

Rule 3.1 MUNICIPAL SERVICE

The Municipal Service shall include all paid employees of the Village of Pinecrest not specifically exempted under Section 3.2 below.

Rule 3.2 EXEMPTED FROM MUNICIPAL SERVICE:

The following positions are exempt from the provisions of the Employee Policies and Procedures Manual:

- a. Officials elected by popular vote and persons appointed to fill vacancies in such offices.
- b. Members of any board, committee or commission of the Village.
- c. Persons of highly technical, scientific or professional training maintaining independent practice in their chosen profession employed on a consulting basis on a part-time fee, retainer or salary basis by the Village.

Rule 3.3 LABOR AGREEMENTS

When employees are covered under a labor agreement, wages, benefits, hours, and working conditions are specified by the collective bargaining agreement. If any conflicts occur between a labor agreement and the rules of the Employee Policies and Procedures Manual, the applicable labor agreement shall take precedence.

Rule 3.4 DOUBLE EMPLOYMENT

Employees may not be employed in more than one position with the Village, except under special circumstances and with prior authorization by the Village Manager.

Rule 3.5 OUTSIDE EMPLOYMENT

Employees in the Municipal Service may engage in outside employment (including self-employment) with the approval of the Village Manager and with the understanding that their primary duty, obligation and responsibility is to the Village of Pinecrest. Employees accepting additional employment outside Village service must meet the following conditions:

- a. File an Outside Employment Request and Affidavit Form with their Department Head (found on the Intranet). The notice shall state the type and place of employment, the maximum hours of work, and employer's name. If the job has more than one location, the employee must furnish the name, address and telephone number of someone who will know his or her whereabouts. The employee must keep his or her Department Head notified of changes in conditions of any outside employment.
- b. Arrange with the outside employer to be relieved from duty if called for work by the Village.
- c. Outside employment shall not be permitted when the Village Manager determines such employment would be a conflict of interest or inappropriate with one's employment with the Village.
- d. All injuries sustained during outside employment must be reported to the employee's supervisor prior to the next working day. An employee's failure to report an injury sustained during outside employment shall be grounds for discipline including dismissal from Village employment.

- e. Outside employment shall not interfere with the efficient performance of one's duties with the Village and will not occur during regular or assigned work hours unless pre-approved annual or compensatory leave to cover the absence has been received.
- f. Be with any business, organization or agency that is subject to the regulation of, or is doing business with the Village except as expressly permitted by Florida State Law.
- g. Require one to disclose or use information gained by one's Village position unless the information is available to the general public.
- h. Involve the performance of any work to be performed as part of one's regular duties with the Village or be for personal gain while on duty with the Village.
- i. Be obtained through personal solicitation during one's work hours with the Village.
- j. Use the Village name, logo or trademark or any portion thereof, in order to solicit customers, or the use of any Village equipment, supplies, staff, facilities or materials.

Employees shall notify the Village of changes in their outside employment or when outside employment has discontinued. The Village shall have the right to rescind the approval of a request for outside employment, at any time, upon written notice.

Employees found in violation of the above provisions, may be subject to disciplinary action up to and including termination of employment.

Rule 3.6 RECRUITMENT

The Human Resources Manager shall post all vacant positions in the Municipal Service on the Village's web site.

Applications are accepted only for specific vacancies. An application shall be active for ninety (90) days from the date filed, unless it becomes void because of some other rule of the Human Resources Office. At the end of ninety (90) days, the application is void. A new application must then be completed for any vacancy, which opens after the ninety (90) day period has elapsed. Incomplete applications will not be considered. Resumes will not be accepted in lieu of a fully completed employment application.

See Rule 5.11, Recruitment Incentive Program.

Rule 3.7 EMPLOYMENT OF RELATIVES

The employment of relatives is not encouraged. Approval will not be granted for the employment, promotion or transfer of a member of the immediate family of an employee (defined under this policy as father, mother, spouse, domestic partner, children whether natural or otherwise, brother, sister, mother-in-law, father-in-law, sister-in-law, brother-in-law, or other members of employee's household) to a position where a relative may be either supervising or influencing the activities of the employee.

