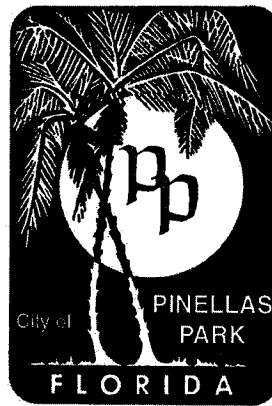


City of  
**PINELLAS PARK**

5141 78TH AVE. • P.O. BOX 1100  
PINELLAS PARK, FL 33780-1100



**FLORIDA**

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**Please Respond To:**

James W. Denhardt, City Attorney  
Lauren Christ Rubenstein, Assistant City Attorney  
Denhardt and Rubenstein, Attorneys at Law  
2700 First Avenue North  
St. Petersburg, Florida 33713  
(727) 327-3400 - Telephone  
(727) 323-0888 - Facsimile

December 26, 2019

Ms. Lisa Hendrickson  
Human Resources Administrator  
City of Pinellas Park  
P. O. Box 1100  
Pinellas Park, Florida 33780-1100

**RE: City Document #19-392**  
**Resolution Authorizing Revisions to**  
**Personnel and Safety Rules and Regulations**

Dear Ms. Hendrickson:

Our office has received and reviewed the above-referenced proposed revisions to the Personnel and Safety Rules and Regulations, which I have also discussed with you on the telephone.

As I indicated, I do have a concern about the wording of the new language contained in Chapter 12, Section 9.2. in that the phrase "... prior to, or simultaneously with, acceptance of their status as a qualified candidate," is somewhat vague as to the term "acceptance." As I discussed with you, I feel that the phrase "prior to, or simultaneous with, the filing of their completed application with the City Clerk to qualify as a candidate," would be much more specific as to when any resignation must occur.

We have reviewed the provisions of the Pinellas Park Charter and the State Elections Law, and do not find that the proposed amendments to Section 9 would conflict with current provisions of the Charter or the State Elections Law.

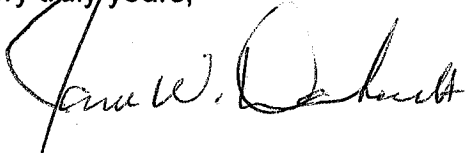


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Ms. Lisa Hendrickson  
December 26, 2019  
Page 2

With consideration of the above suggestion, we would otherwise approve of the proposed amendments and revised Personnel and Safety Rules and Regulations as to form and correctness.

Very truly yours,

A handwritten signature in black ink, appearing to read "James W. Denhardt". The signature is fluid and cursive, with a large initial "J" and "D".

James W. Denhardt  
City Attorney

cc: Doug Lewis, City Manager  
Diane M. Corna, MMC, City Clerk  
Patrick Murphy, Deputy City Manager

JWD/dh

19-392.12262019.LLH.Rev to Personnel and Safety Rules and Regs.wpd

RESOLUTION NO. 20-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, ADOPTING REVISIONS TO THE PERSONNEL AND SAFETY RULES AND REGULATIONS, SPECIFICALLY, CHAPTER 1: DEFINITIONS; CHAPTER 3: JOB POSTING PROCESSES, AND EMPLOYMENT OF RELATIVES; CHAPTER 7: COMMUNICATIONS TRAINING OFFICER PAY; CHAPTER 10: TYPES OF LEAVE; CHAPTER 12: SECONDARY EMPLOYMENT, POLITICAL ACTIVITIES, TAKE-HOME VEHICLES, AND BULLYING IN THE WORKPLACE; CHAPTER 13: SEPARATIONS; CHAPTER 17: ACCIDENT INVESTIGATION, PROVIDING FOR THE REPEAL OF ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

---

**WHEREAS**, past experience has shown that changes within the pay and personnel systems need to be reconsidered for the betterment of the City as well as for compliance with federal legislation and employment law trends; and

**WHEREAS**, the City wishes to modify certain employment procedures and compensation and benefit programs; and

**WHEREAS**, such changes necessitate the revisions to Chapter 1, Chapter 3, Chapter 7, Chapter 10, Chapter 12, Chapter 13, Chapter 17 of the current Personnel and Safety Rules and Regulations.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION ONE:** That the present Personnel and Safety Rules and Regulations as set forth in Resolution No. 13-23 are hereby amended as shown in the attached EXHIBIT A.

**SECTION TWO:** That the amended Personnel and Safety Rules and Regulations are revised and incorporated, by the City Administration, attached as EXHIBIT A hereto and made a part hereof by this reference, and upon consolidation of such changes, are hereby adopted in their entirety.

**SECTION THREE:** That all Resolutions or parts of Resolutions in conflict with the provision of this Resolution be, and they are hereby repealed insofar as the same affects this Resolution.

**SECTION FOUR:** That this resolution shall be in full force and effective immediately after its adoption and approval in the manner provided by law.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

---

Sandra L. Bradbury  
MAYOR

ATTEST:

---

Diane M. Corna, MMC  
CITY CLERK

**Personnel and Safety Rules and Regulations**  
**Summary of Major Changes**  
**January 2020**

| <b>Chapter #</b>                | <b>Major Changes</b>   |
|---------------------------------|--|
| 1 Definitions                   | Update dates to coincide with Munis software system descriptions.  |
| 3 Employment Procedures         | Updates language to clarify job posting processes utilizing Munis software system tools. Changes the minimum amount of time needed to complete new hire processing from three to five days. Clarifies the process for the employment of relatives.   |
| 7 Pay and Hours of Work         | Increases Communications Training Officer (CTO) pay from \$25 to \$50 per pay period.  |
| 10 Other Types of Absences      | Clarifies the FMLA measurement period used for entitled leave. Includes the Parental Leave Program established by Administrative Regulation 13.72. Extends the time period for which bereavement or funeral leave can be taken from 15 to 30 days from the date of death.                        |
| 12 Miscellaneous Rules          | Provides for a process to disclose secondary employment. Clarifies the language for prohibiting political campaigning or other political activities during work hours. Refers sections regarding take-home vehicles to Administrative Regulation 05.26. Adds a Bullying in the Workplace Policy. |
| 13 Separations                  | Reference is added for supervisors to follow the new Administrative Regulation 13.73 for off-boarding employees.   |
| 17 Safety Rules and Regulations | The accident investigation process is updated with the responsibility of crash review to be completed by departments.  |

# Exhibit A

## *City of Pinellas Park*

### Personnel and Safety Rules and Regulations



*Revised ~~December 13, 2013~~ January 9, 2020*

#### City of Pinellas Park Mission Statement

To provide superior yet cost-effective municipal services to our community through teamwork, a "can do" attitude, continual improvement and genuine respect for all people.



# **INTRODUCTION**

## **City of Pinellas Park, Florida**

### **Personnel and Safety Rules and Regulations**

The City of Pinellas Park is committed to providing superior yet cost-effective municipal services to our community through teamwork, a “can do” attitude, continual improvement and a genuine respect for all people. As a City employee you are part of one of the finest, most skillful, and dedicated workforces anywhere.

Honoring our commitment to the community and respecting our diversity requires that each employee abide by the code of professional conduct which is printed below.

#### **Code of Professional Conduct**

As a City employee, you are expected at all times to:

- Be courteous, professional, and objective in dealing with citizens and fellow employees.
- Project a professional image at all times both in behavior and attire.
- Refrain from behavior which might be considered derogatory, offensive, harassing, improper or intimidating.
- Respect the privacy of others and never reveal information which would be considered a violation of privacy or confidentiality.
- Avoid gossip, rumor, or innuendo and avoid unnecessary negative comments about others.
- Treat all persons fairly **and with respect** regardless of such factors as race, religion, disability, age or national origin.
- Not engage in behavior which could be viewed as favoritism or special treatment and must avoid real or perceived conflicts of interest.
- Accept responsibility for your actions and always make decisions consistent with the welfare of the public.
- Refrain from taking unfair advantage of professional relationships and not exploit others for their personal, religious, political or business interests.

This employee handbook is one of the most important tools at your disposal. It provides you with basic information about the policies, practices and procedures which affect your employment. You are encouraged to become thoroughly familiar with this handbook; if you have questions or concerns about the policies discussed here you should contact your supervisor, or the Human Resources Department.



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**CITY OF PINELLAS PARK**  
**PERSONNEL AND SAFETY RULES AND REGULATIONS**

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## CHAPTER 1: DEFINITIONS

### Overview:

*The following definitions are to be used when interpreting and administering these Personnel and Safety Rules and Regulations.*

**Active Pay Status** – A status in which an employee receives pay from the City of Pinellas Park for working his or her regularly scheduled work hours or while on paid leave.

**Actual Date of Hire** – Actual date an employee begins work with the City of Pinellas Park, whether the date is full-time, part-time, or temporary. If there is a break in service and an employee is rehired, the actual date of hire will be the re-employment date. (Note: Moved to Permanent Hire Date)

**Administration** – Denotes the management of the departments and divisions and their policies in the City government.

**Administrative Regulations** – The general administrative policies and procedures of the City of Pinellas Park, which serve as a guide for all personnel in providing guidance and direction relative to City operations. The procedures in the Administrative Regulations are prepared, approved, and distributed by the City Manager's Office.

**Administrator** – Refers to a Department Administrator.

**Bargaining Unit** – Employees governed by one of the following union contracts, currently: American Federation of State, County, and Municipal Employees (AFSCME), Fraternal Order of Police (FOP), or the International Association of Firefighters (IAFF).

**Benefit Programs** – Various programs provided by the City to eligible employees such as insurance programs, types of paid or unpaid leaves from work, the retirement system, award and recognition programs, etc.

**Benefits-Eligible Service Date of Hire** – The date which is used to establish an employee's eligibility for benefits, exclusive of pension.

**Call back** - (or call out) – Occurs when an employee, not at the place of work, is called to perform unscheduled, un-forecasted duties.

**City Council** – The governing authority for the City of Pinellas Park, Florida.

**Classification** – A means of designating positions in the same salary range, grade, or classification. Also, an employee's job title.

**Classification Hire Date** – The date on which an employee began serving continuously in a particular classification, also referred to as Hire Date in the current software system.

**Demotion** – A personnel action, either voluntary or involuntary, that changes the employee's classification to a classification that has a lower pay range.

**Department Administrators** – Key administrative, management (FLSA exempt) employees who have the responsibilities and duties for the operation of a City Department, which may include a group of divisions in the City and report directly to the Deputy City Manager or City Manager.

**Discharge/Dismissal** – Involuntary separation from City employment.

**Division Directors** – Management (FLSA exempt) employees who have the responsibilities and duties of the operation of a departmental division within the City and report directly to the Department Administrators.

**E.A.P.** – Refers to the Employee Assistance Program.

**Employee Personnel Status** – The position of the employee with respect to standing in City service, i.e., full-time, part-time, temporary, on leave of absence, on probation, etc.

**Exempt Employees** – Salaried employees who are not required to be paid overtime, in accordance with applicable federal wage and hour laws.

**Full-Time Employee** – Any person who is in a position that requires working a minimum of forty (40) hours per week; or in the case of applicable Fire Department personnel, any person who is working a schedule of twenty-four (24) hours on duty, forty-eight (48) hours off duty (also referred to as a 56 hour work week employee).

**Full-Time Regular Employee** – A full-time employee who has completed the initial probationary period.

**Job Analysis** – A statistical and analytical study of the duties and responsibilities assigned to a position.

**Layoff** – A reduction by the City Manager of employees due to lack of work, funds, or other causes not pertaining to employee performance.

**Leave** – A temporary absence from the job.

**New Position** – An entirely new group of essential functions and qualifications including experience, education and skill requirements that have not been previously classified together in a job position.

**Non-exempt Employees** – Hourly employees who are required to be paid overtime at the rate of time and one half their regular rate of pay as required by the federal wage and hour laws.

**Original Hire Date** – The original date an employee began work at the City of Pinellas Park.

**Overtime** – Time paid at one and one-half (1 ½) times the regular rate of pay for non-exempt classified employees in compliance with the Fair Labor Standards Act.

**Part-Time Employee** – An employee hired into a position that normally requires the employee to work thirty-five (35) or less hours per week.

**Part-time Regular Employee** – A part-time employee who has completed the initial six-month probationary period.

**Pay Range** – The salary assigned to a particular job classification which indicates the minimum and maximum pay rates.

**Pension Date of Hire** – An employee's full-time date of hire from which pension benefits are calculated upon retirement.

**Performance Appraisal** – A written assessment of an employee's job performance by the employee's supervisor.

**Performance Improvement Plan** – A written document outlining job performance deficiencies and the required performance objectives that must be met.

**Permanent Hire Date** – The date an employee begins regularly scheduled work with the City of Pinellas Park, whether the work is full-time or part-time. If there is a break in service and an employee is rehired, the Permanent Hire Date will be the re-employment date.

**Position Description** – A formal, written definition of the objective, essential functions, working conditions, education, experience, and skill requirements of a position.

**Position Survey** – A study of the work assignments, duties, responsibilities, technical requirements, and organizational aspects of a position.

**Position Title/Job Title** – The title assigned to a job that requires the employment of an individual to perform the tasks set forth. This relates to the duties performed and not to the employee performing those duties.

**Probationary Employee** – An employee who has been employed for less than six months (in Fire and Police Departments, for specific positions, a period of one year) as a new hire or in a new position, unless another length of time is specified by a union contract.

**Probationary Period** – The time frame provided to allow the department administrator and/or division director or supervisor an opportunity to evaluate an employee's performance and ability, when the employee is newly hired or promoted/demoted/reclassified to a new position.

**Probationary Status** – When an employee is serving a probationary period.

**Promotion** – The upgrade of an employee from one position to another position which has a greater level of responsibility and a higher salary range. When an employee applies for and/or is selected to fill a position which is in a higher grade than the grade the employee is currently working in.

**Recall** – An action returning an individual to City employment from layoff status.

**Reclassification** – A change in the essential functions of a position that requires the position to be reclassified (adjusted) to either a higher or lower salary pay range/grade, or re-titled within the same pay range.

**Resignation** – An act of voluntarily separating from City employment.

**Retirement** – Whenever an employee enters the DROP program or withdraws from active employment with the City and has applied for retirement income under the provisions of the City of Pinellas Park's Retirement System. An employee who remains "vested" after leaving City employment is not considered to have retired.

**Seasonal Employee** – An employee hired into a position that requires the employee to work in a position for a seasonal period (example, school crossing guards, summer recreation positions, etc.).

**Seniority** – The length of service from a particular date of hire or classification date.



**Service Award Date of Hire** – The date from which qualifying employees receive formal recognition for specified lengths of continuous service. Except for School Crossing Guards, temporary service as a City employee or through another agency does not count as time worked for a Service Award.

**Suspension** – The temporary dismissal of an employee from work, either with or without pay.

**Temporary Employee** – An employee appointed for a special project or other work of a temporary or transitory nature, either as a City employee or employed through an outside agency.

**Termination** – The act of removing an employee from the City payroll.

**Termination Date** – The last day an employee is on the payroll.

**Transfer** – An action in which the employee moves from one department/division to another with no resulting classification or title change (for example, a Senior Staff Assistant transfers from the Police Department to be a Senior Staff Assistant in the Fire Department); or an action in which an employee serves in a different classification within the same pay grade.

**Union Contracts/Collective Bargaining Agreements** – Contracts governing the terms and conditions of employment for particular groups of employees, currently: American Federation of State, County and Municipal Employees (AFSCME), Fraternal Order of Police (FOP), or the International Association of Firefighters (IAFF).

**Vacancy** – A position existing or newly created which is not occupied and for which funds are available.

**Vested** – An employee who has met the age and/or service requirements to be eligible to receive a retirement benefit.

**Volunteer** – An individual who, of his or her own free will, assists with City operations, programs, services, or support without salary or any other compensation.

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## CHAPTER 2: GENERAL PROVISIONS

### Overview:

*The policies stated in these Personnel and Safety Rules and Regulations are intended as guidelines only and are subject to change at the sole discretion of City management. The language used in these Rules and Regulations should not be construed as creating a contract of employment, express or implied, between the City and any of its employees. The City Manager, Deputy City Manager, Department Administrators, Division Directors, and all other supervisory personnel reserve all the customary rights of management including the right to supervise and control all operations of the City; direct all work; interpret, change or cancel all personnel policies with or without notice; hire, schedule, terminate, lay-off, transfer, promote, reclassify, reward, discipline, or otherwise manage employees, & and select the manner, method, & and means of doing so.*

*Again, this manual does not and will not create a contract between the City and any employee. This manual contains no promises, guarantees, representations, agreements, or warranties upon which any prospective, current or prior employee can reasonably maintain or create any expectations of such. Employment with the City of Pinellas Park is for no definite period and may be terminated at any time without previous notice during the initial hire probation period, in compliance with the State of Florida's "Employment at Will." Also, the employment relationship between the City and its employees is at-will, i.e., the employee may resign and the City may terminate the employee at any time, for any reason within the limits of the law.*

*These Personnel and Safety Rules and Regulations, in addition to those rules found in Administrative Regulations, Departmental rules, and union contracts, establish a comprehensive Human Resources Management System, setting forth the general personnel policy, providing for the establishment of administrative rules and regulations for the personnel system, prohibiting certain activities by personnel, establishing certain acts as subject to disciplinary action, defining the status of employees, and describing other information relevant to the administration of the program.*

*All employees are responsible for being familiar with the City's rules and regulations and/or the union contract which covers their positions with the City. Copies of these Personnel and Safety Rules and Regulations are maintained on file for review by the general public, as provided below. All current employees and new employees shall receive a copy of these Personnel and Safety Rules and Regulations. All employees will be required to sign an acknowledgment of receipt which becomes a part of their personnel record.*

*As the policies and procedures stated in these Rules and Regulations are subject to change at the sole discretion of the City, employees may receive updated information concerning the policy modifications. Should employees have questions at any time regarding any of the policies and procedures contained in these Rules and Regulations, or in their respective departmental Rules and Regulations, they should ask for clarification from their supervisor or from any designated member of the Human Resources Department.*

### Section 1. Positions Covered

1. These Personnel and Safety Rules and Regulations apply City-wide as a working guide in the day-to-day administration of the City's personnel program.
2. These Rules and Regulations do not apply to elected officials. These Rules and Regulations shall not apply to employees covered by union contracts except as a working guide for supervisory and staff personnel in the day-to-day administration of personnel management. Union employees are governed by the provisions of their current union contracts, and the Personnel and Safety Rules and Regulations apply only if not in conflict with the collective bargaining contracts.
3. Temporary and Seasonal employees are governed by these Rules and Regulations. However, such employees are considered to be employees' at-will, and may be dismissed at any time for any reason either with or without cause. Temporary and Seasonal employees are not eligible to

participate in any City leave or benefit programs unless required by law or specifically mentioned herein.

4. Jurisdiction of these Rules and Regulations may be superseded by State and/or Federal law, or by appropriate action of the City Council of Pinellas Park, and such action shall repeal all Rules and Regulations and/or laws in conflict therein.

## **Section 2. Administration**

The Human Resources Administrator shall be responsible for the administration and technical direction of the City Personnel and Safety Rules and Regulations.

## **Section 3. Amendments, Changes or Revisions**

1. The Human Resources Department with the assistance of the Department Administrators and Division Directors shall prepare and recommend to the City Manager additional rules or amendments to these Rules and Regulations as may be necessary or advisable for the effective administration of the personnel program as defined in this manual as well as the City Charter and City Code.
2. Amendments, changes and revisions of these Rules and Regulations shall be adopted by the City Council by Resolution. Upon such enactment, said Rules and Regulations shall be filed with the City Clerk's Office and the Human Resources Department, then distributed to all City departments and divisions and shall be open for public inspection during normal business hours.
3. Upon distribution, revisions and supplements to updated and revised Personnel and Safety Rules and Regulations shall be reviewed by all employees. Old policy statements and procedures shall be replaced when instructed to do so in a memorandum from the Human Resources Department attached to revised supplements. Questions concerning revisions should be directed to the Human Resources Department.

## CHAPTER 3: EMPLOYMENT PROCEDURES

### Overview:

*It is the policy of the City of Pinellas Park to offer equal employment opportunity to all persons without regard to race, creed, color, sex, age, national origin, religion, physical or mental disability, veteran status, marital status, genetic information, or other legally protected status. No applicant is to be discriminated against or given preference (unless such preference is required by law) because of these factors, or, in the case of a mental or physical disability, discriminated against because a reasonable accommodation is required to perform the essential functions of the job, or because of the individual's inability to perform any non-essential functions of the job. This policy is intended to apply to recruiting, hiring, promotions, upgrading, layoffs, compensation, benefits, training, termination, and all other privileges, terms, and conditions of employment. The Department Administrators are responsible for overseeing the hiring, dismissal, promotion, demotion, discipline, training, supervision, and overall direction for his/her Department's assignments.*

### Section 1. Vacancies and In-House Applications

Notification of a vacancy that is internal only shall be made by the "Job Opportunity Announcement." The Job Opportunity Announcement shall be posted on City bulletin boards for a minimum of three (3) consecutive working days (i.e. City Hall, Monday through Friday working business days). Announcements shall be posted for longer lengths of time upon request by the respective hiring official or as specified by a union contract. City employees who wish to be considered for the in-house vacancy must complete the Job Opportunity - Application of Interest form, which is available in the Personnel Division shall be completed on-line through the employee self-service portal and submitted it to the Personnel Division prior to the deadline date given on the Job Opportunity Announcement.

City employees wishing to apply for a vacancy after the in-house deadline date, may only do so by the deadline date afforded outside candidates if and when the position is advertised for outside applicants to apply.

Promotions, demotions, transfers, and reclassifications within a Department and/or Division do not require a three (3) day in-house posting. Additionally, of the City employees who apply for a position, those currently working in the Division in which the opening occurs may be given preference in consideration for hiring to fill the vacant position.

The objective of the selection process is to place the most qualified candidate into each vacancy that occurs. To that end, when hiring officials are considering current employees to fill a position the hiring official will review the employee's work history as it relates to the announced vacancy. This will include, but is not limited to, performance appraisals, disciplinary action and the severity of the disciplinary actions within the last two (2) years, training and education and veteran's preference status. For external applicants, this will include, but is not limited to, the job application and reference checks with previous and/or current employers and each candidate's veteran's preference status.

In announcing vacancies, the Personnel Division Human Resources Department shall specify the position title, the essential functions, the salary range, the minimum qualifications, the procedure for submitting applications, and any other pertinent information. After the deadline date has passed for announcing a vacancy internally, the Department Administrator or Division Director may request the Personnel Division Human Resources Department to advertise the position for outside applicants to apply. If this occurs, City employees and outside applicants will be considered at the same time.

Department Administrators may also elect to waive the internal posting period and recruit internally and externally simultaneously for cases where internal applicants are expected to be minimal or if the position requires skills that are not common. Positions that fall under a union contract will continue to follow the posting requirements defined in the respective contract.

## **Section 2. Applications for Employment from External Candidates**

Applications are accepted for current openings only. Outside applicants are required to personally complete the City's standard Application for Employment [through the City's website](#), unless physically unable to do so. Applications from outside applicants for City positions shall be considered active for a period of three (3) months from the date of application, unless the application becomes void by virtue of some other rule of the City. After three (3) months, the application will be considered inactive and will not be used to fill vacant positions unless the applicant was interviewed and placed on a Police Department or Fire Department eligibility list. The application, together with all records and correspondence pertaining to it, may be destroyed or filed as applicable by State Law.

## **Section 3. Police and Fire Applicants**

Applicants for Police Department Police Officer positions and Fire Department Firefighter positions must meet all requirements as set forth in the rules of the Florida State Police and Firefighter Standards Council. Applicants for Police Officer positions are required to apply through the Police Applicant Screening Service (PASS) of Pinellas County.

## **Section 4. Qualifications of Applicants**

Qualifications for any announced vacancy shall be those listed in the job description on file in the Human Resources Department for the classification. The Division Director responsible for hiring may waive one or more of the qualifications if no fully qualified candidates apply for the vacancy. Similarly, the hiring official may reject all unqualified candidates and continue recruiting efforts.

## **Section 5. Examinations/Assessments/Testing**

Examinations may be used to determine the job related qualifications of applicants for particular positions. After appropriate consultation with the Department Administrators or Division Directors, the Human Resources Department will determine which positions will require testing. When testing is required, the designated person in the Human Resources Department may assist the Division in preparation and coordination of the examination. The Human Resources Department may administer, or coordinate with an outside agency, clerical, computer generated, and/or written tests.

These examinations will fairly and impartially test those skills, aptitudes, or other qualifications of the applicant that are job related for the position in question. These examinations will not screen out or tend to screen out individuals with disabilities unless it can be shown that the selection criteria is job related and consistent with business necessity, nor will these examinations be administered in such a way that the results would reflect the impaired sensory, manual or speaking skills of the applicant. A passing score on all written examinations is 70%.

At the Department Administrator's discretion, an eligibility list for all with passing scores may be established and implemented as part of a departmental operating policy and will be in effect for three months, during which time no additional testing will be given, except as follows. Unless another length of time is specified in a union contract, an eligibility list for all with passing scores may be established and implemented for a minimum of six months and shall not exceed one year, during which time no additional testing will be given, for the positions of Police Officer, Police Sergeant, Firefighter, and Fire Lieutenant only.

Examinations, assessments and/or testing may consist of any, all, or a combination of the following:

- Written examination.
- Oral examination.
- Performance examination.
- Physical examination and/or inquiry (if job related).
- Evaluation of training and experience.

- Length of time in present classification.
- Any other applicable criteria which will fairly measure the relative abilities of individuals competing for a position.

A physical examination and drug screening will be required after an offer of employment has been extended and before the applicant begins his or her employment duties, and the results of such an examination may have an impact on the offer of employment. Information obtained regarding the medical condition or history of the applicant is collected and maintained on separate forms, in separate medical files, and treated as confidential medical records.

## **Section 6. Candidate Selection**

When the hiring official has determined which applicants meet the necessary qualifications for the open position, interviews will be scheduled by the respective Division or, upon request, by the Human Resources Department. Once a final candidate is chosen and prior to a final job offer, the hiring official or his/her designee will contact previous employers to verify skills, experience, job duties, etc., and to determine the applicant's manner of performance. These reference checks should cover a reasonable period of not less than 5 years of previous employment, unless another period of time is specified by law. Reference check forms are provided to the hiring official by the Human Resources Department.

After the Department Administrator or Division Director selects the best qualified applicant for a position and an offer of employment is extended to the applicant, the hiring official will contact the Human Resources Department for the purpose of scheduling the pre-employment physical, drug screening, new hire paperwork, and conducting a criminal history check, driver license check and any other background checks that are required. A candidate may not start work until Human Resources has notified the hiring official that all background checks have been completed and all paperwork regarding the pre-employment physical and drug screening have been received and approved.

Hiring officials are required to allow a minimum of **three five (3 5) business** days for new hire processing before the candidate is scheduled to begin work.

In addition to passing a pre-employment medical examination and drug screening, all successful applicants in the Police Department are required to pass a pre-employment voice stress analysis and/or polygraph test. Psychological assessments will also be completed with the successful Police Officer and Dispatcher applicants.

In addition to passing a pre-employment medical examination and drug screening, Firefighter candidates are required to pass an agility examination. Psychological evaluations will also be administered to top Firefighter, Fire Inspector, and Fire administrative candidates.

Before a City-wide announcement is made regarding the selection, the hiring official shall contact those in-house applicants who were not selected to personally inform them that someone else was hired for the position. This will provide an opportunity to discuss what would be required of the employee in order to prepare for a similar opening in the future.

The Human Resources Administrator and/or the City Manager must approve any exception to these procedures.

## **Section 7. Pre-employment Medical Examination**

All newly hired employees, including but not limited to those being re-employed, recalled, or reinstated, except those employees who work only for the summer at a City youth recreation center or swimming pool, will receive a medical examination after a bona fide job offer but prior to reporting

to work. The medical examination shall be performed by the City's designated physician under standards established by the City. If a summer youth recreation or swimming pool employee is selected to fill a year-round position, then he/she shall be required to receive a medical examination.

1. Only the cost of the mandatory medical/physical examination and drug screening shall be at the City's expense. Any other charges, such as mileage, referral back to one's primary care physician, etc., shall not be covered by the City.
2. Refusal to take the examination will be cause for rescinding the job offer.

## **Section 8. Pre-employment Drug Screening**

1. Incompliance with the City's Drug and Alcohol Policy, all candidates selected for initial employment, including but not limited to those being re-employed, recalled, or reinstated will be subject to pre-employment drug screening. Those employees who work only for the summer at a City recreation center or swimming pool will be required to pass a drug screen prior to starting work. Pre-employment drug screening will not be required upon promotion, transfer, demotion, or reclassification. (Exception: an employee who is moving from a non-safety sensitive position [as defined in the City's Drug Free Workplace Policy] or a position not requiring a Commercial Driver's License to a safety sensitive position [as defined in the City's Drug Free Workplace Policy] or one which does require a Commercial Driver's License will be required to have the drug screening.)
2. If a prospective candidate tests positive for illegal drugs or is found to be abusing legal drugs, the job offer will be rescinded. The candidate will remain ineligible for employment with the City for one year following the date of the pre-employment test.

## **Section 9. Appeals**

Should any in-house applicant feel adversely affected or discriminated against in the opportunity for employment, promotion, or if in his or her opinion, an injustice has occurred in the grading of their examination papers, or in any other aspect of the employment process, he or she may appeal to the respective Department Administrator in writing. Should the matter not be resolved to the applicant's satisfaction by the Administrator, the applicant may appeal to the City Manager through the Human Resources Department. Any such appeal to the City Manager must be made in writing and shall specify the nature and cause of the complaint. Human Resources shall review the issue(s) raised in the complaint prior to forwarding to the City Manager, for fact gathering purposes, to assist the City Manager in making a final determination.

