may result in disciplinary action up to and including termination of employment.

8. Attendance / Punctuality is one of the performance categories in the Employee Performance Evaluation. Absences are documented as “occurrences”. An occurrence is the number of non-consecutive full-day absences due to illness (other than approved FMLA leave). Partial occurrences due to medical appointments or illness shall count as one occurrence when hours off equals an employees work day. The following ratings are used to document attendance and punctuality:
   a. **Above Satisfactory**: Less than three (3) occurrences and is almost never late.
   b. **Satisfactory**: Three (3) to five (5) occurrences and is usually on time and tries to improve.
   c. **Conditional**: Six (6) to nine (9) occurrences and/or employee is often late. There is a pattern of sick time used in conjunction with days off.
   d. **Unsatisfactory**: Ten (10) or more occurrences and/or is frequently late. There is a pattern of sick time used in conjunction with days off.

9. Enforcement of this policy shall be the responsibility of the Department Head or designee.

Rule 2.18 WORK SCHEDULE

Each department shall be responsible for establishing their regular operating hours and employee work schedules. Employees are expected to be at work during their established schedule unless approval is granted by their Department Head or their designee.

A. WORK SCHEDULE CHANGES

A Department Head may change an employee’s established work schedule to meet operational requirements. Occasional requests from employees for a change in their established work schedule must be approved by the Department Head. The approval or denial will be determined on a case-by-case basis depending on the operational and staffing needs of the department, the employee’s job duties, work record and the employee’s ability to temporarily or permanently return to a standard work schedule when needed. Employee requests for schedule changes expected to last more than two weeks must be documented on a Personnel Action Form (PAF) and forwarded to the Human Resources Office to be included in the personnel file.

B. RECORDING WORK SCHEDULES ON TIMEKEEPING SYSTEM

Proper recording of an employee’s established work schedule is necessary in order for the timekeeping system to accurately record time worked by an employee. Department payroll personnel are responsible for accurately entering employees’ work schedules on the timekeeping system and updating work schedules thereafter, on an as-needed basis.

Rule 2.19 MEAL PERIODS FOR NON-EXEMPT POSITIONS

1. Meal periods are determined and scheduled by the department head or their designee.
   a. The minimum meal period for non-exempt (hourly paid) employees shall be no less than 30 minutes in duration. Depending on the employee’s classification and/or department, a 60-minute meal period may be applicable.
   b. Meal periods are scheduled by department heads during generally recognized meal times so as to minimize disruption to customers during regular business hours.
c. Employees are expected to return to work at the end of their meal period and within the allotted time determined by their department head.

d. All employees required to use a timeclock must clock-out prior to beginning their meal period and clock-in prior to resuming work. Employees working off-site must return to their department to clock-out or do so at any of the nearby Village locations, before beginning their meal break and clock-in prior to resuming work.

e. Meal periods are unpaid and non-exempt (hourly paid) employees must not perform any work while on their scheduled meal break. An employee who is on a meal break and is asked to perform work, must clock-in to record their work time, and if unable to do so, must notify his/her supervisor of the meal break interruption so an adjustment can be made on the timekeeping system.

f. Working through a meal period is not permitted for make-up time unless prior approval is granted by the Department Head.

2. Eating at Desk/Workstation

Every Village department is equipped with a kitchen and/or break room and employees are encouraged to use these facilities for their meals and snacks. While lunches or other meals must be spent away from the employee’s desk or workstation, eating and drinking small snacks or drinks at the employee’s desk at other times is permitted. However, the activity should be conducted with much discretion, especially with the choice of food and an employee’s visibility/proximity to the public and co-workers.

Employees in locations that are in direct view of the public are not permitted to eat at their workstation.

Due to the presence of sensitive electronic equipment and original paper documents, the use of covered drinking containers (i.e., water bottle with cap) is strongly encouraged to prevent spillage. Drinking containers should also be stable and not easily tipped. Immediate cleanup and proper disposal of food items is required.

Rule 2.20 TIMEKEEPING

The Village uses an electronic timekeeping system for the purpose of recording hours worked by employees. All departments are equipped with a timeclock. Employees are provided an identification badge to be used to record their time worked.