Current employees who marry each other or become involved in a domestic partnership will be permitted to continue employment with the Village 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 relative. If employees who marry or live together do work in a direct supervisory relationship with each other, 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.

If no such position is available, one of the employees will be required to separate from employment. It shall be within the sole and discretion of the Village to determine which employee shall be terminated.

Rule 3.8 EXAMINATIONS

All appointments to the Municipal Service, either at entrance or promotional level, shall be made on the basis of qualifications, merit and fitness, to be determined by a practical combination of any or all of the following:

1. Interview examination. The Human Resources Manager will develop a list of questions to be asked during the interview. Whenever practical, there shall be more than one interviewer.
2. Performance examination.
3. Physical, medical, or psychological examination following conditional offer of employment.
4. Written examination and/or Oral Board Examination.
5. Evaluation of training and experience.
6. Other criteria, such as certifications, licenses, etc., as may apply.

The Human Resources Manager may reject applications of those who fail to meet the announced requirements of the position.

A. TYPES OF EXAMINATIONS

1. Open Competitive: Any examination in which competition is open to any person meeting the announced requirements for admission to the examination.
2. Promotional: Any examination in which competition is limited to present employees. Such examination shall be restricted to the employees serving in a lower related classification.
3. Non-Competitive: Any examination by interview, reference checking or other method customarily held for seasonal, temporary, or for related reasons whereby competitive examination is deemed impractical.

B. EXAMINATIONS, SCORING, CREDITS

1. Veterans Preference: Qualified veterans will receive preference as set forth in the applicable State of Florida Statutes.
2. Seniority Credits for Promotional Examination: In computing scores on any written promotional examination, persons in the municipal service will receive a one-point credit for each full year of service prior to date of examination with a maximum accumulation of ten points.
3. Examination Grade: Scoring for written examinations will be based on a scale of 0 – 100, unless otherwise noticed on the job announcement.

C. LAYOFF LIST

A Layoff List will contain the names of former employees who were separated in good standing from a position because of lack of work, lack of funds, or from positions abolished as a result of departmental reorganization or for like reasons. The employee's name shall be maintained on such list for a period of one year.

Rule 3.9 APPOINTMENTS

Upon receipt of the Department Head and Human Resources Manager's recommendations, the Village Manager shall approve or deny all appointments.

A. TYPES OF APPOINTMENTS

1. Regular Appointment: The appointment of an individual to the Municipal Service.
2. Provisional Appointment: The Village Manager may authorize the filling of a position by provisional appointment. Any such provisional appointee must meet educational, experience, and related requirements set forth by the Human Resources Manager. Provisional appointments shall not be for periods greater than six (6) months and shall be limited to two (2), six-month periods. The provisional appointment shall not confer any rights of status, appeal or related rights set forth under these rules. A provisional employee failing to qualify by subsequent examination shall be separated from service with the Village.

3. Other Types of Appointments:

To fill positions of a seasonal, part-time, or temporary nature the following appointments may be made (such appointments will confer no rights of status, appeal or related rights):

- a. Seasonal and Temporary: Such appointments may be made for work, which is seasonal in nature or temporary in its requirements. All applicants for such position shall meet the requirements set forth by the Human Resources Manager.
- b. Part-time: May be made for work, which requires the services of an employee for less than the number of hours of a typical workweek. Applicants for such position shall meet the requirements set forth by the Human Resources Manager.
- c. Substitute: May be made to fill a vacant position due to an extended leave of absence or other authorized leave. A substitute appointment shall confer no status or rights under the rules except those of the lower classification when such appointment is made from among existing employees.
- d. Special Administrative Appointments: In the event of a vacancy in the position of Department Head, the Village Manager may request that an employee accept such a position in an acting capacity. Such acceptance will not entitle the employee to subsequent administrative appointment to that position. Any employee in the Municipal Service accepting such an acting position will not forfeit any rights or benefits, even though the acting position is exempted from the Municipal Service. Such appointments, in an acting capacity, shall continue for an initial period of not more than six (6) months duration and may be renewed, for an additional six (6) month period thereafter, by the Village Manager. Any employee appointed to an acting position shall receive a temporary salary increment of fifteen percent (15%) over his/her current earnings, but in no case shall the temporary salary be more than that budgeted for the Department Head position.