## **Section 10. Fraudulent Conduct or False Statements by Applicant**

Falsification of information (or false information provided by others with the applicant's knowledge) in any application, resume, test, interview, or examination, etc., whether written or verbal, may be deemed cause for the exclusion of such applicant from consideration, or for discharge from City employment after being employed. Employees who have resigned while not in good standing with the department or division, or have been discharged while not in good standing with their department or division shall be disqualified from future considerations for employment with the City of Pinellas Park.

## **Section 11. Employment of Relatives**

For the purposes of this Section the term "relative" shall mean include: spouse, domestic partner, child, parent, sibling (including those persons related to an employee by blood, marriage, or adoption), and persons domestic partners who have been inhabitants of an employee's household continuously for at least six (6) consecutive months. for more than a one year period.



It is the policy of the City to provide equal opportunity for all members of the community and the surrounding area to successfully obtain employment with the City. In order to insure that relatives of current employees are not given preferential treatment competing for job openings, the following procedures must be followed for hiring of candidates who are relatives of current City employees:

### **Hiring:**

1. An applicant shall be required to list on his/her application for employment all current relatives who are City employees.

~~It is the policy of the City to provide ample opportunities for all members of the community and the surrounding area to successfully obtain employment with the City. In order to insure that relatives of current employees are not given preferential treatment competing for job openings, the following procedures must be followed for hiring of candidates who are relatives of current City employees:~~

2. When the Department Administrator has determined that it is in the best interests of the City to hire a relative of a current City employee the Administrator will submit a written request to hire the relative to the City Manager for approval. A form shall be provided by the Human Resources Department.
  - a. The relative must have been scored as the best qualified candidate for the open position by the interviewing authority or panel.
  - b. The Administrator's written request must document that thorough recruitment efforts were utilized, what sources were used for advertising, and that those efforts and sources were unsuccessful in identifying a more qualified applicant who was not a relative.
  - c. The City Manager shall determine that a conflict of interest shall not occur if the relative is hired, that there is a critical shortage of qualified applicants prior to giving approval, and that additional recruitment efforts are not appropriate.

### **Promotion, Transfers, and Supervision of City Employees:**

1. In no case shall an employee who is a relative of another City employee be promoted, demoted or transferred into a position which would create a conflict of interest as listed herein.
2. Employees must immediately inform their Department Administrator if they enter into a relationship which would affect their employment as outlined in this policy.
  - a. Employees who become relatives of another employee shall be subject to involuntary reassignment or termination.
  - b. Employees may resign instead of being reassigned.
3. Employees of the City as of the initial date on which this policy ~~is~~ was approved by City Council (November 12, 2009 by Resolution 09-37) shall be grandfathered with respect to their then current relatives or then current romantic domestic relationships. However, current employees are not grandfathered with respect to relationships beginning after the effective date of this policy, unless otherwise excepted by the City Manager in his or her sole discretion.

### **Conflicts of Interest:**

1. Conflicts of interests as used in this Section shall include, but are not limited to the following situations:

- a. When one employee would have authority (or practical power) to supervise, appoint, remove, discipline, assign workload to, or otherwise affect the career progress, benefits, or working conditions of a relative.
  - b. When relatives would both have the same immediate supervisor.
  - c. When one employee would handle confidential material or have access to paper or electronic files which contain confidential information about a relative, or that creates, or might give the impression of creating, improper or inappropriate access to that material by a relative.
  - d. When one employee would be responsible for payroll authorization for a relative, or auditing, reviewing, or approving the work of a relative.
  - e. Other circumstances which exist that would, in the opinion of the Department Administrator or the City Manager, cause a conflict among the parties or conflict between the interests of one or both parties and the best interests of the City.
2. The employment of relatives of other City employees in the following City Departments are assumed to present a conflict of interest:
- a. Human Resources
  - b. ~~Management Information Systems~~ Information Technology
  - c. In addition, the Police and Fire Departments have written directives which place restrictions on the employment of relatives in certain circumstances, positions, shifts, and work locations due to conflicts of interest.

## CHAPTER 4: PROBATION, APPOINTMENTS, & SENIORITY

### Overview:

*The probationary period shall be utilized to observe closely the employees' work, to secure the most effective adjustment of new or promoted employees to their positions, and to counsel any employees whose performance does not meet required work standards. The probationary period affords employees an opportunity to decide if City employment is satisfying and if they wish to make a career of municipal employment. All appointments, whether entrance or promotional, shall be in a probationary status.*

### Section 1. Duration of Probationary Periods

The probationary period for all employees, except as noted below, shall be six (6) months for new hires, promotional appointments, and demotions. Newly hired employees who are retained beyond their probationary period shall receive all benefits and rights as provided by the Personnel and Safety Rules and Regulations.

1. Public Safety Dispatchers shall serve a one year probationary period, but are eligible for vacation accrual after completing six (6) months of service with a favorable performance appraisal.
2. Positions covered by a union contract shall serve the probationary periods as outlined in the respective contract.
3. Part-time Police Officers and any other part-time positions whose full-time counterparts, whether union or non-union, serve a one year probationary period, shall also serve a one year probationary period.
4. At management's discretion, the probationary period may be extended up to an additional six (6) months, at three (3) month intervals, to allow for further observation of a marginal employee who may otherwise not pass the six month or one year probationary period. All newly hired probationary employees who have their probationary periods extended do not receive their vacation time, and do not have rights of appeal for disciplinary action/discharge, etc., until after they have completed the extended period.
5. Excused absences for a duration of thirty (30) consecutive days or more will be added to the probationary period.

### Section 2. Dismissal or Demotion of Probationary Employees

1. Employees who are serving in their new hire probationary period, or any extension thereof, may be dismissed at any time without cause at the discretion of their Department Administrator. The Department Administrator or Division Director concerned or a designee must coordinate this action with the Human Resources Department and furnish written notice that the employee has been dismissed and is therefore unable to complete his or her probationary period.
2. If employees serving a probationary period incurred as a result of a promotion, demotion or reclassification are found to be unqualified to perform the duties of the higher position, they shall be returned to the position and status immediately prior to promotion if that position is vacant. If that position has been filled, the employee may be transferred to a vacant position with the same job classification (for example, staff assistant in one division to a staff assistant position in another division) subject to approval of the Department Administrators or Division Directors.

If such a vacancy does not exist, the employee may be demoted, or transferred to another position, if said employee is qualified to perform such a position and a vacancy exists, upon

approval of the Department Administrators and Division Directors. If there are no vacancies, the employee may be dismissed. The Department Administrator or Division Director concerned or a designee must provide written notice specifying the reasons for demotion, transfer, or dismissal, and coordinate this action with the Human Resources Department. Employees who had satisfactorily completed a probationary period in a previous position may appeal a demotion or dismissal if they feel that the action is improper.

### **Section 3. Frequency of Probationary Period Performance Appraisals**

For newly hired employees (both full-time and part-time), promoted employees, and demoted employees, the concerned Department or Division will complete a performance appraisal form after three (3) months, and after six months in the probationary period, unless as otherwise stated per union contract. Additionally, employees serving in the position of Public Safety Dispatcher shall receive a one-year, end of probation evaluation.

School Crossing Guards shall receive an annual evaluation only, based upon their classification hire date.

Unless otherwise provided by a labor agreement, the Department Administrator or Division Director may institute an extension of up to six months of the probationary period for marginal employees who would not otherwise pass the standard probationary period. If, at the discretion of management, the probationary period is extended, the employee will receive another performance appraisal at the end of the extended probationary period.

All new Firefighters and Firefighters/Paramedics shall receive a nine month probationary performance appraisal in addition to the three month, six month, and annual probationary evaluations.

### **Section 4. Regular Full-Time**

Regular full-time status denotes successful completion of the initial probationary period. Once employees attain regular full-time status they will remain regular full-time employees as long as they fill a full-time position, even though their status may change to probationary status upon promotion or demotion.

### **Section 5. Temporary Status**

The City Manager may authorize the filling of a vacancy by a temporary appointment, whether the temporary employee is hired as a City employee or working through a temporary agency. Any such candidate must meet the job qualifications applicable for that position. (This Section does not apply to budgeted, seasonal positions such as School Crossing Guard, ssummer Recreation Assistant, etc.). Such appointments shall not exceed twelve (12) months unless so authorized by the City Manager. To formally appraise the individual serving in the temporary appointment of his or her performance, a three-month and six-month Performance Appraisal is required to be completed by the appropriate supervisory personnel. Except for regular employees serving in a temporary status, temporary employees are not eligible to receive holiday pay, vacation, accrual or any other benefits afforded to regular employees.

### **Section 6. Part-Time Employees**

An employee hired into a position that requires the employee to work 35 or less hours per week is considered to work part-time. Part-time employees who are appointed to a full-time position in the same classification will be considered to have an employee a personnel status change only, from part-time to full-time. The employee's evaluation date will not change. Part-time employees who are appointed to a different classification will be considered as promotions if the pay grade of the new position is higher, and will be considered as demotions if the pay grade of the new position is lower.

## Section 7. Emergency Duty Assignments

If Civil Emergency conditions are declared by the City Manager, employees may be assigned to any duties to fulfill the mission of the City. Refer to Administrative Regulation 13.71 Personnel and Pay Policy in Response to Emergency Conditions for more information. Conditions constituting Civil Emergency include, but are not limited to, riots, civil disorders, hurricane conditions, natural disasters, or similar catastrophes. No employee may be assigned to duties of a different classification for a period in excess of thirty (30) calendar days without the approval of the City Manager. Approval shall be granted only in exceptional cases.

## Section 8. Volunteers

It is the position of the City to encourage and enable community volunteers to supplement the efforts of paid staff in extending and enhancing City services and programs. In turn, this provides the citizens who would like to be community volunteers an opportunity to become more familiar with the operational aspects of the City while providing a positive contribution to the quality of life of Pinellas Park residents.

Each Department and or Division interested in working with volunteers is required to have established procedures in place. The procedures will need to address the overall coordination and effort to match volunteers with tasks suitable to their abilities and preferences, guidelines for ensuring all applicable safety rules are observed, providing a positive and respectful work environment, how appropriate training and supervision will be provided, and for appropriately recognizing the citizen volunteers for their contributions. Volunteers are not allowed to be in a supervisory or lead role which would cause them to direct the activities of City employees, are not allowed to be in control of City monies, and are subject to the City's Personnel and Safety Rules and Regulations regarding conduct and performance. The respective Department Administrator or Division Director will provide the required procedures, rules and expectations to the volunteers.

If a volunteer will be working with children, the respective Department Administrator or Division Director will contact the Human Resources Department for the purpose of conducting a criminal history check. No volunteer may be assigned to work with children until a criminal history check has been completed.

## Section 9. Types of Seniority

### 1. City Seniority

City Seniority is understood to mean the length of time served since an employee's most recent date of full-time, part-time, or temporary employment or full-time, part-time, or temporary re-employment with the City. Seniority shall continue to accrue during all types of leave except for leaves of absence without pay for thirty (30) consecutive calendar days or more which shall cause the employment date to be adjusted for an equivalent amount of time. Leaves of absence without pay for periods of less than thirty (30) consecutive calendar days shall not cause the City employment seniority date to be adjusted. City seniority shall be used for purposes of computing vacation accrual, service awards, and other matters deemed appropriate based on length of City service.

### 2. Classification Seniority

Classification seniority shall be defined as the length of time an employee serves in a particular classification. However, a classification that employs both full-time and part-time employees shall be considered separate and apart from each other for the purpose of seniority. Classification seniority will continue to accrue during all types of leave except for leaves of absence without pay for thirty (30) consecutive days or more which shall cause this date to be adjusted for an equivalent amount of time. Leave of absence without pay for periods of less than thirty (30)

consecutive calendar days shall not cause the classification seniority date to be adjusted. If an employee returns to a classification previously held while still on probation in the most recent classification, the classification date will be as if the employee had never left the previous assignment. Classification seniority shall be used for purposes of layoff, recall, and other matters deemed appropriate based on length of service in a classification.

### 3. Loss of Seniority

Employees shall lose their seniority as a result of the following:

- a. Resignation.
- b. Retirement.
- c. Termination for cause.
- d. Layoff exceeding nine (9) months.
- e. Failure to report to the Human Resources Department, in writing, an intention of returning to work within fourteen (14) calendar days of the date recall.
- f. Failure to return from military leave within the time limits prescribed by law.
- g. Failure to return from an authorized leave of absence upon the expiration of such leave.

### 4. Calculating Years of Service for Rehired Employees

Employees who have prior service with the City and are rehired at a later date shall not have their prior service adjusted into their service anniversary date for purposes of calculating length of service for service awards, and any other consideration which necessitates a reflection and accurate account of time employed as a City employee. Only continuous service shall be used in calculating years of service with the City.

An employee's Pension date of hire will be based only on full-time status; therefore, the full-time re-employment date will be the only date applicable to the Pension date of hire, unless otherwise outlined in the Pension Ordinance and Federal and State law.

### 5. Seniority Records

It shall be the responsibility of the Human Resources Department to establish and maintain classification and City-wide seniority records of all employees in the City service.

## **CHAPTER 5: PERFORMANCE APPRAISALS**

### **Overview:**

*The Human Resources Department shall administer a program for rating the work performance of employees in City service. The Employee Performance Appraisal shall be designed to permit the evaluation of the employee's job related performance, work related conduct as accurately and as objectively as possible. The ratings shall be set forth on the performance appraisal forms provided by the Human Resources Department. Each employee shall have the opportunity to discuss the evaluation with his or her supervisor.*

### **Section 1. Intent of the Performance Appraisal**

The Performance Appraisal will indicate to the employee how his or her performance has been evaluated by the immediate supervisor, and will serve as the basis for discussion regarding the employee's performance during the entire rating period as well as providing input for performance development and/or improvement. Other items to be addressed during the performance appraisal include training, career development, acceptance of and/or interest in increased responsibilities, and overall advancement potential. The performance appraisal form will also document any disciplinary and/or performance problems and outline a plan for improvement.

### **Section 2. Performance Appraisals**

Following probationary period performance appraisals, employees are eligible to receive annual performance appraisals. Employees' annual performance appraisals are based on their classification date. Employees in a bargaining unit are governed by the applicable labor agreement.

If the overall rating is below Meets Expectations, the employee shall be reevaluated at the end of three (3) months or six (6) months as determined by the Department Administrator. Future annual evaluations shall continue to be based on the employee's classification date.

### **Section 3. Rating Procedure**

The immediate supervisor most directly familiar with the employee's performance during the evaluation period shall be responsible for completing the Performance Appraisal unless otherwise assigned by the Department Administrator or Division Director. If the employee has had more than one supervisor during the rating period, all concerned supervisors should contribute to the Performance Appraisal. Before rating the employee, the supervisor should review the duties and responsibilities required of the position to assure full understanding of what is expected of the employee. The appropriate supervisor shall complete the appraisal in sufficient time to discuss the results with the employee, obtain the appropriate signatures, and forward the rating forms to the Human Resources Department prior to the due date indicated on the appraisal form.

### **Section 4. Completion of the Performance Evaluation**

The Performance Management System Handbook for Employees and Supervisors is available in the Human Resources Department. Upon completion of a preliminary review of the duties and responsibilities of the position, and familiarization with the evaluation criteria and format, the supervisor should be prepared to document his or her evaluation of the employee's performance during the entire rating period. The supervisor should consider each factor independently and objectively evaluate the employee's performance over the entire rating period under consideration rather than base the evaluation on an isolated incident or the most recent performance.

### **Section 5. Performance Appraisal Comments and Discussion**

When ~~the supervisor is~~ completely satisfied that the evaluation is equitable, ~~the supervisor should sign and date the Performance Appraisal form.~~ A private, uninterrupted performance review meeting should be scheduled with the employee that provides sufficient time to discuss the results of the evaluation. Performance deficiencies should be considered as problems to be resolved mutually through discussion of specific incidents. The supervisor and the employee being rated should establish realistic goals to be achieved, as well as means of improving overall performance during the next rating period. The meeting should provide an opportunity for meaningful communication between the supervisor and the employee. The supervisor should attempt to determine how he or she can best assist the employee in meeting the assigned duties and responsibilities and in improving overall job performance.

Prior to the review meeting, the immediate supervisor should check the employee's salary progress and be prepared to realistically answer any questions regarding salary increases or promotional opportunities. The supervisor should avoid making commitments or promises regarding the employee's future advancements, but may offer encouragement and advise the employee of actual promotional opportunities and the requirements necessary to be qualified for such opportunities including additional formal schooling, etc.

## **Section 6. Employee Comments and Signature**

After reviewing and discussing the Performance Appraisal, the employee may write any appropriate comments in the space provided. The employee ~~should sign and date~~ shall acknowledge the evaluation form ~~in accordance with the applicable process.~~ This indicates that the employee was given an opportunity to discuss the evaluation with his or her supervisor. The employee's signature does not mean that the employee agrees with the supervisor's evaluation. If the employee refuses to ~~acknowledge, or~~ sign the Performance Appraisal form, it should be so indicated in the space provided ~~for the signature. Other than the Reviewer's signature and date, no~~ further comments or information shall be listed on the Performance Appraisal form after the employee has reviewed and ~~acknowledged signed~~ the evaluation form.

## **Section 7. Performance Appraisal Distribution**

A copy of the completed Performance Appraisal will be ~~provided~~ available to the employee. The original completed Performance Appraisal form must be returned to the Human Resources Department for processing and filing in the employee's Personnel file.

## **Section 8. Special Evaluations**

A supervisor may request a special evaluation on an employee at any time during the year. Special evaluations are to be given when a supervisor feels that an employee's performance requires formal documentation before or after the normally scheduled evaluation. Circumstances that could require a special evaluation include:

- Extension of a probationary evaluation;
- Improved performance following a poor review or disciplinary action;
- Performance patterns that are significantly different from past actions;
- Poor performance that requires formal documentation prior to further disciplinary action.



## CHAPTER 6: CLASSIFICATION PLAN

### Overview:

*The Classification Plan provides a formal arrangement and inventory of positions grouped into classes indicative of the range of essential functions, responsibilities, and level of work performed. The class titles standardize the meaning, allocation, and usage of the plan throughout, again based upon the similarity of work and essential functions performed.*

### Section 1. Use of the Plan

The Classification Plan shall be utilized to:

- Determine qualifications, prepare examination announcements, and examination content.
- Determine salaries to be paid for the various classes of work.
- Determine lines of promotion.
- Develop an employee training program.
- Provide an understandable and uniform terminology of jobs.
- Ensure adherence to applicable state and federal employment laws.

### Section 2. Content of the Plan

The Classification Plan shall consist of:

1. A grouping of positions into classes on the basis of comparable difficulty and responsibility which require the same general qualifications and which can be equitably compensated with the same salary range.
2. A job title, indicative of the work of the class, which shall be used on all personnel, accounting, budget, and related official records. No person shall be appointed to a position in the City personnel structure under a title not contained in the classification plan unless prior approval of the City Manager is obtained.
3. Written position descriptions for each job title containing the nature of work and objective of the class, requirements setting forth the essential functions, experience, education, skills, and abilities required for adequate performance of the job.

### Section 3. **Position Job** Descriptions

**Position Job** descriptions shall be developed and maintained for each classification and shall describe the general duties and responsibilities of, and qualifications for the classification. **Position Job** descriptions are not to be considered as restrictive, but are intended to indicate the kinds of duties and tasks that are generally assigned to the respective classifications. Job descriptions shall not be held to exclude those duties and responsibilities which are not specifically mentioned. All **position job** descriptions are to be interpreted in a broad sense and are not intended to be construed as limiting or modifying the authority of management to assign, direct and evaluate the work of any employee.

### Section 4. Administration of the Classification Plan

The addition, deletion, or reclassification of a position shall be accomplished by the Human Resources Department and the Office of Management and Budget. Department Administrators or Division Directors must make a written request to the Human Resources Administrator to have a position within their department or division considered for reclassification.

## **Section 5. Maintenance of the Classification Plan**

The Human Resources Department shall be charged with the responsibility of maintaining the classification plan and providing for the continued proper allocation of employees within the classification plan. The Human Resources Department shall:

1. On the basis of studies made by the Human Resources Department of new or proposed positions, place the position in the proper class reflecting the essential functions and responsibilities of the work.
2. On the basis of job analysis questionnaires, and/or audits made by the Human Resources Department of permanent changes in the essential functions and responsibilities of the position, reclassify the position to the proper grade.
3. Revise the General Employee Classification and Pay Plan at the beginning of each fiscal year and at such other times as may be necessary during the fiscal year, adjusting or maintaining position titles and rates of pay in accordance with the City's budget as adopted by action of City Council.

## **Section 6. Request for Reclassification**

If a Department Administrator or Division Director has facts which indicate that a position or positions in his or her department or division are improperly classified because the officially assigned duties and responsibilities on a continual basis are no longer consistent with the position's current job description, he or she, upon approval of the City Manager, may request the Human Resources Administrator or his/her designee to review the position(s). Such requests must be in writing. The Human Resources Administrator will then request that a reclassification questionnaire be completed by the employee(s) presently in the position and reviewed by the department/division supervision. At the request of the Human Resources Administrator, an audit of the position and a comparison of the current position description will then be conducted by the Human Resources Department. The Human Resources Department will make a recommendation to the City Manager regarding the need, or lack thereof, for the position(s) to be reclassified. Final approval of all reclassification requests will be made by the City Manager.

## **Section 7. Appeals on Position Reclassification**

Whenever an employee affected by a reclassification feels that the position has been reclassified incorrectly, the employee may appeal the reclassification to the City Manager through the Human Resources Administrator. Such appeal must be made in writing, indicating why the employee feels the position was reclassified incorrectly, and must be submitted via the employee's Department Administrator. The Human Resources Department shall review the issue(s) raised in the complaint prior to forwarding to the City Manager for the purpose of assisting the City Manager in making a final determination.

## **Section 8. Reclassification of a Position to a Higher Pay Grade**

Should the position be reclassified to a job classification with a higher pay grade, such change shall be considered a non-competitive promotion. The employee serving in the position shall receive an increase in accordance with the established rules for a promotion and the employee's classification date will be adjusted to reflect entrance into the new position.

## **Section 9. Reclassification of a Position to the Same Pay Grade**

Should the position be reclassified to a job classification in the same pay grade, the incumbent employee shall receive a corresponding change in title, provided the reclassified position is in the same line and character of work and involves the same essential functions, responsibilities and skills.

The incumbent employee reclassified shall maintain the same pay, grade, and evaluation date; however, the classification date will change to the effective date of the job title change if it involves a reclassification to another division or department.

## **Section 10. Reclassification of a Position to a Lower Pay Grade**

Should the position be reclassified to a job classification with a lower pay grade, the incumbent employee shall be reclassified to the lower pay grade, but will not receive a corresponding decrease in pay. Should the employee's rate of pay at the time of reclassification exceed the maximum salary of the new grade, said employee's salary will not be reduced; however, that employee will not receive a salary increase until such time as the maximum rate of the new salary grade structure exceeds the employee's salary. The employee's classification date will not change unless it involves a reclassification to another division or department.

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## CHAPTER 7: PAY PLAN **AND HOURS OF WORK**

### Overview:

*The Pay Plan shall be directly related to the Classification Plan and shall provide the basis of compensation for all non-bargaining unit exempt and non-exempt employees. The Pay Plan shall be constructed with regard to the following:*

- Relative difficulty and responsibility existing between the various classes of work.
- The level of skill required to perform the duties of the various classes of work.
- The amount of effort required in the performance of duties.
- Conditions in which the work is performed.
- The level of supervision, if any, for which an employee is accountable.
- Internal equity.
- Economic conditions of the area.
- Financial policies of the City Council.
- Ratified labor agreements.
- Prevailing rates of pay for similar types of work in public employment and,
- Prevailing rates of pay for similar types of work the private sector.

*Although individual salaries within any single job or group of jobs may vary for many reasons, such as years of service and experience, factors such as race, creed, color, gender, age, national origin, religion, disability, marital status, genetic information, or other legally protected status will not be considered when salaries are established.*

*Any individual, including both full-time and part-time employees, employed by the City is subject to the Fair Labor Standards Act (FLSA), with the exception of elected officials. The City will comply with all the FLSA provisions. The provisions of the Act include minimum wage, overtime and reporting requirements. The City, in good faith, classifies positions as exempt in accordance with the Fair Labor Standards Act. Any employee who feels he or she is inappropriately classified should appeal the classification to the Human Resources Administrator.*

### Section 1. Composition of the Pay Plan

The Pay Plan shall include:

1. Tables of basic pay rates.
2. Schedules of salary grades for each title in the classification plan consisting of the minimum and the maximum hourly rate, bi-weekly rate, and annual rate for non-exempt and exempt positions. (Note: The exempt employee salary schedule identifies hourly and bi-weekly salaries, in addition to the annual salaries, for the purpose of calculating payroll through the City's current computer system, for budgeting purposes and for outside employment verification requests.)

### Section 2. Adoption of the Pay Plan

After necessary study, inquiry, and consultation, the Human Resources Department shall prepare the Pay Plan for the various classes of work and present the Pay Plan to the City Manager for approval and adoption by the City Council.

### Section 3. Revisions to the Pay Plan

Revisions to the Pay Plan shall be considered by the Human Resources Department when changes of responsibilities of work or classes, living costs, availability of labor supply, prevailing rates of pay, the City's financial condition and policies, or other pertinent economic considerations warrant such

action. The Human Resources Department, after consultation with administrators and other concerned parties, may recommend a revision to the Pay Plan to the City Manager. All revisions and changes must have the approval of the City Manager before they are implemented.

#### **Section 4. Pay Rates for New Employees**

Entrance appointments will be made at the minimum pay rate of the assigned pay grade for the position. Exceptions to this minimum pay rate may be permitted with the prior approval of the City Manager. A written request must be made to the City Manager by the Department Administrator whenever an applicant is being considered for hire at any rate other than the minimum pay rate. Upon the approval by the City Manager of such action, the Department Administrator can then make an offer of employment to the applicant at the approved rate of pay.

#### **Section 5. Interim Supervisory Assignments**

Employees serving in an interim supervisory capacity for a period anticipated to be thirty (30) calendar days or more will, upon request by the Department Administrator and approval of the City Manager, receive a temporary increase of 5% while serving in the interim supervisory position.

#### **Section 6. Effects of Promotion**

A promotion is when an employee applies for and/or is selected to fill a position which has a higher starting pay rate than the starting pay rate of the grade the employee is currently working in. Employees who have questionable attendance records and employees who have received written disciplinary reprimands within the past six (6) months from time of applying for an in-house vacancy may not be eligible for promotional consideration. An oral warning report may be a factor in promotional considerations, but should not carry the same weight as a written disciplinary reprimand. An employee may be promoted to a job classification with a higher range of pay after successfully meeting the requirements for that position. Upon promotion, the employee shall have the pay grade, hourly pay rate, classification date, and probationary period adjusted as follows:

##### **1. Pay Grade and Pay Rate**

The employee shall be placed in the pay grade established for the position into which he or she is promoted. The employee shall receive a 5% pay increase or be placed at the minimum of the pay grade of the new position, whichever is greater.

- a. Only base salary will be taken into account when calculating the 5% promotional increase. Shift differential, overtime, educational incentive, or any other monies received are not factors to be considered as part of the base salary.
- b. However, no increase shall be granted which is below the minimum or above the maximum of the range for the position into which an employee is being promoted.
- c. The effective date of salary change must coincide with the effective date of promotion.

##### **2. Additional Provisions for a Promotion to a Supervisory Position**

- a. In lieu of a 5% increase, the City Manager may grant an increase of up to 10% or to the mid-point of the salary range of the new position, when an employee is promoted from a non-supervisory position to a supervisory position, or from one supervisory/management position to another supervisory/management position. Such an increase must be based on a consideration of labor market conditions, internal equity and the employee's relevant job qualifications.
- b. All salaries for newly hired or promoted supervisory/management employees will be discussed with the City Manager for the purpose of maintaining internal equity among these

positions.

### 3. Classification Date and Probationary Period

The effective date of promotions shall coincide with the first day of the pay period. Promotions shall establish a new classification date and mark the initiation of a probationary period.

## Section 7. Announcement of a Promotion

In-house applicants for a promotion who were interviewed but not selected will be notified that the position has been filled prior to a City-wide announcement being made by the hiring official. If so requested, an unsuccessful in-house applicant shall be provided with guidance on how to prepare for a similar position in the future.

## Section 8. Effects of Demotion

A demotion is when an employee applies for and/or is selected to fill a position which has a lower starting pay rate than the starting pay rate of the grade the employee is currently working in. An employee may be demoted to a position of lower grade, if qualified, for any of the following, but not limited to, reasons:

- When an employee would otherwise be laid off because the position is being abolished;
- The position is being reclassified to a higher grade and the employee is not qualified to continue in the position at a higher grade;
- Lack of work;
- Lack of funds;
- Because of the return to work from authorized leave of another employee to such a position in accordance with the rules on leave;
- When an employee does not perform satisfactorily in the position currently held;
- As a possible accommodation should an employee become physically or mentally disabled and no longer capable of performing in his or her current position;
- When removed during probation;
- When an employee voluntarily requests such demotion.

An employee accepting a demotion must be qualified, through specified education and experience requirements, to perform the functions of the lower position.

### 1. Effect of Demotion on Pay

The pay rate of an employee demoted to a classification having a lower pay grade than his or her present classification shall be changed based upon the following guides:

- a. Demotion will not result in an overall pay increase. The percentage into the range that an employee is in within his or her current grade prior to the demotion is the percentage the employee will be placed in the lower paying position (for example, if an employee is 12% into the range of his/her current grade, he/she will be placed at a salary equal to 12% into the range of the position having the lower pay grade).
- b. An exception to this rule is when an employee who was recently promoted is failing to perform satisfactorily during the probationary period and/or requests to return to the previously held position if it is vacant, and therefore is being demoted to the previously held classification. For this exception, the employee's salary will be computed as if the employee had never left the previously held classification, as long as the salary is not above the maximum of the pay range. The employee's evaluation date will also be determined as if the employee had never left the previously held position. The classification date will also be determined as if the

employee had never left the previously held position if an employee returns to the previously held position during the probationary period of the new assignment.