Non-Exempt Employees: Non-exempt (hourly paid) employees are required to record their time and attendance via the timekeeping system by clocking-in at the beginning and end of their workday according to their assigned work schedule; and also clock-in and out for meal periods in accordance with departmental policy. (See Rule 2.19, Meal Periods). Employees may clock-in within two (2) minutes of their start time (unless approval from their Department Head is granted for a longer grace period). Employees are not permitted to clock-in unless they are proceeding directly to their assigned work area or upon approval, an administrative office, including the Human Resources Office or Village Manager’s Office.

Exempt Employees: Exempt (salaried) employees are not required to record their time and attendance on the timekeeping system unless otherwise instructed by the department head or Village Manager.

If an employee has an error punching in or out in accordance with this policy or the Meal Period Policy, the employee is required to immediately notify their payroll coordinator, supervisor or
Department Head so appropriate steps may be taken to correct the timekeeping system in a timely manner.

Alteration, falsification or tampering with time and attendance records will result in disciplinary action, up to and including termination from employment.

Rule 2.21 WORKPLACE VIOLENCE PREVENTION POLICY

The Village of Pinecrest strives to provide a safe and healthy work environment that is free from threats and violence for all employees and other persons in our workplace. We define workplace violence as actions or words that endanger or harm another employee, or result in other employees having a reasonable belief that they are in danger. Such actions include but are not limited to, verbal or physical harassment, verbal or physical threats, assaults or other violence, or other behavior that causes others to feel unsafe in the work setting.

All employees of the Village of Pinecrest are expected to treat each other, their customers, the general public and all others with courtesy, dignity and respect. All employees are expected to abide by the Employee Code of Conduct.

It is the responsibility of all employees to report all threatening behavior to their supervisor, Department Head or the Human Resources Manager immediately. All threatening incidents will be documented by the person receiving the report and investigated by the Human Resources Manager. This investigation may involve the assistance of the Pinecrest Police Department. No employee acting in good faith, who reports real or implied violent behavior will be subject to retaliation or harassment based upon his or her report.

The Village shall not tolerate workplace violence. It is the goal of this policy to promote the safety and well-being of all people in our workplace. A violation of this policy may result in disciplinary action up to and including termination of employment, and, civil and/or criminal sanctions, if appropriate.

Rule 2.22 CHILDREN IN THE WORKPLACE

The Village supports “Take Your Child to Work Day”. Beyond this observance, in order to ensure that a productive, professional and safe environment is maintained at all times, employees shall not bring children into the workplace during the employees’ normal working hours. Exceptions may be considered on a case-by-case basis with prior approval from the Village Manager.

Rule 2.23 PRIOR SERVICE CREDIT

For employees re-hired into the municipal service in accordance with Rule 7.6, prior service credit shall be calculated as the sum of all prior full months of completed service prior to terminating employment with the Village.

Prior service credit shall be used to determine service recognition awards and longevity pay. Prior service credit shall also be used to determine vacation leave accrual rates for former full-time status employees rehired as full-time status employees. Prior service credits shall be determined by the Human Resources Manager.

Rule 2.24 PROCEDURES FOR REPORTING FRAUDULENT ACTIVITY
The Village of Pinecrest is aware that fraud is possible within the organization. Fraudulent activity may include, but is not limited to, corruption or unethical behavior, theft of cash or assets, falsification of expense and invoices, alteration or falsification of records including data processing records or knowingly providing false information on job applications.

Information and concerns about fraudulent activity may come from various sources including employees, vendors, and members of the public, results of external or internal audits, or any other interested parties.

All employees have a duty to report any suspected fraudulent activity by a Village employee or a non-employee. Fraudulent activity or concerns may be reported to the Village Manager, Finance Director, Village Attorney or department head. Anonymous tips may be reported to finance@pinecrest-fl.gov or by calling (305) 234-2121.

An employee’s rights and status with the Village shall not in any way be harmed due to any good faith report of suspected fraudulent activity, nor shall any retaliation against such employee be tolerated.

Rule 2.25 SOCIAL MEDIA

A. GENERAL POLICY STATEMENT

The Village recognizes that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media, even use that seems to be purely personal, may impact the Village, your co-workers, the public, and your job. Therefore, to assist you in making responsible decisions about your use of social media as it relates to your employment with the Village, a policy for appropriate use of social media has been established.

1. Guidelines - In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with the Village, email, as well as any other form of electronic communication. Examples of social media include, but are not limited to, Twitter, Tumblr, Facebook, LinkedIn, Instagram, Pinterest, YouTube, Flickr and Google+. The absence of, or lack of explicit reference to a specific site does not limit the extent of application of this policy.

   The same principles and guidelines found in the other Village rules and regulations apply to your activities online. Ultimately, you are responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects people who work on behalf of the Village may result in disciplinary action up to and including termination.

2. Social Media at Work - Unless specifically authorized by the Village to do so as part of an employee’s position, employees are not permitted to blog or use other forms of social media during those periods of the day in which they are required to perform their work tasks. Employees are prohibited from using a Village issued e-mail address on their personal blogs, social media sites or pages, or any other personal Internet account (such as accounts for on-line news, retail, entertainment or sports).
Unless specifically authorized by the Village, employees are not permitted to blog or engage in social media use on or using any Village computers or Village-supplied electronic resources or other devices (except for Village-issued cell/smart phones approved for employee personal use). In addition, employees may not use the Village’s facilities to develop, design or maintain their personal blogs or social media site or page or other similar communication.

3. Know and Follow the Rules - Employee blogging and social media use that may implicate the Village is subject to the Village’s Computer Use and Electronic Communications Policy (Rule 2.13); the Village’s Equal Employment Opportunity Policy (Rule 2.3); Harassment Policy (Rule 2.4); Workplace Violence Prevention Policy (Rule 2.21) and any other applicable policies in the Village’s Employee Policies and Procedures Manual. Inappropriate postings include, for example, discriminatory remarks, harassment based on a protected class, threats of violence, false or confidential information about the Village or its employees, posting photographs of employees or others without their permission or other similar inappropriate or unlawful conduct. Violation of the above-listed policies or other inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination from employment.

B. VILLAGE OF PINECREST - SOCIAL MEDIA SITES

The Village has several social media sites as a means of improving communication. Employees choosing to engage with the Village through social media must abide by the Terms of Use of the Village’s social media sites below:

1. Terms of Use for the Villages social media sites:

While social media sites promote an open forum, please keep your comments appropriate. Inappropriate comments, comments not related to the purpose of the page or comments not related to the specific post are subject to deletion by the administrator of this account. If you do not comply with the posting guidelines, an administrator may contact you and your message will be removed. If you post inappropriate content a second time, an administrator will contact you and you will be blocked from posting any more information to the site.

This forum is not monitored at all times. Do not use this forum to report emergency situations or time-sensitive issues. Please keep the following guidelines in mind when posting:

We do not allow graphic, obscene or explicit comments or submissions nor do we allow comments that are abusive, threatening, hateful or intended to defame anyone or any organization or comments that suggest or encourage illegal activity.

Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, gender identity or sexual orientation will not be tolerated.

Content posted by persons whose profile picture or avatar, username or e-mail address contains any of the aforementioned prohibited conduct will not be tolerated.

Content should be related to the subject matter of the social media site where it is posted.
We do not allow solicitations or advertisements. This includes promotion or endorsement of any financial, commercial or non-governmental agency. Similarly, we do not allow attempts to defame or defraud any person or financial, commercial or governmental agency.

We do not allow information intended to compromise the safety or security of the public or public systems.

You participate at your own risk, taking personal responsibility for your comments, your username and any information provided.

All comments are subject to Florida's public records law.

The appearance of external links on this site does not constitute official endorsement on behalf of the Village of Pinecrest.

C. MIXING BUSINESS AND PERSONAL LIVES

Online, your personal and work personas are likely to intersect. The Village respects the free speech rights of all its employees, but you must remember that coworkers, supervisors and members of the public often have access to the online content you post. Keep this in mind when publishing information that can be seen by more than family and friends, and remember that information originally intended just for friends and family can be forwarded.