- c. Pay will not exceed the maximum hourly pay rate of the pay grade designated for the lower position.

## 2. Effect of Demotion on Classification Date

All demotions, unless otherwise excepted, will establish a new classification date and a probationary period. This will establish a new evaluation date for the employee's next salary increase.

## 3. Demotion Approvals and Appeal

All demotions must receive the approval of the Department Administrator(s) concerned. Employees who are involuntarily demoted may appeal through the appropriate appeal procedure.

## Section 9. Lateral Transfers

An employee may, with the approval of the Department Administrator, be transferred or reclassified in accordance with the following provisions:

### 1. Transfer - Same Classification, Same Pay Grade

An employee may be laterally transferred to another department or division with the same job classification (for example, a full-time Staff Assistant transferring from the Police Department to the position of full-time Staff Assistant in the Fire Department) and such transfer will not change the employee's pay grade, hourly pay rate, dates of hire or classification date. The employee's evaluation period will be updated to allow the new department an opportunity to appraise their performance.

### 2. Transfer – Different Classification, Same Pay Grade

Different classifications, even though they may be in the same pay grade, require varied knowledge, skills and abilities in order to perform the various functions. Therefore, when an employee accepts a lateral transfer to a different classification in the same pay grade as his/her current classification, he/she:

- a. Shall maintain his/her current rate of pay;
- b. Will be assigned a new classification date;
- c. Must fulfill the appropriate probationary period;
- d. His/her evaluation dates for salary increases will not change. However, more than one supervisor may have input into the performance appraisal.

## Section 10. Hours of Work

1. The City Manager shall maintain the prerogative to establish hours of work for each occupational group to meet the needs of the City.
2. Full-time City employees shall be paid to work forty (40) hours per week except where other provisions are specifically made. The work period week shall be seven (7) days in length, commencing every Wednesday at 12:01 AM and ending every Tuesday 12:00 AM (midnight) for all employees except as noted herein. Within the Fire Department, District Chiefs assigned to shift work will be scheduled on a twenty-four (24) hours on and forty-eight (48) hours off basis.



3. The regular work schedule for full-time employees is forty (40) hours per week, divided into five (5) days, with employees regularly scheduled to work eight (8) hours per day with a one-hour unpaid meal period, except where other provisions are specifically made. Employees are also provided the privilege of break periods as detailed elsewhere.
4. The normal work hours for full-time employees will depend upon the schedule in force at the location in which employed (for example, normal work hours at City Hall are 8:00 a.m. to 5:00 p.m. with a one-hour unpaid meal period).
5. Part-time positions are categorized by the number of hours regularly worked during the work week. The category of each position will be approved by the City Manager as follows:
  - a. Fewer than 20 hours per week;
  - b. 20 to 29 hours per week;
  - c. 30 to 35 hours per week.

Division Directors are responsible to insure that part-time employees do not exceed or fall below the hours allocated.

6. Flex-time employees may be allowed to work a flextime work schedule, under which employee starting and quitting times may vary from facility to facility, department to department, division to division, or employee to employee. Flex-time is long-term in nature and is based on a specific and identified need (i.e., child daycare, etc.).
  - a. Flex-time scheduling is given solely at the discretion of and must have the prior approval of the Department Administrator or Division Director. Discretion to grant flex-time should always be equitable but can be limited based on factors such as length of service, job classification, performance history, etc. The ability to use flex-time is always contingent upon efficient and timely delivery of City services. An employee's continued need for flex-time should be reviewed every six (6) months by the Department Administrator. Flex time shall not be the cause for the payment of overtime to any employee.
  - b. Employees must be scheduled to work at least during core business hours (i.e., for daytime employees: 10:00a.m. to 3:00p.m.). The use of flex-time is not an employee right, is not guaranteed and is not permanent in nature. Flex-time cannot be used on an impromptu basis – it must be pre-approved and scheduled in advance. Employees will normally receive a one-hour unpaid meal period, although in some instances, with Department Administrator or Division Director approval, employees may elect to regularly take a one-half hour unpaid meal period.
  - c. Management will make every effort to accommodate flex-time work schedules in so far as it is conducive to effective City operations. However, management reserves the right to determine the applicability of flex-time scheduling within their respective departments/divisions.
7. Part-time employees may be allowed to "share" a classification as follows: Two part-time employees perform the duties and essential functions normally associated with those performed by one full-time employee, i.e. job share. Job sharing may occur in those areas where management deems the best interests of both the City and the employees will be served.
8. Daily and weekly work schedules may be changed from time to time at the discretion of management to meet the varying conditions of conducting City business. Changes in work schedules will be announced as far in advance as practicable.

Employees must "clock in and out" as established by the department. Employees are not to "clock in" until time to begin work. Any employee at the regular work station will be considered to be on duty. Except for on-duty Firefighters, lunch periods provided must be clearly defined, recorded by the employee as part of the timekeeping record, and must be taken at a location away from the regular work station.

"Trading time" among employees is limited to the respective bargaining unit employees and exempt District Fire Chief employees in the Fire Department and shall be done under the following conditions:

- a. The trading of time is done voluntarily by the employees and not at the request of the City.
  - b. The trade is not made for reasons related to the City's operations.
9. Minor Schedule Adjustments: employees may be allowed to periodically adjust their work schedules at the employees' or managements' requests. A minor schedule adjustment is only temporary in nature.
- a. Minor schedule adjustments can be required by management based on service delivery needs and adjustments directed by management should be scheduled as far in advance as practical.
  - b. Minor schedule adjustments can also be granted upon the request of an employee and these adjustments are given solely at the discretion of management and are always contingent upon efficient and timely delivery of City services. Adjustments are not an employee right, are not guaranteed, are not permanent in nature, should not be used on an impromptu basis and must be pre-approved & scheduled in advance.
  - c. Granting of minor schedule adjustments must be fair to the employee and maintain equity among others in the work group. Employee requested adjustments shall not result in the payment of overtime to any employee. Schedule adjustments cannot be carried over from work week to work week.

## Section 11. Calculation of Overtime

1. Unless otherwise governed by a collective bargaining agreement, All full-time employees, except as noted above for District Chiefs, will be scheduled for forty (40) regular hours of paid work during the work period week. For non-exempt employees, the Fair Labor Standards Act (FLSA) specifies that a maximum of 40 hours actually worked in a seven-day work period week may be compensated at the regular rate of pay. Therefore, each work period week of seven days is to be examined to ascertain where actual hours worked at the straight rate exceed 40 hours. All hours actually worked in excess of 40 hours in a work period week will be adjusted to a time and one-half rate and will be added to the employee's pay for the corresponding pay period. No employee will work unless scheduled by management.
2. An employee eligible for overtime compensation will not be required to use annual leave or suffer a reduction in his or her normal work hours during the week to preclude payment of overtime worked.
3. There will be no allowance for "comp time." However, employees may be allowed to work a flextime work schedule as outlined in Chapter 7.
4. After-hours Meetings and Events (Regularly Scheduled and Ad-hoc) - These hours are most often applicable, but not limited to, employees whose job duties require meeting attendance. Employees who are required to return to the workplace to attend after hour meetings shall be paid, at the rate of time and one-half, the greater of actual time worked or a minimum of 2 hours.

## **Section 12. Reporting Concerns**

1. The City will comply with all the Fair Labor Standards Act (FLSA) provisions regarding minimum wage, overtime and reporting requirements. However, if an employee feels that he or she was not fairly compensated for his or her hours of work, he or she should discuss the problem with his or her supervisor, Division Director, Department Administrator, Human Resources Administrator, and/or City Manager.
2. The City will take prompt action to correct problems identified and make appropriate pay adjustments if necessary. No employee will be subject to retaliation for reporting a wage and hour concern.

## **Section 13. Travel and Training Time – Non-exempt Employees**

1. Where overnight lodging is not required, travel time (by any mode) and time spent in session is "on the clock."
2. Travel that keeps an employee away from home overnight is work time when it cuts across the employee's workday. The time is not only hours worked on regular working days during normal working hours but also during the corresponding hours on nonworking days. Thus, if an employee regularly works from 8 a.m. to 5 p.m. from Monday through Friday the travel time during these hours is work time on Saturday and Sunday as well as on the other days. The regular meal period time is not counted. Where overnight lodging is required, time spent in travel outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile is not work time and will not be compensable. As always, time spent working is paid time. Employees must keep records of time.

## **Section 14. Holdover and Early Reporting**

Holdover hours and early reporting hours can be either unexpected in nature or regularly scheduled and occur when an employee is required to stay at work past regular quitting time or report to work early. These hours are contiguous to the employee's regularly scheduled hours. These hours are not automatically paid at time and one-half but they do count as hours-worked for the computation of overtime entitlement.

## **Section 15. Call Back Pay**

A call back (or call out) occurs when an employee, has left work for the day and is called back to work unexpectedly to perform unscheduled, un-forecasted duties. Scheduled overtime is not covered under call back procedures. Non-exempt employees not covered by a collective bargaining contract will be compensated for periods of call back as outlined in this paragraph.

1. Authority to issue a call back rests with the Department Administrator or Division Director. Employees will be compensated under these rules only when performing work so authorized.
2. Employees called to begin their shift early, whether or not the work is scheduled, are not eligible for call back pay (see Holdover and Early Reporting above). Similarly, employees scheduled to work outside their normal shift for special events will not be compensated under these rules. However, these employees may be eligible for overtime pay.
3. Employees called back will be compensated for a minimum of three (3) hours worked at time and one-half their regular rate of pay, or the actual time worked at time and one-half their regular rate of pay, whichever is greater. Computation of time worked will begin when the employee reaches the place of work and cease when the work is completed.
4. Employee-requested or supervisor-requested schedule adjustments are not permitted in exchange for call back pay.

5. Employees will be compensated at the call back rate regardless of the number of hours worked during the week. However, hours compensated at the call back rate will not be used for the computation of weekly overtime.
6. IT Department employees shall be paid a minimum of two (2) hours for each after-hours computer repair they make from their respective remote location.

#### **Section 16. Shift Differential Pay for Public Safety Dispatchers**

Employees who serve as a full-time, part-time or temporary Public Safety Dispatcher and who are regularly assigned" to work a shift beginning at or after 12:00 noon or beginning at or after 5:00 P.M., shall be paid a shift differential which is 5% or 10% respectively above his or her hourly base rate of pay. "Regularly assigned" shall mean assignment to a shift for 28 consecutive calendar days or more. This practice may be revoked at any time if the City Manager determines that it would be in the best interests of the City to do so.

#### **Section 17. Communications Training Officer Pay**

Employees who are serving as regular full-time Public Safety Dispatchers and who are Certified as a Communications Training Officer and are assigned as a training officer by the Police chief, shall be paid ~~\$25.00~~ \$50.00 per pay period for the Certification. This practice may be revoked at any time if the City Manager determines that it would be in the best interests of the City to do so.

#### **Section 18. Secondary Employment Pay for Police Lieutenants**

Employees serving in the position of Police Lieutenant will be entitled to pay for all hours worked in Secondary Employment at the same rate of pay that is provided to the Police Sergeants who work in Secondary Employment. Secondary Employment shall be defined as time worked for Secondary Employers who have made agreements with the City. Any such Secondary Employment shall be governed by Police Department Directives, and any subsequent revisions thereto. The position of Police Lieutenant is otherwise exempt from earning overtime pay in accordance with the Fair Labor Standards Act.

#### **Section 19. Issuance of Pay Checks**

1. Assuming there are no unusual circumstances and payroll runs as normal, paychecks, or pay stubs advice statements for those employees who have direct deposit, will be distributed available every other Thursday afternoon following the Tuesday pay ending date.
2. Final paychecks are issued at the same time as all other employee paychecks are issued and are available for pick-up in the Accounting Office Division. Final paychecks include any additional monies due to an employee less any monies owed to the City, as calculated by the Accounting Office Division.

## CHAPTER 8: VACATION

### Overview:

*The purpose of vacation leave is to provide full-time and eligible part-time employees with an opportunity to schedule approved absences from work, without loss of pay or benefits. Vacation time with pay shall be taken as a respite from work so employees may return to work mentally & physically refreshed, for family illness in conjunction with the Family and Medical Leave Act, or for bona fide emergencies.*

### Section 1. Vacation

#### 1. Qualifications:

Vacation with pay shall be granted to all regular full-time and regular part-time personnel who have completed their original hire or rehire probationary period, unless otherwise stated in a union contract. Part-time employees granted vacation are those who work at least twenty (20) hours each week and 1,040 hours per year, as designated by the Department Administrators.

Paid vacation may not be taken during the original hire or rehire probationary period of employment or re-employment. An exception is for Public Safety Dispatchers who serve a one year probationary period and therefore are eligible for vacation accrual after completing six (6) months of service with a favorable performance appraisal. After successfully completing the original hire or rehire probationary period, paid vacation time may be taken when credited to the employee and approved by the Department Administrator and/or Division Director.

#### 2. Termination from the City Service:

- a. If a new employee leaves the service of the City before completing his or her original hire or rehire probationary period, the employee shall not receive any vacation pay. Any employee who has served the original hire or rehire probationary period or more shall be paid for any unused vacation due, up to a maximum of 200 hours (280 hours for 56 hour employees), when leaving the City's service.
- b. In the event of an employee's death, all accumulated paid vacation credits will be paid to the employee's estate.
- c. Employees who are not covered by the Firefighters' or Police Officers' collective bargaining agreements and who have reached Normal Retirement eligibility prior to November 26, 2013 are allowed to have up to 200 hours of accrued but unused vacation paid out upon their entry into the Deferred Retirement Option Program (DROP).

#### 3. Amount of Vacation Leave to Be Earned:

Employees shall be entitled to annual vacation leave in accordance with the following schedule:

| Accrual Rates      | 20-29 Hour    |              | 30 – 35 Hour  |              | 40 Hour       |              | 56 Hour       |              |
|--------------------|---------------|--------------|---------------|--------------|---------------|--------------|---------------|--------------|
|                    | Hours Monthly | Hours Yearly | Hours Monthly | Hours Yearly | Hours Monthly | Hours Yearly | Hours Monthly | Hours Yearly |
| <b>0 - 5 years</b> | 4.17          | 50.04        | 6.26          | 75.12        | 8.34          | 100.08       | 11.80         | 141.60       |
| <b>6</b>           | 4.51          | 54.12        | 6.76          | 81.12        | 9.01          | 108.12       | 12.73         | 152.76       |
| <b>7</b>           | 4.84          | 58.08        | 7.25          | 87.00        | 9.67          | 116.04       | 13.67         | 164.04       |
| <b>8</b>           | 5.26          | 63.12        | 7.88          | 94.56        | 10.51         | 126.12       | 14.83         | 177.96       |
| <b>9</b>           | 5.59          | 67.08        | 8.38          | 100.56       | 11.17         | 134.04       | 15.77         | 189.24       |
| <b>10</b>          | 6.01          | 72.12        | 9.01          | 108.12       | 12.01         | 144.12       | 16.93         | 203.16       |
| <b>15</b>          | 6.67          | 80.04        | 10.01         | 120.12       | 13.34         | 160.08       | 18.80         | 225.60       |
| <b>20+</b>         | 7.67          | 92.04        | 11.51         | 138.12       | 15.34         | 184.08       | 21.60         | 259.20       |
| <b>Max Accrual</b> | 240           |              | 240           |              | 240           |              | 280           |              |

4. For purposes of paid vacation accrual, the monthly period is considered to be from the 15th of one month to the 15th of the next month. Paid vacation leave cannot be taken before it is earned, and added to the employee's paid vacation leave balance.
5. No employee shall be permitted to work for the City during a paid vacation leave for additional pay unless such permission has been granted and approved by the Department Administrator and the City Manager. Any exception to the above provision shall be requested in writing justifying the need for working during paid vacation leave.
6. An employee may take time off without pay if all accrued paid vacation and personal time has been exhausted. Time off without pay for less than thirty (30) days must be approved by the Department Administrator or Division Director. Time off without pay for thirty days or more must be approved by the City Manager or his/her designee as per Chapter 10, Leave of Absence Without Pay.
7. Vacation shall not accrue during any absence of 30 calendar days or more, whether paid or unpaid. When an employee has had his or her vacation accrual removed, it shall be reinstated after the employee has worked his/her regular schedule for thirty (30) calendar days.

## **Section 2. Vacation Maximum Accrual**

Paid vacation for employees shall be allowed to accrue up to 240 hours (280 hours for 56 hour employees). Any hours accrued over the maximum amounts specified will be forfeited monthly.

## **Section 3. Vacation Scheduling**

1. All paid vacation must be scheduled in advance with the supervisor and approved by the Department Administrator or Division Director. In emergency cases, the Department Administrator or Division Director may waive this requirement. The nature of an employee's job may require the Director to restrict the scheduling of vacation during certain periods of the year. When practical and in the best interests of the City, an Administrator or Division Director may require the use of vacation time by employees who are approaching the maximum accrual within the department.
2. Upon approval of the Department Administrator or Division Director, employees may elect to use accrued paid vacation for any nationally recognized religious holiday which occurs on a scheduled workday associated with the religious faith of the employee.
3. Employees who become sick on paid vacation may use paid sick time for such period of illness. A doctor's certification must be provided as verification of the employee's illness to the employee's Department Administrator or Division Director.

## **Section 4. Vacation Donation Program**

1. The purpose of the City of Pinellas Park vacation donation program is to permit a Regular Full-time or Regular Part-time (over 20 Hours) employee to donate paid vacation leave to another Regular Full-time or Regular Part-time employee. The program allows a donation when an employee has a need for additional paid leave of at least one week or more because he or she has exhausted all vacation, sick, personal, and other paid time off leave and has a serious medical hardship or catastrophic disability.
2. The employee's need may arise from his or her own disability or from the need to provide attendant care (other than household services) for a dependent (including a spouse, child, parent, or another dependent member of the employee's household) who has a serious medical hardship or catastrophic illness.

3. The program is not available for an employee who has an illness or injury for which he or she is eligible to receive, or has received, benefits under the City's short term or long term disability programs or workers' compensation, for a disability arising out of substance abuse, or an injury that occurred during the commission of a crime.
4. The Human Resources Department is responsible for coordinating donations, reviewing applications and authorizing eligibility. In making decisions the Human Resources Department shall review the employee's application, the verification of exhaustion of all paid leave time as listed above, and all medical evidence submitted by the employee, including but not limited to a physician's statement, an affidavit of need from a bona fide medical or social services provider and other such verification documents. The Human Resources Department may request additional information from the applicant when necessary.
5. To initiate a donation request an employee must contact the Human Resources Department. All requests must be made on a form provided by the Human Resources Department. In the event that an employee is physically or mentally unable to initiate a request, a request may be initiated by the employee's spouse, child, parent, or designated representative. Co-workers may not initiate a request or solicit contributions.
6. An employee can apply for up to a maximum of 160 hours of donated leave arising out of any one occurrence and an employee may use this program only once during any rolling twelve month period.
7. Donations are limited to a maximum of 40 hours of paid vacation time per calendar year from any one employee and must be donated in a minimum of 2 hour increments. The donated time shall be calculated at the hourly wage rate of the employee who is donating the time and then translated into the hourly rate of the requesting employee with rounding to the next higher full hour.
8. This program may not be used for intermittent leave days or in the case where an employee is receiving other sources of income including but not limited to self-employment, other employment of any nature, insurance payments, legal settlements, community social services assistance, disability payments, and payment for the provision of attendant care. An employee who wishes to use this program and all other City employees are prohibited from soliciting donations of vacation time on behalf of another employee or from attempting to coerce other employees in any way. Abuse of this program shall be deemed a group three offense and disciplinary action shall be taken in accordance with the City's Personnel Rules and Regulations.

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## CHAPTER 9: HOLIDAYS AND PERSONAL DAYS

### Overview:

*The following (10) paid holidays shall be observed by the City of Pinellas Park:*

|                                    |                               |
|------------------------------------|-------------------------------|
| <i>January 1</i>                   | <i>New Year's Day</i>         |
| <i>Third Monday in January</i>     | <i>M L King Day</i>           |
| <i>Last Monday in May</i>          | <i>Memorial Day</i>           |
| <i>July 4</i>                      | <i>Independence Day</i>       |
| <i>First Monday in September</i>   | <i>Labor Day</i>              |
| <i>November 11</i>                 | <i>Veteran's Day</i>          |
| <i>Fourth Thursday in November</i> | <i>Thanksgiving Day</i>       |
| <i>Friday after Thanksgiving</i>   | <i>Day after Thanksgiving</i> |
| <i>December 24</i>                 | <i>Christmas Eve</i>          |
| <i>December 25</i>                 | <i>Christmas Day</i>          |

### Section 1. Full-Time Employees

Paid holidays listed shall be appropriate unless otherwise designated by action of the City Council. Any other day may be designated as a paid holiday throughout the year at Council's discretion.

1. All full-time employees will receive eight (8) hours off with pay at their straight time hourly rate for each of the holidays earned. The rate for shift personnel in the Fire Department is 12.00 hours. All holidays earned must be taken as time off, or paid in the same period as earned.
2. In order to qualify for paid holiday time, an employee must be on active pay status or work his or her normal schedule of hours. A new employee who begins work the day after a holiday will not be eligible for holiday pay for that holiday. Employees who separate from employment with the City on a holiday or the work day before the holiday will not be eligible to receive holiday pay for that holiday. Employees on Workers' Compensation and other approved paid leave will be eligible for holiday time if they are on active pay status during any of the pay periods in which the holiday is observed. Employees who are on an unpaid FMLA leave will be paid holiday time during the first 30 calendar days of leave.
3. Non-exempt employees assigned and scheduled to work on a holiday and who, in fact, do work, shall receive their pay for hours worked that day plus eight hours (twelve hours for shift personnel in the Fire Department) pay for the holiday (or per Section 2 for part-time employees). An employee who is scheduled to work on the day observed as a holiday and reports sick will be paid only holiday time for that day.
4. Employees on vacation, jury duty, sick leave, **disability, bereavement or** funeral leave, or annual military leave must use the holiday on the same day that it is earned. The holiday will not be charged to their time off, but will be charged as paid holiday time.
5. When a paid holiday falls on a Saturday, the preceding Friday shall be designated a substitute paid holiday and observed as the official paid holiday for that year. When a paid holiday falls on a Sunday, the following Monday shall be designated a substitute paid holiday and observed as the official paid holiday. Other arrangements may be required for two contiguous holidays.
6. The City Manager will determine when any departments, divisions, or operations will be closed in observance of the holiday and will issue appropriate announcement concerning holidays to all departments and divisions well in advance of the scheduled holiday observance.

### Section 2. Part-Time Employees

The holiday pay chart for part-time employees is as follows:

1. Employee classified as a 20-29 hour position = 4 hours of paid time
2. Employee classified as a 30-35 hour position = 6 hours of paid time

### Section 3. Personal Days

Each full-time and each part-time employee will be entitled to, in addition to City Holidays, up to three (3) Personal Days as follows:

#### Personal Days Annually

| <i>(May be taken in<br/>1 hour increments)</i> | 20-29 Hour |      | 30 – 35 Hour |      | 40 Hour |      | 56 Hour |      |
|--|------------|------|--------------|------|---------|------|---------|------|
|  | Hours      | Days | Hours        | Days | Hours   | Days | Hours   | Days |
| If Hired: 10/1 – 12/31                         | 12         | 3    | 18           | 3    | 24      | 3    | 36      | 3    |
| 1/1 – 3/31                                     | 8          | 2    | 12           | 2    | 16      | 2    | 24      | 2    |
| 4/1 – 6/30                                     | 4          | 1    | 6            | 1    | 8       | 1    | 12      | 1    |
| 7/1 – 9/30                                     | -0-        |      | -0-          |      | -0-     |      | -0-     |      |

The Personal Day may be used at the discretion of the employee subject to the following provisions:

1. The Personal Day must be scheduled and approved by the supervisor.
2. Personal Days shall not accrue; that is, days not taken by September 30 of each year shall not be carried forward to the next year. Additionally, Personal Days shall not be subject to cash payout or conversion to vacation or sick leave.

## CHAPTER 10: OTHER TYPES OF ABSENCES

### Overview:

*This Chapter outlines the various types of leaves which are available to City employees. This includes leave with pay or without pay. Leave policies may vary in the union contracts.*

*USE OF LEAVE: Employees who utilize the medical leave programs set forth in this Chapter due to their own injury or illness are expected to be found at their home (or the home of a caretaker such as a significant other or relative), physician's office, pharmacy, hospital, or en route to one or the other of these locations. An employee authorized to be absent from work for medical reasons shall not engage in any recreational or work activities except upon receiving prior approval from his/her physician and the Department Head or her/his designee. Abuse of medical leave privileges shall constitute grounds for disciplinary action.*

### Section 1. Sick Leave

The City recognizes that an employee's inability to work because of illness or injury may cause economic hardship. For this reason, the City provides paid sick leave to employees as outlined below.

During each fiscal year, beginning October 1, 2007, all full-time 40 hour work week employees shall be credited with ninety-six (96) hours of sick leave with pay; all full-time 56 hour work week employees shall be credited with one hundred and thirty four (134) hours of sick leave; all part-time employees who work at least 20 - 29 hours per week and at least 1040 hours per year shall be credited with forty-eight (48) hours of sick leave; and all part-time employees who work at least 30-35 hours per week and at least 1560 hours per year shall be credited with seventy-two (72) hours of sick leave.

Employees hired after October 1<sup>st</sup> will have the number of sick leave hours prorated beginning the first month after the date of hire for the remainder of that fiscal year. Temporary and seasonal employees and employees scheduled to work less than twenty (20) hours per week do not earn sick leave.

Employees newly hired to City employment shall be permitted to utilize no more than 24 hours of their original allotment of paid sick time during their first six months of employment. ~~However, in extenuating circumstances, 16 additional hours of the original allotment may be authorized by the respective Department Head upon receipt of a written request from the employee explaining the circumstances surrounding the request.~~ Employees who work 20 – 29 hours per week and at least 1040 hours per year shall utilize no more than 12 hours in their first six months of employment; employees who work 30 - 35 hours per week and at least 1560 hours per year shall utilize no more than 18 hours during their first six months of employment. In extenuating circumstances, 16 additional hours of the original allotment may be authorized by the respective Department Administrator upon receipt of a written request from the employee explaining the circumstances surrounding the request.

Sick leave should not be considered as a right which employees may use at their discretion, but sick leave should be allowed only in cases of actual sickness, disability, or as otherwise outlined in these rules and regulations. The City provides protection for its eligible employees against loss of income sustained because of illness/injury. Sick leave is intended to protect an eligible employee against undue financial loss in the event of injury/illness. All eligible employees are encouraged to save their sick leave to meet serious illness/injury situations. Abuse of sick leave may constitute grounds for disciplinary action.

Sick leave is NOT intended for absences other than as outlined in this Chapter.

1. The number of hours as outlined above for eligible employees will be the total amount of paid sick leave available to the employee during that fiscal year unless a serious illness or injury necessitates participation in the Short Term Disability Program.

2. The employee may use paid sick time in the event of absence from work due to:
  - a. Personal illness, including maternity, a non-job related injury or disability (including participation in the Employee Assistance Program). Sick Leave is not to be used for recreational activities or vacation.
  - b. Medical, dental or optical appointments which are necessary during working hours. Employees are expected to report to work before and after their appointments unless authorized by the physician not to report to duty and as approved by the Department Administrator or Division Director.
  - c. Quarantine due to exposure to disease.
  - d. Sick leave hours may be used to care for a sick family member. Family member is defined as a spouse, child (natural, adopted, or step) or parent (natural, adoptive, step or loco parentis [the person who raised the employee if other than mother or father]).
3. If the employee's personal illness necessitates the employee being absent more than three (3) consecutive work days (two [2] consecutive duty days for Fire Department shift personnel), the City may provide additional paid time through the Short Term Disability Program. A doctor's statement will be required before the paid time is available through the Short Term Disability Program as outlined in the Short Term Disability Plan Document.
4. The Federal Family and Medical Leave Act (FMLA) gives eligible employees the right to take a reasonable unpaid leave of up to twelve (12) weeks per calendar year due to the employee's own serious health condition.
5. Employees incapacitated and unable to work shall notify their immediate supervisor, or the contact person as established by departmental procedure, at such time as designated by the Department or Division, not to exceed one-half hour past the normal time that they report to work each day and, where applicable, in compliance with switchboard operation hours, giving reasons for absence and expected period of absence. This procedure shall be followed for each day the employee is unable to work, unless prior approval is given by the Department Administrator or Division Director. It will be the Department Administrator or Division Director's responsibility to require that a doctor's certification be furnished before the sick leave compensation is granted if the actual reason for the illness is questionable. A doctor's certificate is required with all paid sick leave requests occurring after an employee has submitted his or her resignation notice. Abuse of paid sick leave privileges shall constitute grounds for disciplinary action.
6. Upon proper medical authorization, as approved by the Department Administrator, an employee may be returned to a light or limited duty assignment. This includes employees returning from a paid or unpaid sick leave of absence as well as employees on Workers' Compensation leave. The light or limited duty assignments will be scheduled and coordinated by the Division Director and the Department Administrator. Light or limited duty assignments, when combined with periods of sick leave or Short Term Disability leave, shall not exceed a total period of six (6) months.
7. Any sick leave hours remaining at the end of the fiscal year will be amortized as follows:
  - a. Employees who have used paid time under the Short Term Disability Program during the fiscal year will have one-third (1/3) of their remaining sick leave hours paid out to them at their base hourly rate of pay for the respective fiscal year.
  - b. Employees who have not used paid time under the Short Term Disability Program will be paid for one-half (1/2) of their remaining sick leave hours at their base hourly rate of pay for the respective fiscal year.