1. Village Subject of Content - If the Village is a subject of the content you are creating, express only your personal opinions. Never represent yourself as a spokesperson for the Village. Make it clear to the readers that the views expressed are yours alone and that they do not reflect the views of the Village, by stating, for example, “The views expressed in this blog [or blog posting] are my own” or “I am not a spokesperson for the Village” or “My views do not represent those of the Village.”

2. Village Manager Consent - You may not post anything on the Internet in the name of the Village or in a manner that could reasonably be attributed to the Village without prior written authorization from the Village Manager or his/her designee.

3. Confidential Information - Do not disclose any confidential information regarding ongoing law enforcement investigations or any information exempt from disclosure under Florida’s public records law.

4. Intellectual Property - You may not use any of the Village’s logos, seal, slogan or trademarks on your personal blog or social media site or page in a manner that suggests that your posts express the opinions of the Village. In addition, you may not use the Village’s trademarks as part of your social media usernames or handles.

Remember to respect the laws governing copyrights, fair use of copyrighted materials, trademarks and other intellectual property, rights of publicity, and other third-party rights in the on-line social media space.
5. **Protected Activity** - Nothing in this policy is intended to prohibit or discourage employees from engaging in speech as citizens on matters of public concern; to prohibit or discourage employees from engaging in any protected activities under any applicable law; or to restrain or impair the ability of any individual from cooperating with the investigative or enforcement authority of any governmental agency with applicable jurisdiction or to impair or impede such authority.

**D. WORK-RELATED COMPLAINTS**

The Village encourages employees to resolve work-related complaints by speaking directly with co-workers, supervisors, managers, Department Heads or the Human Resources Office. If an employee, however, decides to post personal complaints or criticism concerning the Village, its officers or employees, such communications are subject to all applicable Village policies and procedures.

**E. RETALIATION IS PROHIBITED**

The Village prohibits taking retaliatory action against any employee for properly reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for properly reporting a possible deviation from this policy or for cooperating in an investigation may be subject to disciplinary action, up to and including termination.

**Rule 2.26 AMERICANS WITH DISABILITIES ACT – REASONABLE ACCOMMODATION**

The Village of Pinecrest is committed to complying with all applicable provisions of the Americans with Disabilities Act, as amended (“ADAAA”). It is the Village’s policy not to discriminate against any qualified individual on the basis of disability in regard to recruitment, hiring, advancement, termination or any terms or conditions of employment.

Consistent with this policy of non-discrimination, the Village will provide reasonable accommodations to an employee with a disability who is a qualified individual, as defined in the ADAAA, who has made the Village aware of his or her disability, provided such accommodation does not constitute an undue hardship to the Village. Any employee with a disability who believes that he or she needs a reasonable accommodation to perform the essential functions of the job should contact the Human Resources Manager.

Any employee who feels that he or she has not been treated in accordance with this policy should contact their Department Head, Human Resources Manager or Village Manager. The Village prohibits and will not tolerate retaliation against any employee who requests a reasonable accommodation or makes a good faith complaint under this policy.

Any job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should contact the Human Resources Office.
Rule 2.27 FRATERNIZATION

The Village respects the rights of its employees to conduct their personal lives as they wish. However, the Village recognizes that romantic relationships can create a conflict of interest (actual or perceived) or adversely affect work performance and employee morale, create concerns of favoritism, and potentially result in claims of harassment.

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

1. Co-Worker Relationships

There is no prohibition against co-worker romantic relationships or employees who marry each other or become involved in a domestic partnership provided they do not work in a direct supervisory relationship with each other or in a position, which substantially and directly influences the employment conditions of the other or in a position that has an audit or investigation function over the other, such as the Human Resources and Finance Department and Internal Affairs. Under these circumstances, the Village will attempt to reassign one of the employees to another position for which he or she is qualified if such a position is available. In the event that no such transfer is possible, or if such a transfer is not accepted by the Village or the employees, and if neither employee will resign, the Village may terminate the employment of one of the employees. It shall be within the sole discretion of the Village to determine which employee to terminate.

See Rule 3.7, Employment of Relatives.

2. Reporting Relationships

If a romantic relationship develops between a supervisor/manager and an employee, it is the supervisor/manager’s responsibility to promptly disclose the existence of the relationship to the Human Resources Manager. The employee may make the disclosure as well, but the obligation of doing so rests with the supervisor/manager.