8. In the event of an employee's death, **or** on the employee's Normal Retirement, as defined in the City Code of Ordinances, during or after the second quarter of any fiscal year, or on the employee's exit from the Deferred Retirement Option Program (DROP), the accrued but unused hours of sick leave for that fiscal year will be paid out as set forth in paragraph 7 above. Employees who take Normal Retirement, or who exit DROP in the first quarter of any fiscal year, shall be paid out as set forth in paragraph 7 above, but only up to a maximum of 30 hours payout. Employees who are not covered by the Firefighter's or Police Officers' collective bargaining agreements and who have reached Normal Retirement eligibility prior to November 26, 2013 are allowed to have their accrued but unused sick leave hours paid out upon entry into the DROP as set forth in paragraph 7 above. Employees who enter the DROP in the first quarter of any fiscal year are limited to a maximum sick leave payout of 30 hours.
9. In compliance with the Personnel Rules and Regulations adopted by the City Council June 12, 1986, Resolution #86-41, employees who had accrued sick leave at that time are entitled to a pay out of one-half (1/2) of the total sick leave accrual at that time, payable at their hourly rate of pay upon retirement under the City's pension plan or death (payable to the employee's beneficiary of record).

## **Section 2. Contagious Temporary Illnesses and Communicable Diseases**

The City realizes that an employee with a contagious temporary illness (such as influenza, cold, another virus, etc.) or a communicable disease (such as measles, viral hepatitis, HIV, AIDS, tuberculosis, etc.) needs to continue with normal life activities, including working. In deciding whether an employee with an apparently short-term contagious illness or communicable disease may continue to work, the City will take into account the following, but not limited to, factors:

1. The employee must be able to perform normal job duties and meet regular performance standards.
2. In the judgment of the Department Administrator, the employee's continued presence must pose no risk to the health of the employee, other employees or customers. If an employee disputes the City's determination that such a risk exists, the employee must submit a statement from his or her attending health care provider that the employee's continued employment poses no significant risk to the employee, other employees or customers.
3. Supervisors are encouraged to remind employees that the City provides paid sick leave to eligible employees to cover absences due to illnesses.
4. All employees are urged to contact Human Resources regarding any questions about the possible contagious nature of another employee's temporary illness.
5. The City will comply with applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure safeguards to protect the personal confidence about persons who have a communicable disease.

## **Section 3. Short Term Disability Program**

The City shall provide Short Term Disability coverage, as outlined in the Short Term Disability Plan Document, for all active employees who have completed one full year of continuous employment with the City and who are non-temporary full-time or part-time employees working at least 20 hours per week and 1040 hours per year. The purpose is to provide income replacement for a period of time, as provided for in the Short Term Disability Plan Document, in the event of a covered non-duty related illness or injury. Complete benefits provided through this Program will be set forth in the Short Term Disability (STD) Program Plan Document available in the Human Resources Department.

## Section 4. The Federal Family and Medical Leave Act (FMLA)

It is the intent of this Section to provide City employees with the minimum entitlements and protections required by the Federal FMLA at all times, and as such may be amended from time to time. Employees may be eligible to take a reasonable unpaid leave of up to twelve (12) weeks per calendar year during a "rolling" twelve (12) month period due to:

- the birth, adoption or foster placement of a child,
- the employee's own serious health condition that makes the employee unable to perform his or her job functions,
- the serious health condition of the employee's child, spouse or parent,
- any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty". Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings,
- or twenty-six (26) weeks of leave during a single 12 month period to care for a covered service member with a serious injury or illness.

The Department Administrator shall must notify Human Resources when an employee is absent for three (3) or more days, or intermittently, for a medical reason which may qualify under this program.

### Definitions:

1. Eligibility - To be eligible, an employee must have worked for the City for at least 12 months (non-consecutively) by the date on which his/her FMLA leave is to commence; and who, on the date on which any FMLA leave is to commence, has worked at least 1,250 hours of service with the City during the previous 12-month period; hereafter in this Section referred to as the employee.
2. Amount of Leave Available - Medical leave will begin on the first day of the employee's absence and can continue for up to twelve (12) weeks during the calendar year (January 1 through December 31) a "rolling" twelve (12) month period measured backward from the date an employee first uses or qualifies for any FMLA leave. A week is defined as forty (40) hours; however, for part-time employees and those who work variable hours, the FMLA leave entitlement is calculated on a pro rata or proportional basis. Also, if an employee's work schedule varies from week to week, the average weekly hours worked during the twelve weeks prior to the start of the FMLA leave will be used to calculate said employee's "normal" work schedule. The Act provides only for unpaid leave. However, the City will substitute, as permitted by law, certain types of accrued, paid leave for unpaid FMLA leave.
3. Parent - To be considered either the biological parent or the one who has day-to-day responsibilities for caring for a child.
4. Son or Daughter - A biological, adopted or foster child, a stepchild, a legal ward, or a child of a person standing in place of a parent who is either less than 18 years of age or is 18 years of age or older and cannot care for himself or herself because of a physical or mental disability.
5. Spouse - A husband or wife recognized as such under Florida state law.
6. Health Care Provider - A doctor of medicine or osteopathy who is authorized to practice in his or her respective state or any other person determined by the Secretary of Labor to be capable of providing health care services.
7. Serious Health Condition - An illness, injury, impairment, or physical or mental condition that involves:

- a. Any period of incapacity or treatment in connection with or consequent to inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility;
  - b. Any period of incapacity requiring absence from work, school, or other regular daily activities, of more than three calendar days, that also involves continuing treatment by, or under the supervision of, a health care provider; or
  - c. Continuing treatment by, or under the supervision of, a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days;
  - d. Any period of incapacity due to pregnancy, or for prenatal care.
- 8. Reduced Leave Schedule - A leave schedule that reduces the usual number of hours per work week or hours per work day of an employee.
  - 9. Intermittent Leave Schedule - A leave schedule taken in non-continuous increments due to a single illness or injury, for example, every Friday, one week each month for chemotherapy, etc.

### **Leave Requirements:**

- 1. Birth, Adoption or Foster Care
  - a. An employee is entitled up to twelve (12) weeks of unpaid FMLA leave during the calendar year a "rolling" twelve (12) month period measured backward for any of the following events:
    - 1). Birth of the employee's child.
 

Accrued paid sick and short term disability provided the employee (mother) and/or accrued paid personal leave or vacation, (in that order for either mother or father) will be substituted by the City, as permitted by law, for any or all of the unpaid FMLA leave. NOTE: An employee may elect to reserve one-half (½) of his/her accrued paid vacation leave for use at his/her own discretion. Such reserved paid vacation leave will not be substituted for unpaid FMLA leave.
    - 2). Placement of child for adoption or as a precondition to adoption.
 

Accrued paid personal leave or vacation leave (in that order) will be substituted by the City, as permitted by law, for any or all of this unpaid FMLA leave. NOTE: An employee may elect to reserve one-half (½) of his/her accrued paid vacation leave for use at his/her own discretion. Such reserved paid vacation leave will not be substituted for unpaid FMLA leave.
    - 3). Placement of a child in foster care.
 

Accrued paid personal leave or vacation leave (in that order) will be substituted by the City, as permitted by law, for any or all of this unpaid FMLA leave. NOTE: An employee may elect to reserve one-half (½) of his/her accrued paid vacation leave for use at his/her own discretion. Such reserved paid vacation leave will not be substituted for unpaid FMLA leave.
  - b. An employee must take the leave within twelve months of the birth, adoption or placement.
  - c. Should both spouses be employed by the City, the spouse may only take a total of twelve work weeks; however, they may split the time in any manner they choose - this applies only for birth, adoption or foster care.



- d. Any substituted paid leave will be counted as leave taken under the Act.

## 2. Care of a Child, Spouse or Parent with a Serious Health Condition

- a. An employee is entitled to a maximum of twelve weeks of unpaid FMLA leave during ~~the calendar year~~ a "rolling" twelve (12) month period measured backward to care for the employee's child, spouse or parent who has a serious health condition.
- b. Should both spouses be employed by the City, each individual spouse is entitled to twelve work weeks for this FMLA leave.
- c. The employee's eligible sick leave and personal leave for the fiscal year and accrued paid vacation leave (in that order) will be substituted by the City, as permitted by law, for any portion of unpaid FMLA leave when the employee is out due to a serious illness of a spouse, child or parent. Substituted paid leave will be counted as leave taken under the Act. NOTE: An employee may elect to reserve one-half (½) of his/her accrued paid vacation leave for use at his/her own discretion. Such reserved paid vacation leave will not be substituted for unpaid FMLA leave.

## 3. Employee with a Serious Health Condition

- a. Paid sick leave, will continue to be provided to employees as detailed in the Sick Leave Section, and in the Short Term Disability Plan Document.

Paid sick leave, personal leave, and vacation leave (in that order) will be substituted by the City, as permitted by law, for any portion of any unpaid FMLA leave resulting from the employee's own serious illness. Substituted paid leave will be counted as leave taken under the Act.

- b. For an employee meeting the criteria for participation in the Short Term Disability Program (see the Short Term Disability Plan Document) and eligibility for FMLA leave, the City will require the substitution, as permitted by law, of any or all of the employee's paid Short Term Disability for unpaid FMLA leave relating to a prolonged serious personal illness. Substituted paid Short Term Disability will be counted as leave taken under the Act and is available only for the employee's own serious health condition.

## 4. Military Family Leave

- a. Up to 100% of the employee's accrued sick leave, personal hours, and vacation leave (in that order) will be substituted by the City, as permitted by law, for any portion of unpaid FMLA leave when the leave required is for medical purposes.
- b. Accrued personal hours and vacation leave will be substituted by the City, as permitted by law, for any Military Family Leave that is not medical in nature. NOTE: An employee may elect to reserve one-half (½) of his/her accrued paid vacation leave for use at his/her own discretion. Such reserved paid vacation leave will not be substituted for unpaid FMLA leave.

## 5. Workers' Compensation

Absences resulting from injuries covered by Workers' Compensation may also qualify for leave under the FMLA. If such leave is covered by FMLA, it will be applied toward the 12 weeks of leave to which the employee is entitled to in ~~one calendar year~~ a "rolling" twelve (12) month period measured backward.



## 6. Medical Certification

An employee taking FMLA leave must provide medical certification to the Human Resources Department from the appropriate health care provider. This certification should be provided within the first fifteen (15) days off from work. Should an employee fail to provide said medical certification, unless otherwise impractical to do so under the circumstances, the City may deny the leave until the certification is provided. Should the certification not be provided within a reasonable period of time, the City may deny the continuation of the employee's FMLA leave. This certification shall be on a form obtained from the Human Resources Department and completed by a health care provider. The completed form must contain the following information:

- a. That the employee or family member has a serious health condition;
- b. The date the serious health condition commenced and its probable duration;
- c. For leave to care for spouse, child or parent - that the employee is needed to care for the spouse, child or parent and the amount of time needed to provide the care;
- d. For leave due to the employee's serious health condition - verification of the illness and the amount of time expected to be absent from work (i.e., convalescent period);
- e. For intermittent leave or leave on a reduced leave schedule for planned medical treatment - verification of the medical necessity of such treatment, the date on which such treatment is expected and the duration of the treatment;
- f. Where intermittent leave arises due to care for the serious illness of a spouse, child or parent - that intermittent or reduced leave is necessary for their care or will assist in their recovery and the expected duration or schedule of such leave.
- g. Additional Certification - Should there be any reason to doubt the validity of a certification, the City may require and pay for the opinion of a second health care provider chosen by the City. If the two health care providers disagree about any information in the certification, the parties may mutually select a third medical provider at the City's expense. The decision of the third provider shall be considered final and binding.

## 7. Scheduling Leave

- a. An employee must provide his/her **supervision supervisor** with at least thirty (30) days written notice of the need for leave for birth, adoption, foster care or planned medical treatment (unless the treatment requires leave to begin in less than 30 days) when the need for the leave is foreseeable.
- b. An employee shall make reasonable effort to schedule treatment so as not to unduly disrupt the City's operations, subject to the health care provider's approval.
- c. An employee will not take intermittent or reduced leave for birth, adoption or foster care of a child unless approved by the appropriate Department Administrator or his or her designee. This applies only when requesting intermittent or reduced leave for the aforementioned events; intermittent or reduced leave to care for a family member with a serious health condition or as a result of the employee's own serious health condition may be taken whenever medically necessary.
- d. An employee will take intermittent or reduced leave if a health care provider specifies in a proper certification that such is medically necessary (for example, an employee requires four hours off every Friday for chemotherapy).

- e. The City, upon approval by the City Manager or his or her designee and coordinated through the Human Resources Department and appropriate Department Administrator/Division Director, may temporarily assign an employee taking intermittent or reduced schedule leave to a position more suitable for recurring periods of absence in order to better accommodate the leave.
  - 1). The temporary assignment will not affect any of the employee's wages and benefits.
  - 2). Upon the end of the intermittent or reduced schedule leave, a temporarily assigned employee will be returned to his/her previously held position.
- f. An employee must supply monthly (every 30 days) reports to supervision and the Human Resources Department regarding his or her status and intention of returning to work.
- g. The City will not deny an employee's bona fide request for FMLA leave. However, if an employee requests paid leave for an FMLA qualifying purpose and does not explain the reasons for the leave, (for example, an employee requests vacation time but does not explain the necessity to care for a seriously ill spouse), the City may deny such a request based on division/department scheduling needs. Said employee will then need to state the FMLA qualifying reason for the needed leave, (for example, vacation time to care for an ill spouse) so that the City can be made aware that the leave cannot be denied and appropriately count the time off toward the employee's annual twelve week FMLA entitlement.

It is the City's responsibility to designate leave, paid or unpaid, as FMLA qualifying, based on the information provided by the employee.

### **Employment and Benefit Protection:**

- 1. An employee will be restored to the position he or she held when the FMLA leave commenced or, if this position is no longer available, an equivalent position with equivalent benefits, pay and other terms and conditions of employment, except as provided below:
  - a. A "key" employee, defined as a salaried exempt FMLA-eligible employee who is among the highest paid 10-percent of all employees, may be denied restoration to employment only if necessary to prevent substantial and grievous economic injury to the operations of the City, i.e. it must be the restoration to employment, rather than the taking of the leave, which would cause the grievous injury to the City.
    - 1). To determine the highest paid 10 percent, year-to-date earnings of all employees as of the date FMLA leave is requested are considered.
    - 2). A key employee who will possibly be denied restoration to employment will be notified before taking leave of the possibility of the denial of restoration. However, if restoration to employment is assured, it is not necessary for the City to notify the key employee of that status when leave is requested.
  - b. The employee is unable to perform the duties of the position.
- 2. During the period an employee is on either paid or unpaid FMLA leave, the City will continue to provide group health insurance coverages for the employee, as follows:
  - a. In the case of paid leave, insurance coverage and deductions, if applicable, will continue as if the employee continued working, until the employee either returns to work, separates from employment or commences an approved unpaid leave of absence.

- b. In the case of unpaid FMLA leave, the employee shall have the option of discontinuing participation in any or all of the City's insurance benefit programs. If an employee drops any insurance coverage it will be restored, subject to any carrier restrictions, immediately upon the employee's return to active status. If the employee chooses to continue participation in any or all of the insurance programs, he/she shall be responsible to make arrangements with the Human Resources Department to pay the entire monthly employee contribution amount prior to the first day of each month.
  - c. Under certain circumstances as defined by the FMLA for employees who elect not to return to work, the City has the option of attempting to recover health insurance premiums paid by the City during an approved FMLA leave.
- 3. An employee's accrued benefits, including vacation leave, sick leave, pension, etc. will be maintained, except that the City may require the employee to use certain paid leave during the leave period.
  - 4. An employee will not accrue vacation, or other benefits while on this leave if the period of leave is 30 days or more.
  - 5. Before an employee on personal medical leave can return to work, the City requires that the employee shall provide a fitness-for-duty certification from the health care provider stating that the employee has sufficiently recovered so as to be able to perform his or her normal job duties. Failure to return to work when the health care provider states that the employee is physically able to do so will result in termination.

### **Prohibited Behavior:**

The City will not discriminate against any employee who exercises his or her rights under the Family and Medical Leave Act. The Family and Medical Leave Act does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

## **Section 5. Parental Leave**

The City provides eligible City employees with paid leave to form strong family attachments and relationships due to the birth of an employee's newborn child or the placement with the employee of a child for adoption or foster care. The Parental Leave Pay Policy is defined by City Administrative Regulation 13.72.

## **Section 5 6. Workers' Compensation**

The City shall, through self-insurance or the purchase of a commercial insurance product, provide for the compensation of employees covered by the Personnel and Safety Rules and Regulations who are injured in the line of duty in accordance with the Florida Workers' Compensation law, FS 440 as follows:

- 1. The City program is intended to liberalize the benefits of FS 440 but shall in all cases meet the minimum requirements thereof. Disability wage payments under the City's insurance program shall begin after the seventh day of an approved absence.
- 2. An injury shall be considered to have been incurred in the line of duty only if such injury is a compensable injury under the Florida Workers' Compensation Law.
- 3. The City's physician, in accordance with the Workers' Compensation Law, shall determine the length of time off under this program.

4. If the illness or injury requires an absence of more than seven days, the City's insurance coverage shall provide wage replacement of up to 66 2/3 of the employee's average weekly wage calculated in accordance with and subject to the limitations of FS 440.
5. Any base wages not covered by the City's insurance program for a period of absence due to an illness or injury compensable under FS 440 shall be paid by the City directly to the employee for a period not to exceed six months, until the employee reaches maximum medical improvement, or until the employee qualifies for Social Security disability or retirement disability, whichever comes first. Temporary and seasonal employees, or part time employees less than 20 hours, will not be paid the additional 33 1/3 wage replacement by the City but will be compensated the 66 2/3 in accordance with FS 440.
6. In no case shall the City pay any amount under this program which would, when combined with disability payments, part-time wages or earned income from any other source and paid to the employee, result in the employee receiving an amount greater than that employee's appropriate City base wage amount or the amount required by FS 440, whichever is greater.
7. The City, at its sole discretion, retains the right to offer an employee who sustains an in line of duty illness or injury, a temporary light duty or modified duty assignment for a period not to exceed six (6) months. Such duty shall be in accordance with the restrictions of the authorized treating physician. While there is no employee entitlement to light or modified duty, an employee who is offered such a temporary duty assignment and declines shall not be compensated for time off under this program. Employees who accept a temporary light or modified duty shall be paid their normal base rate of pay for all hours worked. In no case shall any such period of light duty when combined with the period of paid time off under this Section exceed six months in total.
8. After an employee has received the initial treatment for a work-related injury or illness, appointments shall be scheduled during off-duty time, unless other arrangements are made with the appropriate Division Director. no case shall overtime be paid for treatment of a work-related injury or illness.
9. Employees must cooperate fully at all times with the adjusters, medical providers and City staff while receiving workers' compensation benefits. Failure to cooperate shall result in the forfeiture of the wage replacement enhancements provided by this Section. Employees are required to attend all scheduled workers' compensation medical appointments. Failure to do so may result in disciplinary action up to and including discharge.
10. As set forth in Florida Statute 440, if an employee's Workers' Compensation injury is caused by the knowing refusal by the employee to use a safety appliance or observe a safety rule required by state statute, or if the injury is caused by the knowing refusal by the employee to use a safety appliance provided by the City, such employee's Workers' Compensation disability payments may be reduced by twenty-five (25) percent.

## **Section 67. City Initiated Medical Examination**

Upon the recommendation of an employee's Department Administrator or Division Director, and based upon observed failure or inability to perform job duties, the City may require an employee to have a medical/physical examination at any time during employment with the City to determine the employee's fitness to perform the essential functions of his or her job. The physical shall be at the City's expense. The employee's leave time shall not be charged for the hours away from work required to complete the medical examination.

## **Section 78. Funeral and Bereavement Leave**

1. All full-time employees shall be granted bereavement or funeral leave, as outlined below, upon the death of an immediate family member or relative as defined in this Section. Employees

covered by a bargaining unit are governed by the provisions of their current union contracts.

2. Bereavement Leave: For the death of an immediate family member, full-time employees shall be granted up to a total of forty (40) hours of paid bereavement leave, whether the death occurred in-state or out-of-state.
  - a. All bereavement leave must be taken on consecutive scheduled duty days and completed within ~~fifteen~~ thirty (~~45~~ 30) days of the date of death.
  - b. Immediate family member is defined as an employee's spouse or domestic partner, child (including step or adopted), parent (including a step parent or person who served in loco parentis prior to the employee's eighteenth birthday) or sibling (including step, half or adopted).
3. Funeral Leave: For the in-state death of a relative the employee shall be granted up to a total of twenty-four (24) hours of paid funeral leave in order to prepare for and attend the funeral or memorial service. For the out-of-state death of a relative the employee shall be granted up to a total of forty (40) hours of paid funeral leave to travel, prepare for and attend the funeral or memorial service.
  - a. Funeral leave must be taken on consecutive scheduled duty days, completed within ~~fifteen~~ thirty (~~45~~ 30) days of the date of death, and at least one day must be the day of the funeral or memorial service.
  - b. If the employee does not attend the funeral or memorial service, the paid funeral leave benefit is not applicable. Paid bereavement leave may not be taken for a relative.
  - c. Relative is defined as the employee's grandchild, parents-in-law, grandparents, son-in-law, daughter-in-law, brother-in-law, sister-in-law, aunts, uncles, nieces, and nephews.
4. Before compensation for bereavement or funeral leave can be approved, the employee shall properly complete the appropriate leave request form and attach proof of the death. Such proof shall be in the form of a newspaper source, Certificate of Death, or other certification by a competent professional source. In the case of funeral leave in excess of 24 hours for the death of an out-of-state relative, proof of out of state travel is also required.
5. The term domestic partner as used in this Section means a person with whom the employee has shared a primary residence continuously for at least the past six months and who is not related by blood; who is not legally married to another person; and who has entered into a relationship with the employee which is the functional equivalent of marriage (i.e. intimacy, fidelity, mutual support, joint responsibility for each other's welfare and the necessities of life).
6. If the death of a person listed in this Section, occurs while the employee is on vacation, the appropriate number of vacation days may be converted to bereavement or funeral leave if requested by the employee and the necessary documentation is provided.
7. Fire Department shift personnel not represented by a bargaining unit shall receive bereavement or funeral leave benefits in the same manner as the Fire Department bargaining unit members.
8. Part-time employees who work at least 20 hours per week and at least 1040 hours per year shall be granted, upon approval by the Department Administrator or Division Director, up to the pro-rated amount of time off with pay for up to the number of hours the part-time employee is regularly scheduled to work while on funeral or bereavement leave. The number of consecutive workdays will be limited to the three (3) days and five (5) days as outlined above. Full-time temporary, part-time temporary, regular part-time who work less than 20 hours per week, and seasonal employees are not eligible for paid funeral leave.

9. Should an employee require additional time other than provided for in this Section, additional time may be requested from the Department Administrator or Division Director. Upon approval by the Department Administrator or Division Director, any additional paid time used may be charged to vacation if the employee has hours accrued, or the employee's Personal Days for the Fiscal Year, or charged to leave without pay if no vacation time or Personal Day is available.

## **Section 8.9. Court Leave and Jury Duty**

Employees attending court as a witness on behalf of a public jurisdiction or for jury duty during their normal working hours shall receive full pay equal to their normal work schedule for the hours they attend in court. This time shall be charged as leave with pay.

1. If the appearance is job related, all full-time employees subpoenaed to attend court or give depositions or meet with attorneys, etc., are eligible for court leave with pay. Part-time employees who work at least 20 hours per week and at least 1040 hours per year who are subpoenaed to attend court or give depositions shall be granted time off with pay for up to the number of hours the part-time employee is regularly scheduled to work in a week. Temporary, Seasonal or Part-time less than 20 hours employees will be paid for any job-related appearances, but are not eligible for jury duty pay.
  - a. Those employees who become plaintiffs or defendants are not eligible for court leave with pay, unless job related.
  - b. An employee is not allowed to receive court leave for claims he or she has brought against the City.
2. Employees called for jury duty or subpoenaed shall promptly notify their immediate supervisor so that arrangements can be made for their absence from work.
3. Employees who are subpoenaed attend court, or who are on jury duty for only a portion of their regularly scheduled workday are expected to report to their supervisor when excused or released by the court.
4. Time spent in court is the actual time required to report, as scheduled in writing on the subpoena, until released by the judge or other officer of the court.
5. Employees on court or jury duty while on scheduled vacation may be allowed to reinstate vacation hours served in court providing satisfactory evidence of the time served on such duty is presented to the Department Administrator or Division Director.
6. In the event a holiday occurs during the period of the court or jury duty, the employee shall receive pay for such holiday as holiday pay.
7. The employee shall provide the Department Administrator or Division Director with proof of court or jury duty service before compensation is approved.
8. An employee subpoenaed in the line of duty to represent the City as a witness or defendant will not be granted administrative leave, and his or her appearance in such cases will be considered a part of his or her job assignment. The employee will be paid per diem and travel expenses, and will be required to turn over to the City any fees received from the court.
9. Employees serving on jury duty during their regularly scheduled hours will be granted administrative leave with pay. In addition, he or she shall retain any jury allowance provided by the court.

## **Section 9 10. Voting Time**

An employee who is required to work during the entire period the voting polls are open will be granted adequate time off, with pay, in which to exercise his or her right to vote.

## **Section 10 11. Military Leave for Active or Inactive Duty for Training**

1. Employees who are commissioned Reserve Officers or Reserve enlisted personnel in the United States military service or members of the Florida State National Guard, shall be entitled to leave from their respective duties without loss of pay or benefits for such time as they are ordered to active or inactive military service for training, for a total maximum of 240 working hours in any one calendar year.
2. The employee shall be required to submit an order or statement from the appropriate military commander as evidence of any such duty. Such order or statement must accompany the formal request for military leave unless such order or statement is otherwise restricted by law, in which case the employee shall give oral notice.
3. Employees who are members of the Armed Forces, Reserves or Florida National Guard shall be excused from work with pay up to a maximum of 240 working hours in any one calendar year to attend **active or** inactive duty training drills as required. Evidence of membership in the applicable organization shall be provided to the Department by the employee. Requests for such absences from work can be made by the employee either orally or in writing. The submission of the applicable Reserve or National Guard training schedule will satisfy the requirement.
4. The 240 working hours referenced in items 1 and 3 above are cumulative and the maximum amount of time off for **active or** inactive military service with pay is 240 working hours for any one calendar year. Hours not used in one calendar year may not be carried forward to the next calendar year.
5. It is the intent of this Section to provide City employees with the minimum entitlements and protections required by Florida Statutes regarding leaves of absence for military training at all times, and as such may be amended from time to time.

## **Section 11 12. Military Leave for Enlisting into the Military**

1. On written application by an employee, the Department Administrator shall grant a military leave of absence without pay to such employees in order to allow them to enter the military service of the United States in any of its branches for the initial period of enlistment.
2. Such leave of absence shall continue during the entire period of initial enlistment, but failure to return to work within the time provided by law after the term of initial enlistment is up shall result in forfeiture of the employee's right to reinstatement unless the term of service is involuntarily extended.
3. No benefits shall accrue while an employee is on such leave.
4. Seniority for pension purposes shall be granted to such employees in accordance with the provisions of the City Code of Ordinances.
5. Any such employee receiving military leave of absence without pay shall be entitled to return to the position in the department he or she was in at the time the leave of absence was granted, or to such position of like seniority, status and pay, in another department.
6. Such return by an employee from military leave after the initial period of enlistment is contingent on the employee presenting an honorable discharge from training and service.



7. Such return to the City's service must be made through application for reinstatement within ninety (90) days after said person is relieved from military duty, unless a longer period of time is allowed by law.
8. Upon being returned to his or her former position or like position, said employee may be required to submit to an examination to establish the fact that he or she is physically and mentally capable of performing the essential functions of said position, with or without reasonable accommodation.
9. If he or she is found not to be qualified to perform the duties of his or her position by reason of disability sustained during military service, but is qualified to perform the duties of any other position in the City, he or she may be restored to such other position, even if said position is in a different classification, and he or she shall be granted like seniority, status and pay, or the nearest approximation thereto, consistent with the circumstances of the case.
10. The most recent employee hired into the department in which the military returnee is reinstated into shall be construed to be the employee who was hired to fill the position vacated by the employee to whom military leave of absence was granted.
11. The name of the person displaced shall be considered for rehire in the next available position for which that person is qualified, providing that person has completed the probation period.

### **Section 42 13. Military Leave for Employees Ordered to Active Duty**

1. An employee member of the National Guard, the reserve armed forces of the United States or the Coast Guard Reserve who is ordered to active federal duty on or after January 1, 2005, to protect America's citizens and her freedoms, shall be entitled to the following benefits:
  - a. An approved paid leave of absence not to exceed one (1) year for the entire period of the required military duty.
    - 1). Up to the first 30 days of the leave of absence shall be paid at the employee's base rate of pay plus any incentives, if applicable, and not including shift differential or overtime.
    - 2). For the remainder of an approved absence not to exceed one (1) year, the employee shall receive the difference between his or her base rate of pay plus incentives and his or her active duty military pay. For the purpose of this computation, military pay shall mean the gross amount for base pay plus housing and subsistence allowances, if any. In order to receive pay for the remaining portion thereof, the employee shall submit his or her end of month military pay voucher to the Finance Department. The Finance Department shall compute the amount of pay due for that month and pay the difference to the employee in a single payment.
    - 3). When an employee is on intermittent military leaves of absences, the entitlement to full City pay shall not exceed thirty (30) calendar days.
  - b. If the employee would have otherwise been entitled to a merit pay increase, other wage increase, sick leave payout, and/or vacation payout during the maximum one (1) year paid leave of absence, those increases and payouts, but no other pay entitlements, shall be included for the purpose of determining the amount of City pay.
  - c. For the initial 30 day paid leave of absence, sick leave and vacation shall accrue as if the employee were in an active pay status. In addition, during such paid leave of absence the employee shall be entitled to receive sick leave payout and vacation payout as if he or she were in an active pay status on the day which would entitle the employee to receive such payouts. Sick leave and vacation shall not accrue if the leave of absence goes beyond the



30 days. Pension credit for the paid leave of absence and any unpaid leave shall be as determined by the City Code of Ordinances and by federal and state law.