Rule 2.28 DOMESTIC PARTNERSHIP BENEFITS

It shall be the policy of the Village of Pinecrest to offer benefits to domestic partners and their dependent children which are otherwise available to an employees’ legal spouse and dependent children. Domestic partners shall also be covered under bereavement leave and sick leave policies. Additionally, employees are eligible for leave, similar to FMLA, for the serious health condition of their declared domestic partner.

a. Definition of Domestic Partners: Domestic partners are defined as two adults, of the same or opposite sex, engaged in a committed relationship characterized by mutual caring and dependency, and sharing a home or living arrangements.

b. Eligibility: Employees must have completed a Declaration of Domestic Partnership prior to receiving any benefits outlined in this manual. To qualify for domestic partner coverage, both individuals must meet each of the following qualifications as well as the specific criteria outlined on the Declaration of Domestic Partnership Form.

1. Individuals must be at least 18 years of age and mentally competent to consent to a contract.

2. Individuals are each other’s sole and exclusive Domestic Partner and intend to remain so indefinitely.
3. Individuals are not married or legally separated or domestic partners as defined herein, with anyone else and have not been so during the preceding six (6) months prior to the declaration of domestic partnership.

4. Individuals are not related by blood to a degree of closeness that would prohibit legal marriage in the State of Florida.

5. Individuals are living together in a common residence and at the time of declaration, must have resided together on a continuous basis for the preceding six (6) months and intend to do so indefinitely.

6. Individuals are engaged in a committed relationship of mutual caring and support and are jointly responsible for each other’s common welfare and living expenses.

c. Documentation for Proof of Relationship: The Village shall require at least two (2) of the following documents as proof of domestic partnership to be submitted with the Declaration of Domestic Partnership Form:

1. Common ownership of real property (joint deed or mortgage agreement) or a common leasehold interest in property.
2. Common ownership of a motor vehicle.
3. Driver's license listing a common address.
4. Proof of joint bank accounts or credit accounts.
5. Proof of designation as the primary beneficiary for life insurance or retirement benefits, or primary beneficiary designation under a partner’s will.
6. Assignment of a durable property power of attorney or health care power of attorney.

d. Employees wishing to claim Domestic Partner Benefits must execute a written declaration, acknowledging the above listed criteria and submit the necessary and appropriate paperwork to Human Resources as requested by the Village to substantiate their eligibility. Proof of eligibility shall require a minimum of two (2) documents/instruments showing joint residency and joint financial responsibility. The date the partnership satisfies the requirements stated on the Declaration form shall serve as the employee's eligibility date for this coverage. Subsequent Declarations with a different partner are not eligible for consideration until at least six (6) months have elapsed since the previous declaration has been terminated by the Village.

e. Civil action may be brought against one or both parties if it is determined that information on the Declaration is falsified.

f. The filing of a declaration does not guarantee the employee’s Domestic Partner eligibility for enrollment in the benefits offered by the Village. Likewise, it does not guarantee that the benefit providers will approve coverage, without additional or updated information as solely determined by the benefit provider.

g. A qualified Domestic Partner and dependent children may be eligible for group insurance coverage for medical and dental coverage.

h. All employees who qualify for this benefit recognize and acknowledge that IRS regulation does not recognize domestic partners/dependents as the equivalent of spouses/dependents. As such, payroll deductions cannot be made on a pretax basis and those employees shall have to pay income tax on the imputed value of the domestic partnership benefit. Additionally, unlike a spouse, one may not take a tax-free distribution from a Health Savings Account (HSA) to pay for a domestic partner’s expenses, unless the
domestic partner is considered a dependent under IRS Section 152. Since there are potential tax consequences to enrolling domestic partners and children, employees are encouraged to seek tax advice from a qualified tax consultant.

i. If an employee terminates his/her employment with the Village, the domestic partner and dependent children are not eligible for COBRA coverage for medical and dental coverage; however, the Village will extend continuation coverage similar to COBRA for up to a period of 18 months with approval from the carrier.