- d. An employee ordered to active duty on or after January 1, 2005, may request continuation of all insurance coverage in effect at the time he or she was ordered to active duty. Such request shall be in writing and addressed to the Human Resources Department. Coverage shall be as provided for by law, labor contracts and City Personnel and Safety Rules and Regulations and the respective insurance policies.
  - e. For a maximum of 365 calendar days of the paid leave of absence, the City shall continue to pay its share of insurance premiums if the employee has elected to continue coverage. The employee shall be responsible for all other premium costs and shall arrange for payment with the Human Resources Department.
  - f. Requests for this military leave of absence must be in writing, and must include a copy of military orders or a statement by the commanding officer that the employee is ordered to active duty and shall, whenever possible, be received in the Human Resources Department prior to the employee's first day of such active duty.
  - g. Entitlement to the benefits described in this Section that are not otherwise required by law shall automatically cease after one (1) year of an employee's approved leave of absence, unless such entitlement is extended by City Council.
  - h. Return to active-status employment with the City after release from active duty shall be in accordance with applicable federal and state law.
2. The benefits provided for within this item shall run concurrently with any and all benefits provided for in applicable federal Uniformed Services Employment and Reemployment Rights Act (USERRA) and state law and union contracts.

## **Section ~~13~~ 14. Leaves of Absence Without Pay**

- 1. Duration and Approval
  - a. Absences less than thirty (30) calendar days may be considered time off without pay (excluding vacation, sick, disability, holiday, or other such paid leaves). Employees will not be allowed to take time off without pay for less than 30 days duration unless all sick leave (if applicable), personal time, and vacation leave (in that order) have first been exhausted.
  - b. A leave of absence without pay is an absence of thirty (30) calendar days or more (this does not include leaves covered by the FMLA). Employees will not be allowed to take a leave of absence without pay unless all sick leave (if applicable), personal time, and vacation leave (in that order) have first been exhausted. Employees must make the request for a leave of absence without pay in writing, explaining the reason for the request. All leaves of absence must be approved by the respective Department Administrator and City Manager. A leave of absence without pay will not be granted if the work in the department/division cannot be handled by fellow employees or by a temporary employee. City Manager approval is required for the hiring of any temporary employee.
  - c. The Family and Medical Leave Act - FMLA provides eligible employees the right to take an unpaid leave of up to twelve weeks per calendar year during a "rolling" twelve (12) month period measured backward due to the birth, adoption, or foster placement of a child; the employee's own serious health condition; or the serious health condition of a child, spouse or parent. Should an employee require additional unpaid time off beyond that granted by the law, he/she may request a leave of absence without pay.

- d. Once a leave of absence without pay has been approved, the Department Administrator will coordinate the action with the Human Resources Department. The leave of absence will be effective beginning the first working day of the absence. Because a leave of absence is without pay, no compensation will be provided during this time (i.e., vacation, sick leave, holiday, funeral leave, etc.).
- e. Extensions to authorized leaves of absence must be requested and approved in writing by the employee's Department Administrator, the City Manager, and forwarded to the Human Resources Department. Failure to return to work at the expiration of an approved leave shall be considered as an absence without leave and grounds for dismissal.
- f. Upon notification to the employee's Department Administrator that the original agreement for leave of absence has been altered in any way, the employee must return to employment or must make a re-application for additional leave.

## 2. Employee's Responsibility

- a. An employee granted a leave of absence without pay must keep the Department Administrator informed every thirty (30) days, in writing, of his or her current activity (school, etc.) and intentions of returning to work.
- b. An employee on a leave of absence without pay must keep the Department Administrator advised of any change in his or her current address and phone number.
- c. An employee who accepts either part or full-time employment elsewhere while on an authorized leave of absence without pay is required to notify the Department Administrator in writing within three (3) calendar days of accepting such employment.
- d. Failure to comply with the above requirements may result in the employee<sup>s</sup> being dropped from leave of absence without pay status, in which case he or she must return to duty or be dismissed.

## 3. Reinstatement from Leave of Absence Without Pay

- a. See the Family Medical and Leave Act, Employment and Benefit Protection Section in this Chapter, for reinstatement provisions from FMLA leave.
- b. When an employee has been granted a leave of absence without pay (not covered by the FMLA) and the work in the division/department was being performed by a temporary employee, said employee who has been granted the leave of absence shall be reinstated in his or her position immediately upon expiration of said leave of absence and the temporary employee will be informed that his or her assignment has ended.
- c. When an employee has been granted a leave of absence without pay (not covered by the FMLA) and the work in the division/department cannot be handled as outlined in "b" above, a qualified applicant shall be hired into the position, and the employee granted the leave of absence without pay shall be terminated. During the following six (6) months, the City shall make a reasonable effort to return the employee to a position for which he or she is qualified.
- d. An employee granted a leave of absence without pay (not covered by the FMLA) who wishes to return to work before the leave period has expired may be required to provide the Department Administrator with at least two (2) weeks' written notice.
- e. Employees reinstated to their prior classification from a leave without pay (not covered by the FMLA) shall be entitled to receive their prior rate of pay in addition to any pay adjustments applicable to their classification.

- f. A leave of absence without pay (not covered by the FMLA) for thirty (30) consecutive days or longer will result in a corresponding adjustment of the employee's benefits-eligible service date of hire, service award date of hire, pension date of hire, and performance appraisal and classification date.
  - g. No annual vacation leave, sick leave, or any type of seniority will be earned by an employee for the time that the employee is on a leave of absence without pay (not covered by the FMLA).
4. Group Insurance Coverage During Leaves of Absence without Pay
- a. Insurance coverage may be continued while on authorized unpaid leave of absence, provided premium payments are kept current. Employees will be responsible for the entire cost of coverage (not applicable for unpaid FMLA leaves) and must make arrangements with the Risk Management Division Human Resources Department to pay the entire monthly premium prior to the first day of each month.
  - b. A maximum delinquency period of thirty (30) days will be enforced for payment of premiums. If a monthly premium is delinquent and payment is not made, coverage will be canceled as of the beginning of the delinquent period.
  - c. Should an employee be out of town during an approved leave exceeding thirty (30) days, payment arrangements must be made in advance so that premiums are kept current.
  - d. Any employee who has insurance coverage canceled while on an approved leave of absence (not applicable for FMLA leave) will be added to the coverage upon being reinstated in accordance with City policies, IRS regulations and insurance plan enrollment and underwriting provisions.

## **Section 44 15. Domestic Violence or Sexual Violence Leave**

In accordance with Florida State Statute 741.313, the City provides employees with domestic violence or sexual violence leave. An employee may be granted up to three (3) days of leave in a 12-month period if the employee or his/her family or household member is the victim of domestic violence or sexual violence. Domestic violence or sexual violence is defined in Florida Statutes 741.28 and 784.046 respectively, or is any crime found by a court to include an act of domestic violence or sexual violence. Family or household member means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

- 1. Domestic violence or sexual violence leave will be charged to the employee's vacation or personal time as requested by the employee, unless medical care is needed. If medical care is needed, the time may be charged to sick leave. Time without pay will be charged if the employee does not have the appropriate accrued time from which to charge the time out.
- 2. Employee Requirements
  - a. The employee is required to provide appropriate advance notice of the need for leave, except in cases of imminent danger to the health or safety of the employee or family or household member.

- b. Employees requesting Domestic Violence or Sexual Violence Leave must provide sufficient documentation of the domestic violence or sexual violence. Examples of documentation may include copies of restraining orders, police reports, orders to appear in court, etc. Any information provided will be kept confidential and all information, to include the request for leave, supporting documentation, and time sheets are exempt from the public records law until one year after the leave is taken.
  - c. This Section shall not be construed to provide any entitlements in excess of the requirements of Florida Statute 741.313. If additional time is needed for a domestic violence or sexual violence issue, an employee will make appropriate arrangements with his/her Department Administrator or designee.
3. Retaliation or discrimination against any employee who exercises his or her rights under this policy, which supports State law, is unlawful and will not be tolerated.

## CHAPTER 11: BENEFIT AND MISCELLANEOUS PROGRAMS

### Overview:

*The City provides the following miscellaneous programs for City employees. This Chapter has been prepared to help provide a better understanding of these programs. The programs listed herein are subject to change from time to time as deemed appropriate by City management.*

### Section 1. Blood Bank

The City sponsors blood drives for the purpose of contributing to a safe and adequate community blood supply.

### Section 2. **Communication, Information, and** City Bulletin Boards

**The City uses multiple sources for communicating information to employees such as bulletin boards, an employee portal, email, and payroll flyers to name a few.**

Bulletin boards are provided by the City and shall be conveniently located in approved work areas for the purpose of posting announcements of interest to City employees. Department Administrators or Division Directors are responsible for approving all posted announcements and for maintaining City bulletin boards in an orderly and current fashion. Employees must submit material for bulletin boards to their Department Administrator or Division Director for approval.

### Section 3. Break Periods

Brief break periods are authorized as a privilege which must be arranged so as not to interfere with City business. Breaks may not be scheduled to extend meal periods or reduce the length of the employee's work day. Misuse of the break privilege may subject the employee to disciplinary action. The Department Administrator or Division Director or his/her designee is responsible for the administration of break periods within their respective areas.

For minors under the age of 18, Department Administrators or their designees shall allow for breaks and meal periods as provided for under the Florida Child Labor Law.

In accordance with the limitations and requirements set forth in the Fair Labor Standards Act (FLSA), nursing mothers shall be provided with reasonable break periods to express milk for their infants.

### Section 4. City Manager's "Open Door" Policy

It is the policy of the City Manager to schedule time to meet with City employees at their request. Whenever a City employee would like to discuss an issue with the City Manager, the employee should inform his or her supervisor that he or she plans to make an appointment to talk to the City Manager. The employee is not required to inform the supervisor of the topic to be discussed with the City Manager. Employees are encouraged to call the City Manager's Administrative Assistant to schedule a meeting time and to provide an overview of the subject to be discussed.

### Section 5. Employee Idea Awards

All City employees are encouraged to participate in the suggestion award program for the purpose of developing creative and beneficial ideas which may lead to increased job interest, efficiency, cost savings and improved City operations and services. City Administrative Regulations will provide the procedures for the submission and approval of ideas.

## Section 6. Direct Deposit

The City's ~~Personnel Division~~ ~~Accounting Division~~ maintains ACH/Direct Deposit Election/Discontinuance forms for employees' ~~who choose to have their biweekly pay,~~ ~~which is~~ deposited directly to an account at the financial institution of their choice.

## Section 7. Employee Assistance Program

The City's confidential Employee Assistance Program (E.A.P.) is available to all employees and immediate family members (immediate family members are defined as those family members living in the employee's household such as the employee's spouse and children - these family members are covered even though they may not be covered by the employee's medical insurance plan and may not be legally considered a dependent). The purpose of the E.A.P. is to present, identify and respond to employees' problems which may - directly or indirectly - interfere with job performance. Professional evaluation, counseling, consultation, workshops, and seminars are basic components of the program. Through this program, employees can increase their ability to handle pressures of life. The E.A.P. is administered by the Human Resources Department.

The City will continue to provide some type of employee assistance program to employees. The City will have the unilateral right to determine the carrier and other terms and conditions of the employee assistance program to be purchased for employees at the City's expense. It may be necessary, from time to time, for the City to alter the terms and conditions of the policy, including but not limited to the carrier and particular coverages. The City will at all times attempt to purchase the highest level of benefits available while at the same time minimize the cost to the City.

## Section 8. Educational Tuition and Training and Certification Programs

1. The City of Pinellas Park recognizes that employee educational development is important and should be encouraged. For that reason, City Administrative Regulations provide for policy and procedures for City employees to obtain additional education and training, if monies are available, that will enhance job performance and prepare employees for future advancement. In addition to tuition ~~payments assistance~~ at colleges and universities, the program may also provide funds for training and certification programs that are in line with reasonable promotion objectives within the City.
2. Training With Pay: The City Manager, through the ~~Personnel Division~~ ~~Human Resources Department~~, will administer overall on-going, in-house training programs for employees on subjects that are applicable City-wide, such as supervisory/management training, computer (both hardware and software), customer service, team work, career development, etc. Training within and relating to the effective operations of the departments and divisions for employees is the responsibility of the respective Division Director and Department Administrator.

## Section 9. Travel and Per Diem

The City provides a travel and per diem allowance as authorized by the City Code of Ordinance and Administrative Regulations as amended, when official duties of employees require them to travel. This allowance must be authorized by the employee's Department Administrator or Division Director.

## Section 10. Group Insurance Program

1. Eligibility
  - a. All employees who are regularly scheduled to work at least twenty (20) hours per week are eligible to participate in the following City group insurance programs:
    - 1) Health

2) Dental

3) Life, Extra Life, Spouse Life, and Child Life.

- b. In addition, a group long term disability policy is available for purchase by employees who are regularly scheduled to work at least thirty (30) hours per week.
- c. Temporary and seasonal employees are not eligible to participate in the City's group insurance programs.

2. Internal Revenue Service (IRS) Section 125 Plan Participation

- a. All City employees who are benefits-eligible are automatically enrolled in the City's Section 125 Salary Redirection Program. This program allows employees to have the City purchase certain health benefits on their behalf using pre-tax dollars.
- b. In accordance with IRS Section 125 rules, employees may not change their benefit selections during the benefit year unless they experience what is known as a status change event. Some examples of status changes which allow an employee to change benefit selections are: marriage, divorce, birth, death, adoption, court orders, etc. This is not an all-inclusive list. The Human Resources Department will assist employees who have questions regarding whether or not a status change event has occurred. Employees are required to notify the Human Resources Department within 30 days of experiencing a status change event. Failure to complete the required form and provide the appropriate supporting documentation within 30 days can result in the forfeiture of the employee's rights to change his/her benefits selections until the next open enrollment period. Changes are effective the first day of the month following the signature date on the change forms.
- c. Employees who desire to "opt out" of participation in the Section 125 program may do so by notifying the Human Resources Department in writing during the annual open enrollment period.

3. Health, Life and Voluntary Benefits Enrollment

- a. Insurance benefits become effective on the first day of the month following sixty (60) calendar days of active employment based on the ~~benefits-eligible~~ **service** date of hire.
- b. Each new employee is given a package containing insurance benefits enrollment materials at the time of hire. Within the first thirty (30) days of City employment, each employee shall be responsible for setting up a new employee insurance benefit meeting with the Human Resources Department for the purpose of completing and submitting the appropriate insurance enrollment forms.
- c. Employees who do not submit the required enrollment information prior to their benefit eligibility date shall be given the then-current default benefits package and shall not be allowed to change their benefit selections until the next open enrollment period.
- d. Employees may only change their benefits selections during the annual open enrollment, unless they have a qualifying status change event as provided for in item 2 above.

4. Health, Life and Voluntary Benefits Termination

The health, life and voluntary benefits programs in which employees are enrolled will be effective until the last day of the month during which the employee terminates employment. Insurance premiums are paid by the City one month in advance; therefore, employees are responsible for

the payment of premiums until the end of the month in which they leave employment. COBRA benefits continuation or participation in the retiree benefits program, if eligible, may allow a terminating employee to continue participation in the City's insurance programs.

5. Health Insurance – Full Time Employees

The City participates with its employees in the payment of premiums for group health insurance for employees and their families. All full time employees are eligible.

6. Health Insurance – Part Time Employees

- a. For benefits-eligible employees who are regularly scheduled to work at least 20-29 hours per week (and at least 1040 hours per year), the City's contribution toward the purchase of group health insurance will be 50% of the rate which the City contributes for the full time employee-only tier of coverage of the specific plan in which the employee enrolls. Part time employees are responsible for the entire cost of dependent coverage.
- b. For benefits-eligible employees who are regularly scheduled to work at least 30-35 hours per week (and at least 1560 hours per year), the City's contribution toward the purchase of group health insurance will be 75% of the rate which the City contributes for the full time employee-only tier of coverage of the specific plan in which the employee enrolls. Part time employees are responsible for the entire cost of dependent coverage.
- c. For benefits-eligible part time employees who have worked for the City in a benefits eligible position continuously for at least five (5) years, the City's contribution toward the purchase of group health insurance will be equal to the rate which the City contributes toward the full time employee-only tier of coverage of the specific plan in which the employee enrolls. Part time employees are responsible for the entire cost of dependent coverage. Part time employees who reach five (5) years of continuous service during the course of a benefit year and who wish to enroll in benefits or change their Section 125 health benefit selections should contact the Human Resources Department and request that a status change be implemented, within thirty (30) days as noted above.

7. Dental Insurance – Full Time and Part Time Employees

Group dental insurance is available for purchase by all full and part time benefits-eligible employees. Group dental insurance may be purchased to cover an employee's dependents also.

8. Life Insurance

All benefits-eligible employees are automatically provided with \$50,000 worth of basic group life insurance effective as of their insurance eligibility date. In addition, each benefits-eligible City employee is covered with an Accidental Death and Dismemberment policy in the amount of \$50,000 which is payable for death in the line of duty. Employees covered by basic life insurance may also voluntarily purchase extra amounts of life coverage on themselves, as well as insurance to cover their spouse and children.

9. Short Term Disability Insurance

The benefits provided to eligible employees who suffer a non-duty related injury or illness are found in the Short Term Disability (STD) Program Plan Document available from the Human Resources Department and in these Personnel and Safety Rules and Regulations.

10. Long Term Disability Insurance



All benefits-eligible employees who are regularly scheduled to work at least 30 hours per week may purchase voluntary group long term disability insurance. This policy provides wage replacement protection for covered non-work-related disabilities starting after 180 days of disability.

## **Section 11. Pension and Retirement**

All full-time City employees who meet established pension requirements shall participate in the City pension plan. Details concerning the City pension program may be obtained from the Retirement Services Office in the Human Resources Department.

In accordance with Florida Statutes, retirement is not mandatory; however, employees may elect to retire and receive retirement benefits as per the City of Pinellas Park's Retirement System Ordinance.

## **Section 12. Employee Newsletter**

The Human Resources Department publishes a quarterly in-house newsletter. This publication provides all employees and retirees with up-to-date information on activities in the various Departments of the City, employee benefits and other communications of importance and interest to all City employees.

## **Section 13. Employee Acknowledgment and Recognition Programs**

The City recognizes employees for their accomplishments, ideas, contributions and length of service. Additionally, City employees may recognize other City employees for outstanding job performance. Forms for participation in acknowledgement programs are located in common areas throughout the various City buildings. City Administrative Regulations outline the varied employee award programs.

## **Section 14. Safety Suggestion Award Program**

As described in the Safety Rules and Regulations **Chapter 17**, all City employees are encouraged to participate in the Workplace Safety Suggestion Award Program. The purpose of this program is to encourage employee participation in developing creative, beneficial ideas which lead to increased job safety and improved City operations. Safety suggestions are submitted to the Risk Management Division and are reviewed periodically by the Safety Committee. Employees whose suggestions are implemented may receive time off with pay **or other awards** as recommended by the Safety Committee. Employee Workplace Safety Suggestion forms are located in common areas throughout the various City buildings.

## **Section 15. Library Cards for City Employees**

All City employees, regardless of city/county of residence, will be issued, upon request, a library card. This allows non-resident employees to use library facilities in the same manner as resident employees without the customary non-residential fees.

## **Section 16. Recreation and Pool Passes**

**City employees and retirees themselves are eligible to receive a free Recreation Card for use at City Recreation Facilities.**

The City shall **also** provide free admission to the City Pool for **retirees**, employees, their spouse, and any children living in the same household **provided spouse and children have a Recreation Card which is available for purchase at the resident rate**. Such admission shall be free seven days a week, during open pool season, excluding those times when organized programs or classes are conducted. These organized programs and classes are available to **retirees and** employees and their family members to the same extent as to the general public.

City employees themselves are eligible to receive a free Recreation Card in order to use the fitness room at the Ronald P. Forbes Recreation Center and the Broderick Recreation Center.

## **Section 17. Employee Benefit Fund Committee**

The City provides for an Employees' Benefit Fund Committee (EBC) for the purpose of making activities available and organizing social events for employees, retirees, and their families. City Administrative Regulations outline the duties and responsibilities of the members of the Employees' Benefit Fund Committee.

## **Section 18. Emergency Notification in the Event of a Medical Emergency**

The City is committed to providing a healthful and safe working environment. And although the City makes every effort to develop the best feasible operations, procedures, techniques, and programs, a medical emergency may still occur during the employee's course of duty. In the event of a medical emergency, such as sudden illness, attack, seizure, injury, or death, the City has implemented an Emergency Medical Notification procedure to ensure that family members are properly informed of these situations in a manner best designed to alleviate as much distress/concern/pain as possible.

Immediately upon the occurrence of an accident or the onset of a sudden illness, the immediate supervisor of the injured/ill employee **MUST** be notified. It is the immediate supervisor's responsibility to visit the scene of the accident or illness and ensure that the employee receives prompt and proper medical care. The immediate supervisor should accompany the employee to the hospital/doctor and remain there until such time as said employee is either released from medical care or the immediate family members arrive.

Depending on the severity of the medical emergency, the employee's supervisor must also notify the appropriate Division Director, Department Administrator, and the City Manager. NOTE: In the event of any serious accident, illness or death, the City Manager must be notified immediately.

Dependent again upon the severity of the medical emergency, it is the Division Director's responsibility to physically contact, whenever possible, the emergency contact of the injured/ill employee. Although some judgment is required, normally the emergency contact of any employee requiring hospitalization should receive a personal notification. The Division Director should thus plan on visiting the emergency contact at his/her home or, if applicable, place of work. Based upon the Division Director's relationship to or familiarity with the injured/ill employee and his or her family, the Division Director may request assistance during the notification process from Police or Fire Department personnel. After notification, the Division Director should assist the emergency contact to the hospital where the employee is receiving medical attention. In order for supervisors to be able to comply with this policy, all City employees are required to keep their emergency contact information up-to-date.

## **Section 19. Uniforms**

1. Employees required to wear uniforms are expected to wear them properly and in their entirety. Failure to wear uniforms on the job, without prior permission from the Department Administrator, will be cause for disciplinary action. City issued uniforms should not be worn when not on official duty without permission of the Department Administrator or designee and shall not, under any circumstances, be worn while engaged in outside employment. All uniforms, special equipment or devices required by the City will be furnished by the City at no cost to the employee. Additional uniforms may be purchased by the employee through payroll deduction. Any monies due the City for uniforms will be deducted from the employee's final paycheck in the event the employee has a balance due on uniforms upon leaving City employment.

2. Uniforms shall, at all times, be maintained in good repair and in presentable condition. Torn or ripped clothes or clothes worn out to such an extent as to appear unpresentable shall not be permitted.
3. If a supervisor determines that an employee's uniform, or a part thereof, is unfit for use, he/she will advise said employee of same, and direct that employee not to wear the uniform until it can be repaired, if possible.
  - a. If the employee continues to wear said uniform, or part thereof, in violation of the supervisor, he/she shall be liable for disciplinary action.
  - b. If the employee feels that the uniform is in proper condition, he/she may appeal the supervisor's decision to the Division Director who will make a recommendation to the Department Administrator.
4. If a uniform or part thereof, including shoes, is made to be unusable or is destroyed beyond repair, through no fault or negligence of an employee, said employee shall be provided with a replacement at the City's expense.
  - a. Uniforms, shoes, or part thereof, made unwearable through abnormal wear and/or negligence, shall not be replaced under this provision.
  - b. The employee's supervisor, Division Director, and/or Department Administrator shall make the sole determination as to replacement.
5. Administrative Regulations 05.18 regarding Employee Dress and Appearance provides additional guidelines regarding uniforms, business attire, casual attire and attire for special events.

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## **CHAPTER 12: MISCELLANEOUS RULES**

### **Overview:**

*The following miscellaneous rules apply to all City employees. Additional rules for daily operation and conduct may be found in the Administrative Regulations, Departmental Rules and Regulations, and union contracts.*

### **Section 1. Acceptance of Gifts and Gratuities**

1. No employee of the City shall solicit or accept any free or special service, benefit, concession, fee, loan, gift (including Christmas gifts), or other item of value in the course of or in connection with his or her duties, when such free or special service, benefit, concession, fee, gift or other item of value is given to induce the receipt of a favor or preferential treatment from the City or from any City employee.
2. These limitations are not intended to prohibit the acceptance of articles of negligible value which are distributed generally, nor to prohibit employees from accepting social courtesies, such as a lunch or a dinner, which promotes good public relations, but never is anything to be accepted if the intent from the giver is a favor or preferential treatment in return.
3. It is particularly important that inspectors, contracting officers and enforcement officers guard against relationships which might be construed as evidence of favoritism, coercion, unfair advantage or collusion.
4. Any City employee who violates this rule shall be considered guilty of misconduct and shall be subject to review and appropriate disciplinary action.

### **Section 2. Arrests**

Employees must inform their Department Administrator, Division Director, or immediate supervisor within five (5) days of any criminal arrest or charge, including violation of probation. Failure to do so may result in disciplinary action. Additionally, under the provisions of the City's Drug and Alcohol policy, arrests for an alcohol or drug-related incident either on or off duty must immediately be reported.

### **Section 3. Attendance**

All employees shall be in attendance at work by their established starting time in accordance with these rules and general departmental or divisional regulations. Employees shall notify their supervisor or other designated department or division representative and receive authorization for leave whenever they cannot report to work on time, may have a need to leave work early, or may have a need to leave for a portion of the day. Employees who fail to report their absence in accordance with departmental or divisional regulations shall be considered absent without authorized leave and subject to disciplinary action. Non-exempt employees are required to keep daily accurate records of hours worked in compliance with the Fair Labor Standards Act.

### **Section 4. Borrowing City Equipment**

The use of City equipment, such as borrowing electronic equipment, tape recorders, cameras, shovels, etc., for personal use shall be prohibited unless otherwise approved by the City Manager.

### **Section 5. Misuse of Position**

To avoid misunderstandings and conflicts of interest which could arise, the following policy shall be adhered to by employees of the City of Pinellas Park. This policy is in accordance with Chapter 112, Part III of the Florida Statutes, entitled "Code of Ethics for Public Officers and Employees."

1. No City employees shall use or attempt to use their position to secure special privileges or exemptions for themselves or others, except as may be provided by policy and/or law.
2. No City employees shall accept **secondary (outside)** employment or engage in any business or professional activity which they might reasonably expect would require or induce them to disclose confidential information acquired by them by reason of their official position.
3. No City employees shall disclose confidential information gained by reason of their official position, nor shall they otherwise use such information for their personal gain or benefit.
4. If an employee of the City is an officer, director, agent, or member of, or owns controlling interest in any corporation, firm, partnership, or other business entity which is subject to the regulation of, or which has substantial business commitments with the City or other political subdivision of the state, he or she shall file a sworn statement to this effect with the Circuit Court of Pinellas County and forward a copy of this document to be placed in his or her personnel file.
5. No City employees shall transact any business in their official capacity with any business entity of which they are officer, director, agent, or member, or in which they own a controlling interest.
6. No City employees shall have personal investments in any enterprise which will create substantial conflict between their private interests and the public interest.

When employees of the City have any doubt as to the application of this policy as it relates to them, they should discuss this concern with the City Manager or his/her designee.

Any employee who violates the provisions of this policy shall be subject to proper review and disciplinary action.

## **Section 6. Appearance and Personal Hygiene**

All City employees must be aware of the importance of appearance and good personal hygiene where the public and co-workers are concerned and are expected to dress in a manner consistent with the duties and responsibilities of their positions. Employees required to wear uniforms are expected to wear them properly, and in their entirety. Refer to Chapter 11 for additional information regarding uniforms. Determination of an employee's specific dress, appearance and personal hygiene is a proper supervisory function and will be treated as such. Refer to City Administrative Regulations for additional guidelines regarding workplace attire.

## **Section 7. **Secondary (Outside)** Employment**

1. Employees shall not be prohibited from engaging in any outside employment (whether self-employed or as an employee of another entity) so long as such outside employment does not, in any way, interfere or create a potential conflict of interest with their City employment. Employees who expect to engage in any outside employment either on a permanent or temporary basis shall within five (5) **working City business** days of commencing any such employment, notify their Department Administrator or Division Director **and provide a completed Outside Employment Disclosure form. This form is located on the Citywide Information & Publications Drive (G:\) in the Human Resources\Forms folder. This form must be completed and provided to the respective employee's Department Administrator or Division Director on an annual basis and a copy shall be forwarded to the Human Resources Department for insertion in the employee's personnel file.** Employees who fail to notify their department or division when engaged in outside employment may be subject to disciplinary action as determined by the Department Administrator or Division Director.

2. Any employees accepting outside employment shall make arrangements with the outside employer to be relieved from the outside duties if and when they are called for emergency service by the City. Every employee who engages in outside employment shall agree to respond immediately to any emergency call to duty by the City whenever their Director, Administrator, or the City Manager shall determine their services are necessary.
3. Supervisors shall be notified of injuries sustained while engaged in outside employment. The employee must report such injuries or accidents to their supervisor prior to the next scheduled working day or be subject to appropriate disciplinary action.
4. This policy does not apply to off duty details completed by police officers in compliance with, or if applicable to a collective bargaining agreement.

## **Section 8. Address and Phone Number**

Each employee shall provide his or her Department Administrator, Division Director or immediate supervisor with his or her current physical and mailing address and contact information number. All City personnel are required, within two (2) weeks of any physical or mailing address or phone number change, to report the change. Additionally, all City employees are required to keep their emergency contact information up-to-date on the employee's personal information page in ESS.

## **Section 9. Political Activity**

1. No City employee shall take any active part in political campaigns or other political activities, including qualifying for political office, during work hours or when functioning in any official capacity.
2. Any City employee who wishes to run for a Pinellas Park City Council seat shall resign from City employment prior to, or simultaneously with, the filing of their completed application with the City Clerk to qualify as a candidate.
3. City employees are prohibited from engaging in certain types of political activities while either on, or off duty by Florida Statute 104.31, and City employees in violation of its provisions may be found guilty of a misdemeanor of the first degree, and will be subject to appropriate disciplinary action imposed by the City.
- 3 4. Employees, in their private capacities, may express their opinions on any political candidate or issue and/or participate in campaigns during their off-duty hours; however, they are prohibited from using their official authority or influence for the purpose of aiding or interfering with an election or a nomination, or coercing or influencing another person's vote or affecting the result thereof.

Nothing contained herein shall be interpreted to limit the rights of any City employee to be affiliated with or support a political party, to vote as they choose, to express their opinions on political matters, and to attend political meetings or to campaign in all other areas of political activity after work hours.

## **Section 10. Solicitation of Contributions, Membership, or Business**

1. Persons not employed by the City shall not be allowed on City property or to use other City resources for the purpose of the solicitation of contributions, memberships, or business from City employees and shall not be permitted on City property during the employees' working time or in work areas. The exception to this rule is for those City sponsored benefit programs, charity drives, U.S. Savings Bond drives, United Way, and promotions specifically authorized by the City Manager.

2. City employees shall not be permitted to solicit contributions, memberships, or business during working time of any employee except for those instances as listed in the previous paragraph.

## **Section 11. Statements by City Employees to Attorneys, Law Firms, or Others**

1. From time to time, any City employee may be requested or subpoenaed to make a statement to an attorney or law firm, news media or others. These instances are generally concerned with an employee who has knowledge of events wherein the City may become or actually is the party of a lawsuit.
2. Should an employee receive either a request or subpoena wherein the City may become or actually is a party, he/she will discuss the matter first with the Department Administrator or Division Director who, in turn, shall inform the Human Resources Department of the request or subpoena. This policy does not apply to a departmental spokesperson conducting routine press releases as part of his/her job duties.
3. Any employee who does not comply with this rule may be subject to disciplinary action.
4. If transcribed and a copy of such transcript is in the possession of the City, a copy of the statement made by the employee will be made available to the employee, upon request.

## **Section 12. Assignment and Use of City Vehicles**

A City take-home vehicle allows an employee to perform his or her job more effectively and respond to City business more efficiently. The primary consideration for having a City take-home vehicle is based on relevance to assignment and call back potential. Administrative Regulation 05.26 provides guidance on the use of City take home vehicles.

~~1. Authority: The Department Administrator may assign City vehicles as take-home vehicles for the employees of his or her department subject to the following limitations:~~

~~a. City vehicles assigned to be taken home shall be for the sole purpose of carrying out the official business of the City and not for providing a job benefit. Therefore, use of City vehicles for personal business is limited to purposes set forth in these Rules and Regulations.~~

~~b. Take home vehicles shall not be assigned to employees who live outside of Pinellas County, except that those employees who live outside of the County and who have been assigned a take home vehicle as of the effective date of this policy may be permitted to continue to be assigned such vehicle only to their then current place of residence or any subsequent place of residence which is geographically closer in road miles to the City building in which they report.~~

**2 1.** Use of City Vehicles: Use of assigned City vehicles, whether or not they are take-home vehicles, is strictly limited to the following:

- a. Official purposes during the assigned workday.
- b. Travel to and from the assigned work location. This may include City related court duty for public safety employees.
- c. Conducting minor errands incidental to travel to and from the assigned work location.
- d. Travel to and from City sponsored or approved training and education.
- e. Travel for reasonable distances for meals during work hours.



- f. City vehicles shall not be used to transport persons other than current City employees, except on official City business.
- g. City vehicles shall not be used to transport alcoholic beverages nor be parked at an establishment, liquor store, or any place likely to bring a negative public image to the City except in the course of official business.

**3. Types of Vehicles: Only the following vehicle types may be assigned as take-home vehicles:**

- a. ~~Police Service Vehicles – May be marked or unmarked and must be outfitted with the appropriate law enforcement equipment. The assigned operator, a state certified law enforcement officer, shall be on call for police related emergencies.~~
- b. ~~Fire/EMS Service Vehicles – Shall be marked with permanent insignia or words so that the vehicle is readily identifiable as a Fire/EMS vehicle. These vehicles must be outfitted with standard Fire Department emergency equipment and the operator, a state certified firefighter or fire inspector, shall be on call for Fire/EMS related emergencies. The Fire Chief may designate a Chief Officer of the Fire Department staff as Duty Officer and an on-call Fire Inspector/Investigator for an appropriate period. During the period of assignment, these officers will be assigned a take-home vehicle and will be responsible for responding within thirty minutes to fire and EMS calls as set forth in Fire Department policy.~~
- c. ~~Other Vehicles – Specialized utility repair trucks of the Public Works Department may be assigned as take-home vehicles for responding to after-hours water and sewer emergency service calls. Dump trucks, flatbed trucks, and any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds shall not be taken home unless approved for use during emergencies.~~

**4.2 Employee Responsibility:** The use of City vehicles reflects directly on the City. It is therefore essential that employee's assigned vehicles use them in accordance with these Rules & Regulations and exercise the utmost discretion in their activities. Employees who do not comply with these Rules & Regulations, or who exercise poor judgment in the use of a City vehicle, shall be suspended from use of a City vehicle ~~or assignment of a take-home vehicle~~ and may be subject to discipline. Specific employee responsibilities include, but are not limited to:

- a. Reporting all breakdowns, mechanical defects, or malfunctions to the Fleet Maintenance Division, Public Works Department immediately.
- b. Maintaining the vehicle in a clean and serviceable condition according to department policy.
- c. Reporting accidents involving a City vehicle, whether or not there were injuries or damage, as required by the City Safety Rules and Regulations. City employees driving ~~take-home~~ vehicles are subject to the City's drug and alcohol policy and crash review process.
- d. Operating the vehicle in accordance with all state, county, and municipal laws and regulations including seat belt and cell phone usage.
- e. Any employee driving a City vehicle shall have in his or her possession a valid driver's license, issued by the State of Florida, as required for the vehicle.
- ~~f. Employees assigned take-home vehicles shall provide off-street parking, where available.~~
- ~~g f.~~ Employees shall not operate a City vehicle that is not safe or is not in good mechanical condition.
- ~~h. City policy is that all assignments of take-home vehicles fall within the specific tax exempt provisions of the IRS regulations. However, should an employee incur a tax liability for~~

~~personal use of a City vehicle, that employee shall be solely responsible for payment of such taxes.~~

~~i. During periods of absence in excess of four (4) working days, other than regular days off, the vehicle will be secured at the respective City Department rather than at the employee's residence. Employees will not be required to leave their assigned vehicle at the respective department if during their absence they remain at their residence.~~

~~5. Review of Vehicle Use: The City Manager may direct, as appropriate, a periodic review of the assignment and use of City take-home vehicles.~~

### **Section 13. Use of Personal Vehicle for City Business**

1. From time to time it may be necessary or desirable for an employee to utilize his/her personal vehicle to carry out City Business. Unless the employee receives a car allowance as provided by resolution of City Council:
  - a. Supervisory permission is required before a personal motor vehicle is utilized for City business.
  - b. Employees shall be compensated for mileage as outlined in City Administrative Regulations.
2. Should a traffic accident occur while an employee is driving a personal vehicle on City business, whether or not he/she receives a car allowance:
  - a. All City rules and regulations which apply to the operation of City motor vehicles shall be applicable including crash reporting, drug and alcohol testing, etc.
  - b. The City shall not reimburse the employee for the cost of any damages which occur to a personal vehicle which is being used for City business. As required by state law, the insurance policy covering the employee's automobile shall be primarily responsible for property damage and liability coverage. The City's liability insurance shall be excess to the insurance which covers the automobile.

### **Section 14. Failure to Attain or Loss of Job Qualification(s)**

1. An employee in a classification, **position, or assignment** which requires a specific license, certification, etc., as a condition of employment in order to perform the essential functions of the position, must attain, possess and maintain the license, certification, etc. The failure to attain or loss of such license, certification, etc., shall subject the employee to the possibility of termination due to not being qualified to perform the essential functions of the position.
2. Department Administrators shall comply with applicable laws, rules and guidelines when determining whether the loss of or the failure to obtain a job qualification will result in the recommendation of termination.

### **Section 15. **Smoking Tobacco and Nicotine Policy****

The purpose of the Florida Clean Indoor Air Act, Chapter 386 Florida Statutes, is to protect the public and the environment by creating areas in public places and at public meetings that are reasonably free from tobacco smoke. The Act requires the designation of smoking areas. This Section establishes the City's policy on smoking by employees. In cooperation with the intent of the "Florida Clean Indoor Air Act," it is the City's policy to educate, inform and set policy to minimize smoking and to protect non-smokers from involuntary exposure to tobacco smoke.

The City recognizes that employees have a right to smoke. However, the City believes that such use should be restricted when employees are on-the-job. Therefore, the City has implemented the following procedures in dealing with employee on-the job smoking usage of tobacco and nicotine products.

1. Union contracts that contain smoking tobacco provisions will take precedence, for those respective employees, over this policy.
2. The City's Wellness Program offers voluntary smoking cessation programs from time to time as budgetary resources permit.
3. Smoking Usage of tobacco and nicotine will not be permitted in any enclosed City facility. Proper signage will be posted.
4. Each City facility will have a designated outside smoking area. Proper signage will be posted.
5. No employee shall smoke right outside any building entrance or exit (or near building ventilation system air intakes) where nonsmokers may have to pass through smoke from smokers congregated near doorways.
6. Smoking or other use Usage of tobacco and nicotine products will not be permitted in any City vehicle.
7. Tobacco and nicotine usage shall include smoking of cigarettes, e-cigarettes, pipes, cigars, as well as the use of snuff, chewing tobacco, dip, or any other use of tobacco products which involves the intentional inhalation of smoke or the chewing, ingestion, or other use of tobacco, smokeless or otherwise, lit or unlit. Tobacco or nicotine products as used in this section does not include the use of nicotine gum, lozenges, or patches when used for their intended purposes.

All employees have an obligation to follow the City's procedures and safeguard the rights of fellow employees and citizens. Failure to do so may result in disciplinary action.

## **Section 16. Workplace Violence Policy**

It is the shared obligation of management, employees, law enforcement agencies, and employee organizations to individually and jointly act to prevent or defuse actual or implied violent behavior at work. Employees have a right to work in an environment free from violence. Therefore, as a safeguard, the City has developed a program to help prevent incidents of violence from occurring in our workplace, as well as a plan to react effectively in the event that such an incident should ever occur. However, management cannot effectively deal with this potential problem alone. Every employee has a moral "DUTY TO WARN" management when they become aware of a serious potential threat of violence in our workplace.

All employees will receive training in workplace violence to include identifying threats, violent behavior, prohibitive behavior, reporting procedures and an explanation of the City's zero tolerance policy.

The following procedures should be used as a general guideline in the event of workplace violence.

1. Emergencies: (Potentially dangerous situations where harm, injury or death to an employee or citizen is occurring or is imminent.)
  - a. Call 9-1-1 and give details of the dangerous situation.
  - b. Do not attempt to intervene or resolve the situation.
  - c. Cooperate with law enforcement as requested.

- d. Contact your Supervisor and the Human Resources Administrator as soon as possible to report the incident.
2. Threats/Incidents: (Threats of harm or non-life threatening verbal or physical altercations)
- a. Consider your personal safety and the safety of other employees and citizens; if there is a potential for danger, treat the situation as an emergency and call 9-1-1.
  - b. If appropriate, immediately separate the parties involved. Seek assistance from others in separating the parties involved whenever possible.
  - c. Report all threats or incidents against an employee or citizen to your Supervisor or the Human Resources Administrator immediately.
3. Supervisory Notification & Documentation:
- All incidents of workplace violence require supervisors to:
- a. Report the incident to your Supervisor and the Human Resources Administrator immediately.
  - b. Advise all employee witnesses that an investigation will be conducted and that they should not discuss the incident with anyone other than law enforcement personnel or the Human Resources Administrator.
  - c. Document the incident and any injuries. Investigate the incident immediately including interviewing all witnesses and obtaining statements.

The Human Resources Administrator or his/her designee shall coordinate with the appropriate Directors in addressing any incidents or reports of workplace violence. Additionally, when deemed appropriate by the Human Resources Administrator, a Threat Management Team (TMT) will be established for the purpose of investigating and assessing threats and incidents, and to recommend appropriate action. The Human Resources Administrator will assign membership in the Threat Management Team in coordination with the Employee Assistance Program (EAP).

**Zero Tolerance Policy** – The City of Pinellas Park attempts to provide a safe work environment free of violence, threats or intimidation. Therefore, it is the policy of the City that all reports of threats or incidents will be investigated and responded to in an appropriate fashion. Threats, threatening behavior, acts of violence against employees, property, visitors, guests or anyone on City property will not be tolerated. Any employee who is found guilty of workplace violence may be subject to possible criminal charges. Additionally, any employee who is involved in such activity will be subject to serious disciplinary action, up to and including termination. Additionally, any employee who is not truthful or factual in his or her testimony during an investigation or inquiry may also be subject to discipline, up to and including dismissal. Department Administrators shall review City Administrative Regulations, regarding Inquiries into Allegations of Employee Misconduct, to determine what type of inquiry or investigation will be appropriate.

## **Section 17. Workplace Harassment Prevention Policy**

The City maintains a commitment to provide workplaces and services that are free of any type of discrimination, sexual harassment, and other forms of hostile, antagonistic or disparate treatment. All City employees have a responsibility for maintaining high standards of honesty, integrity, impartiality and conduct in order to ensure the proper performance of the City's business, and to maintain the confidence of the citizens. Further, each employee is expected to be familiar with the City's policy relative to inappropriate behavior within City workplaces and understand the process to be followed in situations where an individual believes that he or she has been treated in a disparate fashion.

Each and every working person has the legal right to work in an environment free from harassment. This specifically includes sexual harassment and any other type of harassment or discriminatory conduct based on race, creed, color, sex, age, national origin, religion, disability, marital status, genetic information, or other legally protected status. Therefore, it is the policy of this City that any type of harassment in the work place is unacceptable conduct and will not be condoned. Employee conduct which violates these standards will not be tolerated. This policy is equally applicable to harassment between supervisors and workers, between co-workers and/or between employees and non-employees on City property.

## Definitions:

1. Harassment or Discriminatory Conduct - can be any verbal or physical conduct that slanders or otherwise shows hostility or aversion toward an individual or group based upon that individual's or group's race, creed, color, gender, age, national origin, religion, disability, marital status, genetic information, or other legally protected status, and that for a reasonable person:
  - a. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment; or
  - b. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
  - c. Otherwise adversely affects an individual's employment opportunities.

Examples of harassment include, but are not limited to, abusive words or phrases, slurs, jokes, negative stereotyping, or other acts which are threatening, intimidating, or hostile in nature, that relate to race, creed, color, gender, age, national origin, religion, disability, marital status, genetic information, or other legally protected status, or any display of written or graphic material such as photographs or cartoons that slanders or shows hostility or aversion toward an individual or group because of the same. Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, sexually hostile, or offensive to reasonable people.

2. Sexual Harassment - Harassment on the basis of sex is a violation of Title VII of the Civil Rights Act of 1964, as amended, and of the Equal Employment Opportunity Commission guidelines on sex discrimination. Unwelcome sexual advances, requests for sexual favors and/or other unwelcome verbal or physical conduct of a sexual or otherwise offensive nature constitute sexual harassment when:
  - a. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment;
  - b. Submission to, or rejection of, such conduct by an individual is used as a basis for employment decisions affecting such individual;
  - c. Such conduct has the purpose, or effect, of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
  - d. In practical terms, there are two kinds of sexual harassment:
    - 1). *Quid Pro Quo* - Where employment decisions or expectations (for example, hiring decisions, promotions, salary increases, shift or work assignments, performance expectations, etc.) are based on an employee's willingness to grant or deny sexual favors. Examples of quid pro quo harassment are:

- Demanding sexual favors in exchange for a promotion or a raise;
- Disciplining or firing a subordinate who ends a romantic relationship;
- Changing job performance expectations after a subordinate refuses repeated requests for a date.

2). *Sexually Hostile Environment* - Where verbal or nonverbal behavior in the workplace focuses on the sexuality of another person or occurs because of the person's gender; is unwanted or unwelcome; is severe or pervasive enough to affect the person's work environment. Examples of behaviors that can create a sexually hostile environment if they are unwanted, unwelcome, or uninvited include:

- Unwelcome sexual advances, flirtations, or propositions
- Unwelcome off-color jokes or teasing
- Comments about body parts or sex life
- Suggestive pictures, posters, calendars, or cartoons
- Inappropriate leering, staring, whistling or gestures
- Repeated requests for dates
- Excessive attention in the form of love letters, telephone calls or gifts
- Touching - brushes, pats, hugs, shoulder rubs, or pinches
- Assault/Rape

3. Employee – For the purpose of this policy statement, an employee shall be defined as any individual, regardless of classification, employed by the City of Pinellas Park, or any volunteer working under the supervision of the City.

### **Prohibited Behavior:**

1. Sexual harassment is a prohibited personnel practice when it results in discrimination for, or against, an employee on the basis of conduct not related to performance, such as the taking, or refusal to take, a personnel action, including promotion on the basis of whether or not employees submit to sexual advances or protest sexual overtures.
2. Within the City Government, a supervisor who uses implicit or explicit coercive sexual behavior to control, influence, or affect the career, salary, or job of an employee, is engaging in sexual harassment. Similarly, a City employee who behaves in this manner toward his/her co-workers in the process of conducting City business is engaging in sexual harassment.
3. Any employee who participates in deliberate or unsolicited verbal comments, gestures, or physical contact of a sexual or discriminatory nature, and interferes in work productivity, is also engaging in sexual harassment and/or discriminatory conduct.
4. Comments, gestures, pictorial representations, jokes, or physical contact of a sexual or discriminatory nature are entirely inappropriate, whether welcome or not, and individuals who participate in such behavior shall be subject to discipline up to, and including, discharge.

### **Reporting Procedures and Remedies:**

Under applicable laws and regulations, the City of Pinellas Park is responsible for the acts of those of its agents and employees with respect to sexual harassment, regardless of whether the specific acts complained of were authorized, or even forbidden by the City, and regardless of whether the City knew, or should have known, of their occurrence. Any employees who feel that they are victims of acts of sexual harassment or discriminatory conduct are responsible for reporting such acts, as follows:

1. In the case of acts of alleged sexual harassment or discriminatory conduct by non-employees, the affected individual should immediately contact his or her Supervisor. If the affected employee is uncomfortable reporting the incident to his or her Supervisor, the incident can be reported to the respective Division Director, Department Administrator, Human Resources Administrator, Assistant Human Resources Administrator, or City Manager.
2. In the case of acts of alleged sexual harassment or discriminatory conduct by and between co-workers, the affected individual should immediately notify his or her Supervisor. If the affected employee is uncomfortable reporting the incident to his or her Supervisor, the incident can be reported to the respective Division Director, Department Administrator, Human Resources Administrator, Assistant Human Resources Administrator, or City Manager.
3. In the case of acts of alleged sexual harassment or discriminatory conduct by supervisory personnel, the affected employee should immediately notify the Division Director, Department Administrator, Human Resources Administrator, Assistant Human Resources Administrator, or the City Manager.
4. Any Supervisor, Division Director or Department Administrator who becomes aware of alleged sexual harassment or discriminatory conduct anywhere within City government shall promptly report the facts to the City Manager. Supervisors, Division Directors, Department Administrators, Personnel the Staffing and Benefits Director, the Human Resources Administrator, or the City Manager, upon receiving a report or complaint of alleged sexual harassment, as defined herein, shall immediately initiate an in-house investigation into the allegations. Administrative Regulation No. 13.63, Inquiries into Allegations of Employee Misconduct, shall be reviewed to determine what type of inquiry or investigation will be appropriate. The Human Resources Department should must be informed of any occurrences of sexual harassment, in order to advise division/departmental supervision of appropriate steps to follow. Any such investigation is to be brought to a prompt conclusion, and appropriate disciplinary action shall be taken.
  - a. In accordance with City Administrative Regulations, authority to conduct inquiries into alleged employee misconduct rests with the Department Administrator or his or her designated representative, if appropriate in the given situation, of the department to which the employee who made the complaint is assigned. The City Manager in coordination with the Human Resources Administrator, and/or the respective Department Administrator, will evaluate any complaint and make the determination on whether or not an internal investigation is warranted and, if warranted, who will conduct the investigation.
  - b. All employees who are questioned during the course of an investigation are obligated to cooperate in a full and honest manner. No employee shall face any form of reprisal for cooperating in an internal investigation. Employees who either refuse to cooperate, or who intentionally give false information at any point within an investigation, shall be subject to disciplinary action.
  - c. A written report will be generated at the conclusion of the investigation by the investigating party.

### **Discipline:**

Any employee who is found to be guilty of sexual or discriminatory harassment shall be subject to discipline, up to and including dismissal.

In addition, any Department Administrator, Division Director, or Supervisor who observes, or has reported to them, instances of sexual or discriminatory harassment shall take the following steps:

1. Report such action to the Human Resources Administrator, and/or the City Manager as soon as possible so that corrective measures may be taken.

2. Take immediate action to prevent similar occurrences, and properly document such action taken.

Department Administrators, Division Directors, and Supervisors failing to obey the above directive shall be subject to discipline up to, and including, discharge.

### **Prevention and Retaliation:**

All City employees have an obligation to take appropriate actions to prevent sexual harassment and discriminatory conduct from becoming an issue in the work environment. The Human Resources Department shall be responsible for monitoring the workplace to ensure that no retaliation takes place and that inappropriate behavior does not continue. In this regard, the Human Resources Department should be contacted by the complainant or other affected parties if they at any point feel retaliation is taking place or inappropriate behavior is continuing. The City prohibits any retaliation for reporting harassment complaints. If retaliation occurs, the procedures described above shall be used for reporting such incidents. Additionally, all employees will be given appropriate training on a periodic basis. The internal complaint and investigation process does not preclude an aggrieved employee from filing a complaint with the United States Equal Employment Opportunity Commission.

### **Section 18. Bullying in the Workplace Policy**

It is the City's policy for employees to treat others with dignity and respect, free of intimidation, threats, verbal and/or physical abuse, collusion, humiliation, and any other malicious conduct. This type of conduct is referred to as bullying and will not be tolerated in the work environment or elsewhere if it impacts the work environment.

Bullying often involves verbal statements meant to humiliate or ridicule, nonverbal threatening or obscene gestures, physical contact intended to harm someone or damage personal belongings or property, abusing one's authority over others, or the exclusion of work related activities. This list is not all-inclusive. The City prohibits this type of conduct and will promptly address bullying towards employees, supervisors, subordinates, volunteers, contractors and members of the public. Employees found to have violated this policy may be subject to disciplinary action, up to and including termination.

Some behaviors that may be considered bullying may also be violations of the City's Workplace Harassment Prevention Policy or Workplace Violence Policy. This may include bullying someone on the basis of race, creed, color, sex, age, national origin, religion, disability, marital status, genetic information, or other legally protected status. In such cases, the procedures for that policy should be followed. No employee will suffer retaliation for having made a good faith complaint of bullying. If you believe you have suffered retaliation you must report that behavior to Human Resources.

Supervisors who require employees to complete work in the scope of employment (meet performance goals, follow directives, adhere to rules and policies, or other reasonable action, etc.) shall not be considered to be bullying any employees for which they lead or manage.

### **Reporting Procedures:**

Employees are encouraged to report any form of workplace bullying either as a witness to others being bullied or if they believe they are being bullied by others. The process to report bullying is as follows:

1. Any employee who believes that he or she has been the victim of, or witnessed bullying must immediately notify his or her Supervisor. If the affected employee is uncomfortable reporting the bullying behavior to his or her Supervisor, the incident can be reported to the respective Division Director, Department Administrator, Human Resources Administrator, or City Manager.



2. In the case of acts of bullying behavior by supervisory personnel, the affected employee should immediately notify the Division Director, Department Administrator, Human Resources Administrator, or the City Manager.
3. Any Supervisor, Division Director, or Department Administrator who becomes aware of any alleged bullying anywhere within City government shall promptly report the facts to the City Manager. Supervisors, Division Directors, Department Administrators, the Staffing and Benefits Director, the Human Resources Administrator, or the City Manager, upon receiving a report or complaint of alleged bullying, as defined herein, shall immediately initiate an in-house investigation into the allegations. Administrative Regulation No. 13.63, Inquiries into Allegations of Employee Misconduct, shall be reviewed to determine what type of inquiry or investigation will be appropriate. The Human Resources Department must be informed of any occurrences of bullying in order to advise division/departamental supervision of appropriate steps to follow. Any such investigation is to be brought to a prompt conclusion, and appropriate disciplinary action shall be taken.
  - a. In accordance with City Administrative Regulations, authority to conduct inquiries into alleged employee misconduct rests with the Department Administrator or his or her designated representative, if appropriate in the given situation, of the department to which the employee who made the complaint is assigned. The City Manager in coordination with the Human Resources Administrator, and/or the respective Department Administrator, will evaluate any complaint and make the determination on whether or not an internal investigation is warranted and, if warranted, who will conduct the investigation.
  - b. All employees who are questioned during the course of an investigation are obligated to cooperate in a full and honest manner. No employee shall face any form of reprisal for cooperating in an internal investigation. Employees who either refuse to cooperate, or who intentionally give false information at any point within an investigation, shall be subject to disciplinary action.
  - c. A written report will be generated at the conclusion of the investigation by the investigating party.
4. Failing to report the alleged bullying shall subject the Supervisor, Division Director, or Department Administrator to discipline up to, and including, discharge.

### **Prevention and Retaliation:**

All City employees have an obligation to take appropriate actions to prevent bullying from becoming an issue in the work environment. The Human Resources Department shall be responsible for monitoring the workplace to ensure that no retaliation takes place and that inappropriate behavior does not continue. In this regard, the Human Resources Department should be contacted by the complainant or other affected parties if they at any point feel retaliation is taking place or inappropriate behavior is continuing. The City prohibits any retaliation for reporting complaints for bullying. If retaliation occurs, the procedures described above shall be used for reporting such incidents. Additionally, all employees will be given appropriate training on a periodic basis.

### **Section 18 19. Americans with Disabilities Policy**

The City of Pinellas Park is committed to complying fully with the spirit and intent of the Americans with Disabilities Act (ADA). In that respect, it is the City of Pinellas Park's policy to provide qualified disabled employees and applicants with full and equal employment opportunities in all aspects of the application process and in all areas of employment including, but not limited to, promotion, assignment, training, performance appraisals, discipline, advancement opportunity, discharge,

compensation, insurance, benefits, leave, medical examinations, layoff/recall, contractual relationships, and other benefits and privileges of employment.

To the extent readily available, the City of Pinellas Park will make its facilities accessible to the disabled. The City of Pinellas Park is also committed to providing all of its employees, and all of its citizens and customers, including those with disabilities, with full and equal access to its services, facilities, programs, privileges, and accommodations.

The ADA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater rights for the needs and capabilities of individuals with disabilities. It is the intent of this Section to provide City employees with the minimum entitlements and protections required by the Federal ADA Act at all times, and as such may be amended from time to time.

### **Procedures:**

The City has implemented the following procedures in dealing with individuals with mental or physical disabilities:

1. All job interviews will focus on the ability of any applicant to perform the job, not on his or her disability. All employment decisions will be based on the individual's capability to perform the documented, essential functions of the job, with or without an accommodation.
2. When requested, the City will provide reasonable accommodations for disabled individuals. These accommodations will allow qualified, disabled individuals to perform the essential functions of the job and/or provide them access to all employment programs and services unless it can be proved that such an accommodation poses an undue burden on the operations of the City. A disabled employee will not receive a reduction in pay as a result of receiving an accommodation, such as the reassignment of non-essential duties to other employees, the purchase of special equipment/devices, etc.
3. All employees will be offered the same opportunities for advancement and promotion, provided they meet the minimum qualifications for the job and are able to perform the documented, essential functions of the job, with or without an accommodation.
4. The City will not make an accommodation for an individual who is not otherwise qualified for a position.
5. A qualified individual with a disability has the right to refuse an accommodation if he or she has not requested an accommodation and does not believe that one is needed. However, if the individual cannot perform the essential function of the job without this accommodation, he or she may be considered no longer qualified for the job.
6. During the formal interview, the interviewer will:
  - a. State the functions of the job, the City's regular work hours, leave and attendance policies, any special requirements of the job, and ask whether or not the applicant can meet those requirements.
  - b. Ask an individual with a known disability that might interfere with, or prevent performance of job functions, to describe or demonstrate how the job functions will be performed, with or without an accommodation, even if other applicants are not asked to do so. However, if a known disability would not interfere with the performance of job functions, an individual may only be required to describe or demonstrate how he or she will perform the job if this is required of all applicants for the position.