j. A Domestic Partnership shall be considered automatically terminated in the event that one of the domestic partners, marries, remarries, dies or enters into a domestic partnership with another. In those instances, where a domestic partnership dissolves, the date of termination shall be date of the event the eligibility is lost, not the date of notice to the Village. Within 30 days of that date, the employee is required to complete and file with the Village’s Human Resources Office a Notice of Termination of Declaration of Domestic Partnership.

k. Domestic Partners have the obligation to and shall within fifteen (15) days of the date of which the Domestic Partnership no longer meets the eligibility criteria file with the Village’s Human Resources Office a Notice of Termination of Domestic Partnership. Failure to timely report and file the Notice of Termination of Domestic Partnership shall result in a tolling of the six-month waiting period and as further penalty prohibits the eligibility for Domestic Partnership for one (1) year.

l. All employees who fail to comply with the policies of the Domestic Partnership Benefits, or who gives false, misleading or deceitful information to obtain those benefits, shall reimburse the Village for any expenses, benefits payments or other fringe benefit. The Village is authorized to withhold such monies from any compensation, including benefit plan payments, owed to the Village or its insurance carrier.

m. All employees who violate any terms of this policy shall be subject to discipline, up to and including termination of employment.

Rule 2.29 IMPROPER DEDUCTIONS FROM PAY - SAFE HARBOR

The Village does not make improper deductions from the salaries of exempt employees and complies with the salary basis requirements of the Fair Labor Standards Act (FLSA). Employees classified as exempt from the overtime pay requirements of the FLSA will be notified of this classification at the time of hire or change in position.

Exempt employees are compensated on a “salary basis” and regularly receive a predetermined amount of compensation each pay period less applicable wage-related taxes and other deductions authorized by the employee or required by law. The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee’s work. Subject to permissible deductions listed below, an exempt employee must receive the full salary for any week in which the employee performs any work, regardless of the number of days or hours worked, but will not be paid for any workweek in which they perform no work.

No deductions will be made from any salaried exempt employee’s compensation for absences occasioned by the Village or by the operating requirements of the Village’s business. If the employee is ready, willing and able to work, deductions will not be made for time when work is not available.
a. **Permissible Deductions** - Deductions from pay are permissible when an exempt employee:

1. Is absent from work for one or more full days for personal reasons other than sickness or disability;
2. For absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
3. To offset amounts, employees receive as jury or witness fees, or for military pay;
4. For penalties imposed in good faith for infractions of safety rules of major significance;
5. For unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.
6. Is in the initial or terminal week of employment, and an employer is not required to pay the full salary but instead will be paid a proportionate part of the employee’s salary for the time actually worked;
7. For weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act.

If a salaried, exempt employee believes that an unauthorized or improper deduction has been made from his or her salary or the salary of anyone he or she supervises, the employee should notify the Village immediately by bringing the matter to the attention of the supervisor, Department Head or the Human Resources Office. If the employee prefers not to raise the matter with his or her supervisor or Department Head, the employee should report the concern to the Human Resources Office.

b. **Safe Harbor** - The Village is committed in good faith to comply with the Fair Labor Standards Act at all times. If the Village concludes that the deduction was unauthorized or improper, the employee will be promptly reimbursed for any amount(s) incorrectly deducted. The Village prohibits and will not tolerate retaliation against any employee who raises any concern under this policy.

**Rule 2.30 POLITICAL ACTIVITIES**

It is the policy of the Village that all employees are prohibited from soliciting or accepting any political contribution in any Village property, including Village Hall, Police Department and parks. Such prohibited solicitations include, but are not limited to, using Village phones, faxes or computers to solicit contributions or personally approaching any person at any Village property for the purposes of asking for or receiving a political contribution.

Employees are prohibited from providing services to a candidate for elective office during the employees’ work hours for the Village or when an employee has the appearance of being at work or representing the Village such as while in uniform or driving a Village identified vehicle. For example, if an employee is at an event in his/her official capacity, the employee is prohibited from electioneering for a candidate at that event. This prohibition also applies to any employee that may be a candidate for elective office. If an employee is also a candidate, the employee is prohibited from campaigning for him/herself during his/her work hours for the Village.