- c. Not make any inquiries about a disability, not ask whether an individual has ever filed for workers' compensation, not ask whether an individual has ever been treated for drug addiction or alcoholism, and not ask whether an individual associates with disabled individuals.
7. A pre-employment physical will be given to all new hires after a job offer has been made. All individuals within the same job categories will be given the same physical exam. If an individual is not hired because a post-offer/pre-employment physical reveals a disability, the reason(s) for not hiring must be job-related and there must be no reasonable accommodation available that would enable the individual to perform the essential job functions.
  8. All employees will be held to the same standards of performance when performing the essential functions of the job. If a disabled employee requires an accommodation, that employee's performance will be evaluated based upon his or her ability to perform the job using the accommodation.
  9. Should an employee become disabled as defined by the ADA, the following actions will occur:
    - a. Supervision will consult with the disabled employee to identify the obstacles to job performance and assess how these obstacles could be overcome with an accommodation.
    - b. If the disabled employee requires time off from work because of his or her disability (for example, time off for continuing medical treatment related to the disability), the Federal Family and Medical Leave Act (FMLA) will provide such an employee, if eligible, up to twelve weeks unpaid leave ~~within a calendar year~~ during a rolling twelve (12) month period measured backward for the time off. The City may require the disabled employee to substitute any or all of his/her accrued paid sick leave time and/or accrued paid vacation leave when he or she is out for this purpose. Substituted paid leave will be counted as leave taken under the FMLA.
    - c. In conjunction with the written job description, the Human Resources Administrator or his/her designee, the Division Director, and the Department Administrator will determine whether the functions of the job the disabled employee is no longer able to perform are essential functions or marginal, non-essential functions.
    - d. If the employee is no longer capable of performing non-essential nor marginal functions of his/her job, a reasonable accommodation would be to restructure or modify the job by redistributing those marginal functions to other jobs performed by one or more other employees. The City will not reassign essential functions of the job.
    - e. If a disabled employee is no longer capable of performing the essential function of his/her job, examples of reasonable accommodations could include changing when and how those essential functions are done and/or modifying the individual's work schedule.
    - f. If the disability is such that no accommodation will permit the disabled employee to continue to perform the essential functions of the job, or when changes or technological developments in equipment affect the job performance of a disabled employee, the City will attempt to reassign said employee to a position equivalent to the one presently held in terms of pay and other job status - if the individual is qualified for the position and if such a position is vacant or will be vacant within a reasonable amount of time. A reasonable amount of time will be determined on a case-by-case basis by the Department Administrator and the Human Resources Department, with approval by the City Manager, and will not extend longer than a 30-day period. Factors for considering a reasonable amount of time to wait for a position to become vacant include the types of jobs for which the disabled employee would be qualified and the documented frequency with which such jobs in the past have become available.

- g. If an equivalent position in terms of pay or job status for which the disabled employee is qualified will become available within a reasonable amount of time (not to exceed thirty days), the qualified, disabled employee will be placed on a leave with pay until he or she can be reassigned to that position.
- h. If there are no vacant positions of equivalent pay and job status for which the disabled employee is qualified, and/or if no such positions will be vacant in a reasonable amount of time, the disabled employee will be offered a lower graded position for which qualified if one is available, or will become available within a reasonable amount of time..
- i. If a qualified disabled employee is reassigned to a lower graded position, his or her hourly rate of pay (if currently a non-exempt employee) or annual rate of pay (if currently an exempt employee) will be maintained at the level of the higher graded position as long as that salary is within the salary range of the new position. If the disabled employee's rate of pay as just mentioned is greater than the salary range of the new, lower graded position, his or her rate of pay will be reduced to the maximum rate of the new position. If the disabled employee is reassigned from an exempt to a non-exempt position, the City and the employee will comply with any changes as a result of the Fair Labor Standards Act (FLSA).
- j. If a disabled employee has been placed on a three month unpaid leave of absence pending the opening of a position for which qualified, and that time period has passed with no lower graded position becoming available, said employee will be dismissed.
- k. If a disabled employee considers refusing an available or soon to be available reassignment for which he or she is qualified, said employee will be referred to the Human Resources Department for discussion of options relating to this decision, i.e., pension, insurance, etc.
- l. If after counseling, a disabled employee refuses to accept an available or soon to be available job reassignment for which he or she is qualified, said employee will be considered to have severed the employment relationship with the City and will be dismissed.
- m. The City is not required to create a new job or to bump another employee from a job in order to provide reassignment as a reasonable accommodation. The City will not promote an employee with a disability to make an accommodation.

### **Prevention:**

All City employees have an obligation to take appropriate actions to prevent discrimination against individuals with disabilities from becoming an issue in the work environment. On a periodic basis, management and supervisory employees will be given appropriate training. In addition, an ADA Public Notice will be posted on bulletin boards throughout the City. Also, employees should be aware of the City's ADA Grievance Procedure.

### **Section 19 20. The Consolidated Omnibus Budget Reconciliation Act (COBRA)**

The City is committed to complying fully with the spirit and intent of COBRA. The Act requires the City to offer employees and their families the opportunity to elect a temporary extension of COBRA eligible insurance benefits (health, dental, EAP) coverage in certain instances where coverage under the plan would otherwise end.

#### **1. Qualifying Events**

- a. Employees (full-time and part-time employees with benefits) have the right to elect insurance continuation coverage if they lose coverage because of:

- 1). Termination of employment (for reasons other than gross misconduct); or
  - 2). Reduction in hours of employment.
- b. Covered dependents (spouse, children) of an employee have the right to elect insurance continuation coverage if they lose coverage because of any of the following:
- 1). The death of the employee;
  - 2). The employee's termination (for reasons other than gross misconduct) or the reduction in the employee's hours of employment;
  - 3). Divorce or legal separation of the employee;
  - 4). The employee becomes entitled to Medicare benefits;
  - 5). The dependent ceases to be a "dependent child" under the plan.
2. Notices and Election

Under the law, either the employee or a family member has the responsibility to notify the Human Resources Department of a divorce, legal separation, or a child losing dependent status under the Plan. Either the employee or family member must give this notice no later than sixty (60) days after the date on which they would lose coverage because of the applicable above event. Upon notification of a qualifying event, the Human Resources Department will notify the qualified beneficiary of his/her right to elect continuation coverage. The notification will include the type of coverages available, premium costs and periods of eligibility.

### **Section 20 21. Health Insurance Portability and Accountability Act of 1996 (HIPAA) Policy**

This Section establishes the City's policy on Health Insurance Portability and Accountability (HIPAA). The City is committed to complying fully with the spirit and intent of HIPAA in all its health plans. The Act requires the City's Health Insurance Plans meet certain coverage requirements and also requires that "Certificates of Creditable Coverage" be issued to persons who lose coverage under the plan.

Additionally, the City will comply with the HIPAA Privacy Rule to protect the privacy of employees' health and medical information.

### **Section 24 22. Mental Health Parity Act of 1996 (MHPA) Policy**

This act requires that the City's maximum dollar benefit for the mental health plan be equal to or greater than the maximum dollar benefits that apply to the hospitalization and medical plans. The City will assure compliance with the MHPA in all its health plans.

### **Section 22 23. Use of the City's Computer, Telephone, Cell Phone, Fax and Other Electronic Systems**

In addition to City Administrative Regulations, this Section emphasizes the City's policy on the use of the City's computer and electronic systems, including, but not limited to, electronic mail (E-mail), the telephone systems, and voice mail; and is applicable to all employees of the City.

## 1. Professionalism

The electronic systems are the property of the City of Pinellas Park and are intended to be used for approved governmental business purposes only. Every employee has an obligation to utilize the City's computer/electronic systems and all related equipment, programs and software in a responsible and professional manner. All documents, memoranda and messages, whether formal or informal, should be composed and responded to in a manner consistent with the high standards of professional conduct practiced by the City. ~~Reasonable and appropriate personal use of the City's electronic systems that does not interfere with an employee's duties and as approved by an employee's supervisor is acceptable conduct.~~ In accordance with state law, it is recommended that an employee not use a cell phone while driving except for urgent business and only when the employee feels it is safe to do so.

## 2. General Prohibited Activities

It is the policy of this City that the use of the City's computer and electronic systems must be supportive of City objectives and be consistent with the mission of the City and therefore will be used for business purposes only.

- a. Communications regarding the following, but not limited to, topics are considered unacceptable conduct and will not be tolerated: terrorist, racial, sexual, ethnic, gender, age, offensive jokes; additionally, there can be no communication which is, but not limited to, harassing, defamatory, discriminatory or profane.
- b. Not all works on the Internet are in the public domain. Therefore, it is mandatory that computer users familiarize themselves with the specifics of violations of copyright and trademark laws prior to downloading from an approved web site. If an employee is uncertain whether an action could violate a federal or state statute, he or she has an absolute obligation to contact the Department Administrator, ~~MIS Technology Director~~ Information Technology (I.T.) Department, or Human Resources Department.

## 3. No Expectation of Privacy

To ensure the business and professional integrity of the City's computer and electronic systems, the City reserves the right to access, monitor and review, at any time, with or without notice to employees, all electronic mail, voice mail messages, memoranda sent and received, phone numbers called and received, etc. Although employees are provided a system log-on or password, this log-on or password does not grant the employee any expectation of privacy, whether working on-site, off-site or with transportable media. Further, the City reserves the right to maintain any and all messages and memoranda sent or received through the City's computer and electronic systems; the use of a deletion keystroke/option does not necessarily mean that a document has been eliminated from the system.

## 4. Passwords

Passwords are for internal use and are not allowed to be distributed to anyone without the express permission of the ~~MIS Technology Director~~ Information Technology Administrator. Additionally, passwords do not create an expectation of privacy when it comes to the City monitoring the electronic systems.

## 5. Public Records

The users of the City's electronic equipment are bound by state public record laws and documents that are created may be considered public record open to the review and copying of the general public. All records must be retained according to Chapter 119 of the Florida Public Records Statute.

## 6. Purchase and Installation

It is City policy that only designated **MIS I.T. Department** personnel may install any software or hardware products on any City system. All employees are required to contact the **MIS Technology Director Information Technology Department** in order to acquire new software or hardware products and/or updates.

Refer to the **Management Information Services** Administrative Regulations for additional directives.

## **Section 23 24. Fraternization Policy (Close Personal Relationships with Co-Workers)**

Employees of the City enjoy a right of privacy in those matters which do not affect their ability to perform the duties of their job. However, to ensure objectivity in such matters as performance evaluations, promotions, work assignments, and to maintain a professional work atmosphere, all employees are expected to exercise good judgment in forming close personal relationships with other City employees. For purposes of this policy, a close personal relationship includes dating (defined as habitually associating with another individual) and/or having an intimate/sexual relationship. Close personal relationships of the aforementioned nature may give the appearance of partiality and favoritism, even in situations where that appearance is not accurate, and/or give rise to potential claims of a hostile work environment or sexual harassment complaints. Further, a close personal relationship as defined above may impair the Department/Division's morale, reduce productivity, affect management's ability to maintain discipline, and even impact the reputation of the City in the eyes of the public.

Therefore, the City **highly** discourages the development of close personal relationships, as defined above, between employees of the City and in particular, co-workers within a Department. Further, it is inappropriate for any employee with supervisory responsibility to date or have an intimate relationship with an employee who is subject to or likely to be subject to that supervision.

1. Should a dating or intimate relationship occur between two co-workers within the same Department, even if neither employee has supervisory responsibility over the other, it is necessary for the parties involved to:
  - a. Conduct themselves with discretion and in a business-like manner while at the workplace and have mutual respect toward one another should the relationship terminate.
  - b. Anticipate the possibility of one party being transferred to another Department should the relationship lead to a marital relationship.
2. In the case of an employee with supervisory responsibility forming a dating or intimate relationship with an employee who is subject to that supervision, let it be emphasized that the City prohibits such liaisons.
3. Appropriate disciplinary action, which may include discharge, will be taken with respect to anyone whose exercise of poor judgment in close personal relationships interferes with the operation of the City.

As part of the City's policy of nondiscrimination because of sex, any conduct that may be characterized as sexual harassment will not be tolerated. This conduct includes unwelcome sexual advances, requests for sexual favors and all other unwelcome verbal or physical conduct of a sexual or otherwise offensive nature as detailed in the City's *Workplace Harassment Prevention Policy*. Any problem of this kind should be reported immediately to your supervisor or to the Human Resources Department.

## **Section 24 25. Drug and Alcohol Policy**

The City of Pinellas Park believes that the workplace should be free from the risks associated with employee use of alcohol and drugs. The City has a legitimate interest in promoting reasonable working conditions and is committed to providing a safe and healthy environment for employees, City business partners and the general public. The City's Drug and Alcohol policy is intended to establish procedures and implement guidelines necessary for the City to achieve a drug and alcohol free workplace consistent with Florida Statute 440 (Workers' Compensation) and 49 Code of Federal Regulations Part 40 and Part 382 (Commercial Driver License). All applicants for City employment, employees and volunteers are required to abide by the terms of the policy. Complete details of the policy are set forth in the Drug and Alcohol Policy plan document available in the Human Resources Department.



## CHAPTER 13: SEPARATIONS

### Overview:

#### *TYPES OF SEPARATIONS FROM CITY SERVICE*

*Separations and/or terminations of employment from positions in City service shall be designated as one of the following types: Resignation, Retirement, Disability, Death, Layoff, and Discharge. Supervisors shall refer to Administrative Regulation 13.73 for guidance on the off-boarding policy, procedure, and completion of the off-boarding checklist.*

### Section 1. Resignation

Resignation is the voluntary separation of an employee from City service through the submittal of a written or oral notice expressing a desire to resign.

An employee who is not on an approved leave and who has not reported or called in to work for a period of three (3) consecutive work days (two [2] consecutive duty days for 56 hour Fire Department personnel) ~~and received approval for said leave~~ is considered to have abandoned his/her position and resigned from City employment.

An employee who fails to return from an authorized leave of absence within three (3) working days from his or her scheduled date of return will be considered to have abandoned his or her position.

An employee who abandons his/her position shall not be entitled to any new benefit accruals and insurance benefits shall cease the last day of the month in which he/she was physically on the job.

### Section 2. Retirement

Retirement is when an employee separates from City employment, and applies to receive retirement benefits under the respective City retirement plan, as per the City Code of Ordinances.

### Section 3. Disability

An employee may be separated when he/she cannot perform the essential functions, with or without reasonable accommodations, of his/her current position or of any other position for which said employee is qualified because of a physical or mental disability.

### Section 4. Death

Separation shall be effective as of the date of death. All compensation due to the employee, including accrued vacation and sick leave, hours worked, sick leave bank (if applicable), less any necessary deductions such as insurance, etc., as of the effective date of separation shall be paid to the beneficiary of record, surviving spouse, or to the estate of the employee as determined by law and/or by executed forms.

### Section 5. Layoff, Bumping and Recall Procedures

By the direction and authority of the City Manager, an employee or employees may be laid off when deemed necessary by reason of shortage of funds, lack of work, the position being abolished, or other material changes in the duties or organization, or for related reasons which are outside the employee's control and which do not reflect discredit upon the service of the employee. The duties performed by any employee laid off may be reassigned to other employees already working for the City. The City retains the unrestricted right to determine the necessity for and the length of any layoff and the employee(s) and classification(s) which are to be affected. Types of seniority for layoff and recall procedures will be found in Chapter 4.

## 1. Layoff Procedure

When the City Manager has determined that a layoff within a department is necessary he will direct that the Department Administrator formulate written documentation for the record which establishes the reasons or conditions necessitating the reduction in force and the specific classifications which are involved.

Upon receiving such written documentation from a Department Administrator that a layoff is necessary, the Human Resources Department will develop a list of employees, ranked in order in which they are to be laid off. The first name on the list will be the first laid off. The procedure used in developing the layoff list is as follows:

- a. Rank ordering of all employees in each classification within the department where the layoff is to occur by classification seniority, least senior first. In the case of two employees having the same classification seniority, the employees' **Benefits Eligible Service Date** of Hire shall be used as a tie breaker.
- b. A determination will be made of the impact of the seniority rank ordering on the EEO compliance posture of the department in which the layoff is to occur. If an analysis indicates that the seniority approach will have a significant impact on protected class representation, then factors other than seniority shall be given consideration. An effort will be made to maintain protected class representation in the class(es) of work affected. Veteran's preference shall also be used as a determining factor at this step.
- c. Department Administrators shall give consideration to individual contributions and skill levels in relation to departmental performance standards in order to determine the relative merit of all employees in the class to be reduced. The needs of the City to deliver its services with a reduced workforce shall also be considered. Department Administrators may request exemption from layoff for specific employees determined to be functioning at a consistently outstanding level or possessing critical skills. Such requests must be thoroughly documented and clearly establish that the particular operational functions are essential and could not be satisfactorily assumed by any other personnel. The submission of such request is not an assurance that exemption will be granted, or the extent to which such consideration will be given by the Human Resources Department.
- d. Temporary and seasonal employees, new-hire probationary employees, and part time employees shall not have retention or bumping rights in layoff proceedings over full time employees.
- e. The City retains the absolute right to determine the most prudent allocation of layoffs between full time and part time positions without regard for the seniority of the employees holding those positions.

## 2. Voluntary Layoff Procedure

The City Manager may allow employees to volunteer for layoff status in lieu of another employee who is slated for layoff. Employee participation in the voluntary layoff program is not an entitlement and is subject to the discretion of the Department Administrator. Volunteering for layoff is strictly a voluntary action on the part of the employee to whom the option is offered. Employees shall not be forced or coerced in any way to volunteer for a layoff.

- a. Employees who volunteer for layoff shall be treated in the same manner as an employee who was involuntarily laid off for recall and benefits eligibility.
- b. Employees who accept voluntary layoff do not have bumping rights at the time of layoff and

are not eligible to bump into a job which becomes available during bumping.

- c. Volunteers will sign a statement that they realize the decision is irrevocable. The City may cancel the reduction in workforce as necessary.

### 3. Bumping Procedure

- a. An employee identified for layoff may be entitled to bump an employee in a lower classification in the same department if the employee:

- 1). Has more Classification Seniority than the employee to be bumped,
- 2). Had regular status in the lower classification within the department,
- 3). Is capable of performing the work of the lower classification, and
- 4). Currently meets all licensure, certification and educational requirements

The laid off employee must bump the highest classification for which he/she is eligible and for which he/she can hold seniority. Classification seniority does not include interim, acting, temporary or part-time service in the position or non-FMLA leave of absence time of more than 30 days.

- b. When determining an employee's Classification Seniority for bumping rights, time held in a higher classification of a Classification Series shall be added to time held in the lower classification. Classification Series are defined herein as only any positions which have a classification title that allows the progression to a more responsible level through the addition of the word "Senior" while maintaining the same title (i.e. Staff Assistant and Senior Staff Assistant, Librarian and Senior Librarian, etc.) The procedures followed for bumping within a Classification Series are only applicable to positions held in such Classification Series within the current department.
- c. When an employee is bumping into a classification, the employee holding that classification having the least amount of classification seniority shall be the one displaced unless otherwise excepted in these rules.
- d. A regular full time employee may bump into a part time position, but a part time employee may not bump into a full time position.
- e. An employee who bumps to a lower classification shall retain his/her then-current rate of pay unless that rate is above the maximum for the lower classification, in which case the employee shall receive the maximum rate for the lower classification. Any movements in connection with the layoff procedures shall not result in an increase in the basic hourly rate for any employee.
- f. An employee who has exhausted all bumping rights shall be laid off and placed on the recall list if eligible.
- g. Employees who are eligible, but do not wish to be placed in another classification, may accept the layoff resulting in removal from the payroll or termination. Employees affected by a layoff shall indicate their irrevocable desire in writing to their Department Administrator or Division Director.
- h. Upon receiving an explanation of his/her bumping options, the employee shall provide the City with his/her written and signed decision within 48 hours. Failure to do so will result in a waiver of the employee's bumping rights.

- i. When it is clear that a position which an employee formerly held is “substantially similar” to a differently titled newer position, the employee may have bumping rights into the newer position. In determining “substantial similarity” the Human Resources Department will consider the following:
    - 1). Similarity of duties of the current and the former positions,
    - 2). Dates when the employee held the position and the date when the job title was changed,
    - 3). Whether or not the new classification has different minimum qualifications, vastly different salary range and/or is in a different work group,
    - 4). Whether or not the newer position is a more specialized one, more generic one or whether or not the position change could be best described as a title change only,
    - 5). Whether the changes in job duties have been mainly state of the art updates in the field of expertise or fundamental changes to the job.
4. Recall Procedure
- a. Only regular full time employees who have been laid off shall have recall rights and such rights will not be granted to:
    - 1). Temporary and seasonal employees
    - 2). New hire probationary employees
    - 3). Part time employees
  - b. Eligible employees with recall rights in layoff status who are:
    - 1). Working for the City part time as a result of a layoff in their full-time classification;
    - 2). Working in a lower classification; or
    - 3). Who are off the active payroll;

shall retain their recall rights for nine (9) months to the classification from which they were originally laid off. Laid off employees who are recalled after 30 days but within nine (9) months shall have their seniority restored minus the period of layoff. If re-employed after nine (9) months, the employee shall be treated as a rehire
  - c. Eligible employees with recall rights who are on layoff status shall have preference for openings in the classification from which they were originally laid off over other applicants.
  - d. When employees are recalled from layoff, those with the greatest classification seniority for a given position shall be recalled first.
  - e. Notification by the City to recall laid off employees shall be made by the Human Resources Department as instructed by the City Manager.
  - f. Within fourteen (14) calendar days of notification, laid off employees must indicate their intention of returning to work, in writing, to the Human Resources Department or forfeit their seniority and recall rights.

- g. Recall will be offered to laid off employees provided they are capable of performing the essential functions of the job, with or without an accommodation. In addition, the recalled employee must meet all licensure, certification and educational requirements of the position at the time of recall.
- h. The City reserves the right to require all standard new-hire employment examinations, including physicals and drug testing, prior to the reinstatement of any recalled employee. Recalled employees shall not be subject to a new hire probationary period.
- i. Upon recall and reinstatement to the classification from which they were laid off, employees shall receive the hourly rate they earned at the time of their layoff in addition to any wage increase that may be applicable to their classification.
- j. Employees who accept recall to a position in a lower classification shall be placed at a point in the pay scale of the lower classification which is at the same percentile as they occupied in their higher classification before layoff. At the end of nine (9) months following the original layoff date such employee shall lose his/her eligibility for recall to the position from which originally laid off.

## **Section 6. Discharge**

In the event of a recommendation of discharge of a full-time regular employee, a Written Disciplinary Action/Reprimand Report describing the nature of the offense shall be coordinated with the Human Resources Department as soon as practicable and in accordance with Chapter 14, Code of Conduct and Disciplinary Measures.

## **Section 7. Eligibility for Rehire**

- 1. Any employee wishing to leave City service in good standing shall notify his/her immediate supervisor at least two (2) weeks before leaving, whenever possible. Failure to provide sufficient notice may be cause for denying such employee re-employment by the City. If a Department Administrator has justification for rehiring an employee who is not eligible for rehire, prior approval must be received by the City Manager.
- 2. Employees who resign from City employment shall not be eligible for re-employment with the City for six (6) months following their date of termination, unless approved by the City Manager.
- 3. Rehires with prior service are not eligible for adjustments to any of their dates of hire because of time previously employed.

## **Section 8. Exit Interviews Surveys**

The purpose of the Exit Survey is to provide management with information regarding the departing employee's level of satisfaction with his/her job and work environment. The Exit Survey will be used by City management as a tool in gaining awareness of potential problems and/or satisfactory business practices and for the purpose of improving organizational practices, heightening morale, and reducing turnover from job dissatisfaction. When it is deemed appropriate, the Human Resources Department will coordinate the completion of an Exit Survey with those employees who are resigning or retiring from the City. Employees' comments will be forwarded to the City Manager, the respective Department Administrator and Division Director. Individual departing employee comments are considered along with others' comments in deciding whether or not there is a need to formulate corrective action.

## **Section 9. Return of City Property**

At the time of separation and prior to receiving final compensation due, all electronic equipment, records, books, assets, uniforms, keys, tools, and other items of City property in the employee's custody shall be returned to the division. Certification to this effect shall be documented by the employee's supervisor. Money or City property due the City because of any shortages shall be collected through appropriate action.

## **Section 10. Unemployment Compensation**

The City of Pinellas Park is currently registered with the State of Florida's unemployment compensation program. Information concerning employees' rights and responsibilities and the Florida unemployment compensation law is available through the Human Resources Department and on notices posted on bulletin boards throughout the City.

Any correspondence received by departments or divisions regarding unemployment compensation must be forwarded to the Human Resources Department immediately upon receipt for processing and central control.

## CHAPTER 14: CODE OF CONDUCT & DISCIPLINARY MEASURES

### Overview:

*All employees in the City are members of a team working together for the main objective of serving our community. Any employee who fails to follow the necessary rules and regulations governing his/her conduct is not only penalizing himself/herself, but doing a disservice to all other City employees. The Code of Conduct rules are not intended to restrict the privileges of anyone, but are designed to ensure the rights and safety of all City employees and to provide working guidelines for equitable and businesslike conduct.*

### Section 1. Policy

It is the policy of the City that discipline should be characterized as corrective rather than punitive. Disciplinary actions should be utilized as an element of an overall program to educate employees and promote proper employee conduct. When circumstances permit, Department Administrators or Division Directors will pursue a philosophy of "progressive discipline" by administering gradually increased disciplinary actions for each successive instance of employee misconduct. Each level of progressive discipline shall be fully documented in the employee's personnel record.

Although internal consistency in administering discipline is desirable, numerous factors should be considered in determining the appropriate level of discipline to be assessed at each successive step. Some of the factors involved include, but are not limited to:

- the employee's length of service,
- time intervals between offenses,
- effectiveness of prior disciplinary actions,
- willingness to improve,
- overall work performance,
- job attitude, and
- disciplinary actions previously administered to other comparable employees for similar offenses.

A repetition of the same offense or other serious offense indicates that more severe disciplinary measures should be administered. When imposing disciplinary measures on a current charge, supervisors will not take into consideration prior infractions of the City, departmental, or divisional rules and regulations which occurred more than two (2) years previously, unless another period of time is outlined in a union contract. The City has further provided that certain offenses are of such a serious nature that immediate discharge upon the first offense is applicable.

### Section 2. Application of Disciplinary Measures

1. All City employees are expected to abide by, and may be disciplined for violation of City, departmental, and/or divisional rules and regulations.
2. In recognition of the fact that each instance of misconduct differs in many respects from somewhat similar actions, the City retains the right to treat each occurrence on an individual basis without creating a precedent for other cases which may arise in the future. Examples given in any rules do not limit the generality of the rule. The following rules and regulations are not to be construed as a limitation upon the retained rights of the City, but are to be used as a guide.
3. The Rules and Regulations provide recommended progressive penalties to apply for specific offenses; however, the recommended penalties may be modified by management including a lesser or more severe penalty when extenuating circumstances are found. Department Administrators and/or Division Directors who intend to deviate significantly from the recommended penalties should first consult with the City Manager.

### **Section 3. Oral Warning Report (Counseling and Documented Oral Reprimands)**

1. It is the responsibility of the employee's immediate supervisor to impartially gather all the facts, weigh the evidence, and discuss a disciplinary problem with the employee(s) involved.
2. The purpose of an oral warning or verbal counseling session is to encourage employees to improve their performance, work habits, attitude, or personal conduct. Discussions of this nature are commonly used when an employee disregards work rules of a relatively minor nature. The normal procedure is for the employee's immediate supervisor to identify and define the specific area in need of improvement and inform the employee, **identifying** how and when such improvement can be realistically achieved.
3. Written documentation of a reprimand, offense, or counseling session through use of the Documentation of Verbal Counseling Session form serves as formal verification that the session occurred as well as outlines an action plan for improvement. It also serves as notice that if improvement is not forthcoming, or if the misconduct recurs, then more formal disciplinary measures will be taken.
4. The employee involved in any oral counseling session shall be provided with a copy of the written Documentation of Verbal Counseling Session form which shall be placed in the employee's personnel record. Although this document is a step in the progressive discipline process, it should not be granted the same weight as a Written Disciplinary Action/Reprimand when evaluating an employee for other job opportunities.

### **Section 4. Employee Written Disciplinary Action and Reprimand Report**

1. Supervisors shall inform employees promptly and specifically, whenever their performance, attitude, work habits, or personal conduct at any time falls below a desirable level.
2. In situations where an oral warning has not resulted in the expected improvement, and/or when an employee commits an offense, a Written Disciplinary Action/Reprimand report must be issued that specifically defines the nature of the infraction under the Code of Conduct Rules. The information should include a complete description of the incident of misconduct and refer to specific times, dates, locations, personnel involved, and rule(s) violated.
3. The employee's immediate supervisor usually initiates the Written Disciplinary Action/Reprimand Report with the approval of the concerned Department Administrator or Division Director.
4. The employee is encouraged to complete the employee comment section; however, such action is not required.
5. The employee's signature is requested on the Written Disciplinary Action/Reprimand Report to acknowledge receipt, and does not indicate an employee's agreement with the provisions of the disciplinary action. If the employee refuses to sign, it should be so indicated on the Written Disciplinary Action/Reprimand Report in the area reserved for the employee's signature.
6. The Written Disciplinary Action/Reprimand Report documenting the misconduct and disciplinary action shall be placed in the employee's official personnel record with a copy given to the employee.

### **Section 5. Suspensions**

1. Policy



An employee may be suspended without pay by his/her immediate supervisor with the approval of the Department Administrator or Division Director for reasons provided in the Code of Conduct rules and/or departmental or divisional rules. Suspensions shall be issued on consecutive working days basis. Suspension for two or more offenses must be cumulative and cannot be served concurrently.

- a. Recommended suspension penalties requiring Department Administrator approval are outlined below in the Code of Conduct.
  - b. The City Manager shall have the authority to suspend without pay for a period up to, but not to exceed, thirty (30) calendar days.
  - c. Employees classified as exempt, under the Fair Labor Standards Act may not be suspended without pay for periods of less than one work week (unless the infraction is based on a safety rule of major significance). For these employees, suspension will begin on the first day of the work week and end on the last day of the work week.
2. Employee Written Disciplinary Action/Reprimand Report

Suspensions shall be documented by an Employee Written Disciplinary Action/Reprimand Report which specifically describes the nature of the misconduct the Code of Conduct offense(s) violated, the disciplinary action to be administered, and a plan for improvement outlined. The Written Disciplinary Action/Reprimand Report (original copy) shall become a part of the employee's personnel record.

## **Section 6. Discharge**

When the Department/Division has disciplinary action to take against a full-time regular-employee which falls into the category of Discharge, the employee will be suspended without pay for five (5) consecutive working days. The Department Administrator/Division Director will indicate on the Written Disciplinary Action/Reprimand Report that Discharge is recommended. The City Manager or his/her designee will then conduct an administrative hearing for the employee. The City Manager will be the final deciding authority when discharge is recommended.

## **Section 7. Code of Conduct**

The Code of Conduct, which is in addition to all other policies within the Personnel and Safety Rules and Regulations, Public Works, Fire Department and Police Department policies and rules, is divided into three groups to reflect degrees of severity of offenses. In each group and for each rule, consideration will be given to the severity of the misconduct, the cost involved, the time interval between violations, and the overall performance of the employee concerned. Should a recommended disciplinary action be modified, the reasons for such modifications will be noted on the original form.

The three (3) groups of offenses and recommended penalties are shown below. These lists should not be viewed as being all inclusive. Department Administrators who intend to deviate from the recommended penalties should first consult with the City Manager or his/her designee.

(Note: Suspensions are listed by "working days" which is defined as an eight (8) hour work day for those working 40 hour work weeks, a twelve (12) hour day for those working a 56 hour work week, and pro-rated for part-time employees.)

## GROUP I OFFENSES

FIRST OFFENSE - INSTRUCTION AND CAUTIONING

SECOND OFFENSE - ONE (1) TO THREE (3) WORKING DAYS SUSPENSION WITHOUT PAY

THIRD OFFENSE - FOUR (4) TO SEVEN (7) WORKING DAYS SUSPENSION WITHOUT PAY

FOURTH OFFENSE - DISCHARGE

1. Failure to work overtime, special hours or special shifts, after being scheduled or assigned according to overtime and standby duty policies.
2. Operating, using, or possessing tools, equipment or machines to which the employee has not been assigned, or performing other than assigned work.
3. Quitting work or leaving assigned work area during working hours without permission and/or disregarding job duties by wasting time, loitering, or neglecting work during working hours.
4. Being discourteous to persons (whether other City employees, vendors, citizens, etc.) with whom the employee comes in contact while in the performance of duties.
5. Failure to report an absence or unavoidable late arrival at work to the supervisor or other designated departmental or divisional representative by the time required by departmental or divisional policy.
6. Washing up or changing clothes during working hours without specific permission of supervisor.
7. Taking more than specified time for meals or rest period.
8. Productivity or workmanship not up to required standards of performance.
9. Making mistake(s) due to carelessness.
10. During scheduled work hours, using City equipment, supplies, etc. for purposes other than the performance of job duties.
11. Habitual failure to punch/complete own timecard. [Guide: Three (3) times in any thirty (30) day period, or six (6) times in any ninety (90) day period.]
12. Tardiness. [Guide: Three (3) times in any thirty (30) day period, or six (6) times in any ninety (90) day period.]
13. Chronic absenteeism. [Guide: Three (3) times in a thirty (30) day period, or six (6) times in any ninety (90) day period. Also, continuous use of sick days on a basis which becomes repetitive and can be reviewed as being suspicious.]
14. Being absent without permission or **paid** leave **time** (AWOL).
15. Violating a safety rule or safety practice.
16. Reporting for work or working while unfit for duty, either mentally or physically.

17. Failure to wear uniform and/or proper safety equipment as provided by the City, or wearing a uniform when prohibited as defined by City policy.
18. Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the attention of others, catcalls, demonstrations on the job, or similar types of disorderly conduct.
19. Creating or contributing to unsafe and unsanitary conditions, or poor housekeeping.
20. Failure to report immediately to the Department Administrator or Division Director the loss of a City identification card.
21. Failure to keep the department/division, and the ~~Personnel Division~~ **Human Resources Department** notified of proper physical and mailing address and telephone number (if any).
22. Failure to report an arrest for a misdemeanor involving moral turpitude, a felony, a DUI, and/or substance abuse or other such incidents.
23. Violating the City's ~~Smoking~~ **Tobacco and Nicotine** Policy.
24. Unauthorized posting/removing of any matter on City bulletin boards/City property at any time.
25. Unauthorized distribution of written or printed matter of any description on City premises.
26. Knowingly failing to disclose an infectious disease which may endanger co-workers or the public.
27. Any other conduct which the supervisor in his/her sole discretion determines is a Group I Offense.

## **GROUP II OFFENSES**

**FIRST OFFENSE - INSTRUCTION AND FOUR (4) TO SEVEN (7) WORKING DAYS  
SUSPENSION WITHOUT PAY**

**SECOND OFFENSE – EIGHT (8) TO FIFTEEN (15) WORKING DAYS SUSPENSION  
WITHOUT PAY**

**THIRD OFFENSE - DISCHARGE**

1. Provoking or instigating a fight at any time on City property.
2. Threatening, intimidating, coercing or interfering with other employees or supervisors at any time, including the use of sexually and/or racially derogatory statements, as well as other coarse and insulting language.
3. Sleeping during working hours, unless otherwise provided as in the Fire service.
4. Reporting to work while under the influence of alcohol or non-prescription drugs.
5. Being in the possession of intoxicating beverages or illegal drugs or narcotics while on duty.
6. Negligence or omission in complying with the requirements as set forth in the Code of Ethics.
7. Participating in illegal pyramid chain letter organizations, gambling, lottery, or engaging in any other game of chance at any time while on duty.

8. Making, publishing, and/or distributing, in any manner, including over the City's computer electronic mail system, any false, vicious, malicious, or sexually, ethnically or racially derogatory statements concerning any employee, supervisor, the City, or its operation.
9. Leaving the job during regular working hours without permission.
10. Where the operations are continuous, leaving a post at the end of a scheduled shift prior to being relieved by the supervisor or the relieving employee on the incoming shift.
11. Carelessness which results in injury to city personnel, or damage to materials, equipment, tools or property. (The amount of damage should be taken into consideration when administering suspension.)
12. Vending, soliciting, or collecting contributions for any purpose whatsoever at any time on City premises unless authorized.
13. Using or possessing another employee's tools or equipment without the employee's consent.
14. Refusing to give testimony in City related accident investigations, at administrative or grievance hearings, or at any other such hearings, arbitrations, trials, etc. relating to City operations/personnel.
15. Failing to report an accident or personal injury which occurs while on the job.
16. Abusing sick leave privileges or falsifying any leave records.
17. Unauthorized use of City vehicles, property and/or equipment.
18. Driving a motor vehicle while on duty without a valid State of Florida driver's license, or failing to report the loss or suspension of a driver's license when required to drive while on duty.
19. Third violation of ANY Group I Offense within twelve (12) months shall become a Group II Offense, first offense.
20. Any other conduct which the supervisor in his/her sole discretion determines is a Group II Offense.

### **GROUP III OFFENSES**

**FIRST OFFENSE - DISCHARGE** (After administrative hearing for full-time regular employee).

Note: In lieu of discharge, the Department Administrator, with the approval of the City Manager, shall have the authority to suspend without pay for a period up to, but not to exceed, 30 calendar days.

1. Wanton or willfully neglecting the performance of assigned duties.
2. Deliberately misusing, destroying or damaging any City property or the property of any employee.
3. Knowingly punching/completing the timecard of another employee, having one's timecard punched/completed by another employee, or unauthorized altering of a timecard.
4. Falsifying personal or City records including employment applications, accident records, work records, purchase orders, timesheets, or any other report, record or application, whether oral or written.

5. Making false claims or misrepresentation in an attempt to obtain accident benefits, workers' compensation or unemployment compensation payments for personal use or for the use of others.
6. Insubordination by refusing to perform work assigned, or by refusing to comply with written or verbal instructions from supervision.
7. Unauthorized possession or use of firearms, explosives or weapons on City property.
8. Theft or removal from City locations without proper authorization of any City property or property of any employee.
9. Immoral, unlawful, or improper conduct, or indecency, either on or off the job, which would tend to affect the employee's relationship to the job, other workers, reputation or goodwill in the community.
10. Violation of the City's Drug & Alcohol Policy.
11. Being absent from duty for a period of three (3) consecutive working days (two (2) consecutive duty days for 56 hour Fire Department personnel) without proper notification (in such instances, employees may be considered to have resigned).
12. Failing to return from an authorized leave of absence within three (3) working days from scheduled date of return.
13. Permitting another person to use one's own City identification card, or using another person's identification card, or altering a City identification card.
14. Incompetence or inefficiency in the performance of assigned duties.
15. Receiving from any person a fee, gift, or other valuable item in the course of work when such fee, gift, or other valuable item is given in the hope or expectation of receiving a favor or better treatment than accorded other persons.
16. Participating in prohibited political activity during working hours.
17. Using or attempting to use political influence or bribery to secure an advantage of any manner.
18. Pleading guilty, pleading nolo contendere, or being convicted of a felony or a misdemeanor of the first or second degree as defined by Florida Statutes, or violating any City ordinance involving moral turpitude, while either on or off the job.
19. Two violations of ANY Group II offenses within eighteen (18) months will be subject to discharge.
20. Concerted curtailment or restriction of production or interference with work in or about the City's work stations including, but not limited to, instigating, leading or participating in any walkout, strike, sit-down, stand-in, slowdown, and refusal to return to work at the scheduled time for the scheduled shift.
21. Participating in a strike or concerted activity against the City as defined in Florida Statutes.
22. Misuse of official position or of confidential information obtained by reason of employment with the City; malfeasance in conjunction with City employment; acceptance of unauthorized compensation; engaging in conduct prohibited by Florida Statute, Chapter 112.
23. Any other conduct which the supervisor in his/her sole discretion determines is a Group III Offense.

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## CHAPTER 15: GRIEVANCE PROCEDURE

### Overview:

*It is the purpose of this grievance procedure to assure full-time regular employees that their problems and complaints arising out of: the Personnel and Safety Rules and Regulations; departmental rules; written reprimands; or disciplinary actions, will be considered fairly, rapidly and without reprisal. It is expected that the procedures set forth below will encourage employees to discuss with their supervisors matters pertaining to conditions of employment as they affect individual employees. In addition, free discussion between employees and supervisors will lead to better understanding of practices, policies, and procedures which affect employees.*

### Section 1. General Provisions

1. A grievance is defined as a complaint about the misapplication or misinterpretation of these Rules and Regulations or applicable departmental rules and regulations, or a complaint about a written reprimand or unpaid suspension of less **than** thirty calendar days.
  - a. This grievance process is not to be utilized in cases of disciplinary action involving dismissal or reduction of pay rate or grade.
  - b. This grievance process is not to be utilized to grieve the receipt of a verbal counseling, documented oral counseling, or a performance evaluation of at least meets expectations or above.
  - c. This grievance process is not to be utilized to report instances of discrimination or harassment; these occurrences are to be reported as outlined in Chapter 12 of the Personnel and Safety Rules and Regulations.
2. Employees covered by labor agreements shall utilize the grievance procedure as negotiated with the certified labor organization representing the classification of the aggrieved employee.
3. Employees serving an initial probationary period are ineligible to file appeals or grievances. Part-time and temporary employees are also ineligible to file appeals or grievances.
4. Employees are expected to follow all written and verbal directives of supervision and management. Compliance with such directives will not in any way prejudice the employee's right to file a grievance within the time limits contained herein nor shall compliance affect the ultimate resolution of the grievance. No employee or group of employees may refuse to follow directions pending the outcome of a grievance.
5. An employee shall have the right to be represented by any person or legal counsel during grievance discussions with supervisory or administrative management.
6. Upon receipt of the decision given in any step, the grievant shall have seven (7) **working business** days to appeal to the next higher step in the grievance procedure.
7. A grievance not submitted within the time limits as prescribed for each step shall be considered untimely and deemed null and void. A grievance not appealed to the next step within the time limits established by this grievance procedure shall be considered settled on the basis of the last answer provided by management. A grievance not answered within the time limits prescribed for the appropriate management representative at each step shall entitle the employee to appeal his/her grievance to the next step. The time limits prescribed herein may be extended for good and sufficient reason by management due to illness, vacations, business trips, emergencies, or other such circumstances, when deemed in the best interest of assessing all available information

necessary to arrive at an equitable solution to the grievance. If the time limits are extended, the grievant will be so advised.

8. The time limits as set forth in this grievance procedure for both employee and management responses shall remain the same for employees on other than a Monday through Friday forty (40) hour work week. If the response time limit falls on an employee's day off, the reply by management shall be given to the employee on his/her next scheduled workday immediately following. If a grievant's appeal time limit falls on a day off, the appeal shall be filed on the next scheduled workday.
9. For the purpose of this grievance procedure, the **working business** day shall be defined as the normal City office work schedule, Monday through Friday, exclusive of holidays.

## **Section 2. Grievance Procedures**

### **1. Step One - Supervisor**

Within seven (7) **working business** days of the occurrence of the incident from which the problem or grievance arose, the aggrieved employee shall explain and discuss the complaint or grievance orally with his/her immediate supervisor. In an effort to achieve a prompt and satisfactory resolution, the immediate supervisor should consult with the applicable Department Administrator or Division Director prior to making a final decision. Within seven (7) **working business** days of the initial discussion with the employee, the immediate supervisor will make a decision and verbally notify the employee.

### **2. Step Two - Department Administrator**

After the employee has complied with Step 1 above and has not received an answer from the immediate supervisor within seven (7) **working business** days, or if the employee feels the answer received is not satisfactory, he/she will put into writing the facts and circumstances of the problem and present the written statement to his/her Department Administrator within seven (7) **working business** days after the supervisor's answer was given, or was due, whichever is sooner. Assistance will be provided by the Human Resources Department, if so requested, for those employees who cannot read or write or have a language problem. The written grievance must be submitted on the approved City form and must set forth the following in order to be considered:

- a. A statement of the grievance and the facts upon which it is based. Vague or general complaints must be substantiated with specific examples and/or data to support the grievance.
- b. The alleged violation of the City or department regulations
- c. The remedy or adjustment which is being requested.
- d. The signature of the aggrieved employee.
- e. Once a grievance is submitted in writing the employee may not raise any new, additional or modified violations or issues.

The Department Administrator will investigate the grievance and meet with the employee to discuss the grievance within seven (7) **working business** days of receipt of the grievance. The Department Administrator will notify the employee in writing of his/her decision within seven (7) **business** days following the meeting date.

### **3. Step Three - City Manager**



If the employee has not received an answer from the Department Administrator, or if the employee feels the answer received is not satisfactory, he/she will put in writing the facts and circumstances of the problem and present the written statement to the City Manager, or his/her designee, within seven (7) **working business** days after the Department Administrator's answer was given, or was due, whichever is sooner. Assistance will be provided by the Human Resources Department, if requested, for those employees who cannot read or write or have a language problem.

The City Manager, or his/her designee, will investigate the grievance and meet with the employee to discuss the grievance within seven (7) **working business** days. The City Manager, or designee, will notify the employee of a decision in writing within seven (7) days following the meeting date. Upon receipt of the City Manager's decision, all remedy is exhausted and the matter will be closed. Management's decisions related to grievances are not binding on future grievances unless they are officially stated as a policy.

### **Section 3. Records Retention and Disposition**

1. A copy of all grievance forms filed shall be forwarded to the Human Resources Department on the day of receipt in all steps.
2. All records, notes, correspondence, decisions and actions pertaining to the grievance shall be maintained in the Human Resources Department.
3. At the conclusion of the grievance procedure, copies of the written responses to the grievance at all steps, and the final grievance resolution shall be forwarded to the Human Resources Department.

### **Section 4. Appeals of Discharge or Reduction in Pay or Grade**

All non-union full time regular employees who are covered by these rules and regulations, and who have been discharged or reduced in pay or grade have the right to appeal the decision through an arbitration proceeding. A written request for arbitration must be filed with the City Manager within ten (10) **working business** days from the time the employee is served with written notice of the final action.

An arbitrator shall be selected by mutual agreement between the City and the employee and the proceeding shall take place as soon as possible after the arbitrator has been selected. If the parties fail to agree on an arbitrator, the Federal Mediation and Conciliation Service shall be requested by the City to provide a panel of seven (7) arbitrators from which to choose. The employee shall strike the first name and the City shall then strike one name. The process shall be repeated and the last remaining name shall be selected as the arbitrator.

Arbitration:

1. The decision of the Arbitrator shall be final and binding upon both parties, except that either party may petition for review in accordance with applicable law. The Arbitrator shall have no power to amend, add to, ignore, or subtract from the terms set forth in the City's then current Personnel and Safety Rules and Regulations in rendering his or her decision. Such decision shall be limited to the interpretation and application of the explicit terms of the City's Personnel and Safety Rules and Regulations. If the City has denied an appeal on the basis that it was not timely filed and processed as required by this Section, and if the Arbitrator finds that the appeal was not timely filed or processed then the Arbitrator shall have no power to grant relief. The Arbitrator shall arbitrate solely the issue(s) presented. Unless appealed, the parties will make every effort to implement the Arbitrator's award within thirty (30) **calendar** days after the award was issued.
2. Copies of the decision of the Arbitrator made in accordance with the jurisdiction and authority of this Section shall be furnished to both parties within thirty (30) calendar days from the date of the

hearing, unless extended by the Arbitrator for the filing of briefs. In the event that briefs are filed, the arbitrator shall furnish both parties with a copy of the decision within thirty (30) **calendar** days of the filing date unless extended by the arbitrator.

3. The cost and expense incurred by the impartial arbitrator shall be paid by the City. If a transcript of the proceeding is requested, then the party so requesting shall pay for it. Each party shall be responsible for the cost of their own expenses, witnesses and representatives.

## CHAPTER 16: RECORDS AND REPORTS

### Overview:

*The Human Resources Department shall establish and maintain comprehensive personnel records of all City employees. Files maintained by the Human Resources Department are the official personnel records for all City employees.*

### Section 1. Personnel Records

Employees may inspect their personnel records during **the** regular office hours. An employee may include in his/her personnel file a written and signed refutation of any material he/she considers to be detrimental.

### Section 2. Records Retention and Disposition

The personnel records shall be kept on file and the imaging of and the final disposition of such records shall be determined by applicable State Law and coordinated with the City Clerk.

### Section 3. Verification of Employment and Reference Checks

1. All requests for information concerning past or present City employees shall be handled by the Human Resources Department.
2. Telephone requests for information will be confined to verifying the following information. Any exceptions to this procedure must be approved by the City Manager.
  - a. Date of employment
  - b. Date of separation
  - c. **Official reason for separation (i.e., resignation, retirement, termination, etc.)** Rehire eligibility
  - d. Employee classification
  - e. Rate of pay
3. The Human Resources Department shall respond to verification of employment documents for employees applying for loans, financial assistance, etc., and employer reference requests, with factual data as provided in an employee's personnel file or as otherwise provided by law. Further information will be provided under order of subpoena, public records request or upon receipt of a release statement signed by the employee allowing additional information to be released or as otherwise required by law.

### Section 4. Inspection of City Personnel Records

Chapter 119, Florida Statutes, provides that all municipal records shall, at all times, be open for personal inspection by any person. Chapter 119, Florida Statutes, also provides that every person who has custody of public records shall permit the records to be inspected and examined by any person desiring to do so, at reasonable times, under reasonable conditions, and under the supervision of the custodian of the records or his/her designee.

The following procedure shall be followed when an individual seeks to inspect City personnel records, pursuant to Chapter 119 of the Statutes:

1. The request for personal inspection of a City personnel file or job application will be made to the Human Resources Department or City Clerk's Office.
2. The City personnel file and/or job applications shall be made open for examination and inspection within a reasonable time and under reasonable conditions after the request for inspection and examination is made. In accordance with Chapter 119 of the Florida Statutes, before a personnel file is released for inspection it will be examined by the Human Resources Department for the purpose of eliminating/redacting information from the personnel file that is not public record.
3. Upon a request being made for a personal inspection of a City personnel file, the City Human Resources Department shall, to the extent reasonably possible, give written notice to the employee whose file is being requested to be inspected of the date and time of the appointment to review the file. This applies to current and terminated employees. If the individual requesting to see the file has a release signed by the employee, written notification to the employee will not be given, and the file will be made available.
4. The examination of the personnel file and/or job applications will be made in the City's Human Resources office under the supervision of a Human Resources Department employee.

This procedure does not apply to the review of a personnel file by a Department Administrator or Division Director or designee who is considering an employee for a promotion, transfer, reclassification, etc., or for any other job-related purpose in line with their job responsibilities as management/supervisory employees.

## CHAPTER 17: SAFETY RULES AND REGULATIONS

### Overview:

*The purpose of the Safety Rules and Regulations is to prevent accidents and create a safe working environment for City employees.*

### Section 1. Preventing Accidents

Accidents don't "just happen". They result from definite causes, the majority of which are controllable. The major causes of accidents are unsafe acts, unsafe conditions, human failures and chance taking. Therefore, it is most important that safe practices and procedures be established, adopted, and understood by all employees.

The Safety Rules and Regulations are prepared by Risk Management and they are some general safety guides for use by City departments and operations. They represent the basic minimum safety rules that have been developed and adopted by City Council. Rules cannot be established to cover every situation that may arise. Employees and supervisors must work together to develop the safest possible solution to safety hazards.

These Rules and Regulations are not intended to supersede any specific manufacturer's recommendation. Any conflict between a manufacturer's safety recommendation and the City's safety policy should be brought to the attention of your supervisor and Risk Management.

### Section 2. Policy Statement

The City Council, City Manager, Department Administrators and Division Directors consider the safety of employees of paramount importance. Safety must be an integral part of each and every operation. The City's Safety Programs are designed to accomplish one primary objective: to prevent employee accidents. Preventing accidents results in saving lives, eliminating human suffering, increased efficiency, and saving thousands of dollars for both the City and employees. To minimize accidents and injuries the City has established safety policies, procedures, and in-service training programs. Employees will practice safe working habits and Department Administrators, Division Directors and supervisors of each department will be responsible for creating and maintaining an acceptable degree of safety in their area.

To accomplish the City's primary objectives, the following basic principles will apply:

1. The City Manager will maintain a Safety Committee to provide knowledgeable assistance for accomplishing safe working conditions.
2. The Department Administrators and Division Directors will encourage and support the overall safety program.
3. Supervisors will develop and implement safety procedures and instructions for every job to be performed.
4. Supervisors will instruct each new employee in the safe manner to perform their job assignment.
5. Supervisors will make every employee conscious of their safety responsibilities.

### Section 3. Changes to Safety Rules and Regulations

The ~~Risk Manager~~ Risk Management Director shall prepare and recommend to the City Manager all changes to the City's Safety Rules and Regulations as may be necessary for effective administration

of the City's safety program. All changes and revisions of the Safety Rules and Regulations shall be passed by resolution of the City Council. For the safety and well-being of the City employees, the City Manager upon recommendation from the Risk Management Director, is authorized to immediately implement changes to safety practices prior to adoption of these changes by City Council. These practices could include, but are not limited to, safety changes required by Federal, State, regulatory agencies, product manufacturers or new operating safety procedures. All changes required by this paragraph will be included in future updates requiring City Council approval. Questions pertaining to changes in the Safety Rules and Regulations should be directed to the ~~Risk Manager~~ Risk Management Director.

## **Section 4. Responsibilities**

### **Department Administrators/Division Directors:**

The Department Administrators and Division Directors are responsible for fulfillment of departmental goals and objectives, as well as, health and welfare of each employee in their department. In the adopted safety policy, the highest priority has been placed on employee safety, which becomes the responsibility of the respective administrator. Operational directives outlined within the Safety Rules and Regulations are the direct responsibility of Department Administrators and Division Directors. They are responsible for making sure employees have a safe workplace and are furnished safety devices, including personal protective equipment, and safeguards; ensure the proper use of all safety devices and safeguards; and, enforcing specific safety requirements as necessary to protect the life, health and safety of employees from recognized hazards. It is normal practice for supervisors to be delegated the authority to carry out safety policy in their department, but the responsibility for meeting objectives and the protection of employees in performance of their assignments cannot be transferred.

### **Risk Management:**

The ~~Risk Manager~~ Risk Management Director is responsible for the development, organization and coordination of the employee related safety programs. Responsibilities also include work-site inspections, hazard identification and elimination, accident/injury investigation, and reporting. Duties include chairing and directing the Safety Committee. Risk Management is responsible for the development of OSHA written safety plans. Other assignments and responsibilities related to disaster response and risk management complete the role of the ~~Risk Manager~~ Risk Management Director. Duties also include advising the City Manager, Department Administrators, Division Directors, supervisors and employees of unsafe conditions. Further, Risk Management is responsible for reviewing, updating, correcting and approving all changes to the City's Safety Rules and Regulations.

The ~~Risk Manager~~ Risk Management Director will not fulfill obligations of Department Administrators or Division Directors relative to providing a safe work environment, necessary equipment, training or other operational duties relative to workplace safety.

### **Supervisor:**

Supervisors will assume the responsibility of thoroughly instructing their personnel in the safe practices to be observed in their work situations. They will consistently enforce safety standards and requirements. Supervisors will act positively and proactively to eliminate any potential hazards within the activities under their direction and control.

### **Employee:**

Each employee, as a part of the comprehensive Safety Program, is expected to place safe work practices and identification of unsafe conditions as the highest priority while performing daily tasks. Each employee's safety commitment must include working with supervisors and fellow employees to create a safe working environment. Employees are responsible for knowing all City safety rules and

regulations and complying with these rules and regulations. Also, employees must report all unsafe conditions immediately to their supervisor and the Safety Committee.

### **Safety Committee:**

The Safety Committee is responsible for monitoring the City Safety Program as it relates to employee safety. The Committee develops ideas and suggestions to promote employee safety, communicates and influences fellow employees to work safely and develops safety incentive programs. The Safety Committee also conducts safety inspections of City facilities, and recommends changes in all hazardous and unsafe conditions. The Committee reviews, researches and evaluates employee safety suggestions to determine if valid and acceptable. If a safety suggestion is accepted as valid, the Committee can recommend to the City Manager that the employee be given up to eight hours off with pay. The City Manager can accept or reject the Committee's recommendation. The Committee reviews and investigates all on-the-job accidents involving City employees except those requiring confidentiality by law. The formation of the Safety Committee is outlined in City Administrative Regulations.

### **Safety Suggestion Award Program:**

All City employees are encouraged to participate in the Employee Workplace Safety Suggestion Award Program. The purpose of this program is to encourage employee participation in developing creative, beneficial ideas which lead to increased job safety and improved City operations. The Employee Workplace Safety Suggestion Form should be used to submit safety suggestions to the Committee and the employee's supervisor. If a workplace safety suggestion is selected, an employee may be awarded up to eight hours off with pay.

## **Section 5. Safety Education and Training**

1. Specialized training within the Departments and Divisions for nonsupervisory employees is the responsibility of the Department Administrator. Human Resources is responsible for coordinating employee training that is generalized, broad-based and covers more than one area of the City's operations. Each department has the responsibility of providing on-the-job training to each employee on the topics that will enable the employee to do his job safely and efficiently.

This training shall include:

- a. Distribution and review of the City Safety Rules and Regulations to all employees;
- b. Orientation to departmental and overall City safety and health rules;
- c. Workers' Compensation claims process;
  - 1). Procedure for reporting on-the-job injuries;
  - 2). Procedures for processing hospital/medical bills related to job-related injuries;
- d. Requirements for use of vehicles;
- e. Specialized training as required;
- f. The City shall train employees in accordance with the following OSHA guidelines:
  - 1). EMERGENCY FIRST AID AND CPR: OSHA Part 1910.151, Medical services & first aid; and Part 1926.50, Medical services & first aid (construction sites).

- 2). GENERAL EMERGENCY BUILDING EVACUATION: OSHA Part 1910.35, Definitions; Part 1910.36, General requirements; Part 1910.37, Means of egress, general; Part 1910.38, Employee emergency plans and fire prevention plans; Part 1910.39, Sources of standards; Part 1910.40, Standards organizations; and, Part 1910 Subpart E App, Means of Egress.
- 3). PORTABLE FIRE EXTINGUISHER USE: OSHA Part 1910.157, Portable fire extinguishers; and Part 1910.158, Standpipe & hose systems.
- 4). WALKING AND WORKING SURFACES: OSHA Part 1910.22, General requirements; and Part 1910.23, Guarding floor and wall openings and holes.
- 5). MATERIALS HANDLING AND STORAGE (Fork Lift Truck): OSHA Part 1910.178, Powered industrial trucks.
- 6). MATERIALS HANDLING AND STORAGE: OSHA Part 1910.176, Handling materials - general.
- 7). PERMIT REQUIRED CONFINED SPACES: OSHA Part 1910.146, Permit-required confined spaces; Part 1926.21, Safety Training and Education; Part 1926.55, Gases, vapors, fumes, dusts, and mists; Part 1926.57, Ventilation; and, Part 1926.800, Underground construction.
- 8). RESPIRATORY PROTECTION: OSHA Part 1910.134, Respiratory protection; Part 1926.55, Gases, vapors, fumes, dusts, and mists; and, Part 1926.103, Respiratory protection.
- 9). HAZARDOUS MATERIALS (Emergency Response): OSHA Part 1910.120, Hazardous waste operations and emergency response.
- 10).HAZARDOUS SUBSTANCES (Bloodborne Pathogens): OSHA Part 1910.1030, Bloodborne pathogens.
- 11).GENERAL SAFETY PROVISIONS AND HEALTH RECORDS (Medical Records): OSHA Part 1910.20, Access to employee exposure and medical records.
- 12).HAZARDOUS COMMUNICATION - "RIGHT TO KNOW" (Hazardous Substances): OSHA Part 1910.1200, Hazardous communications + Appendix A to C; Part 1926.59, Hazard communication + Appendix A to E; and, STATE - Chapter 442, Rule Chapter 38I-30, Toxic Substances in the Workplace.
- 13).HAZARDOUS SUBSTANCES (Asbestos): OSHA Part 1910.1001, Asbestos; and Part 1926.58, Asbestos, tremolite, anthophyllite, and actinolite.
- 14).HAZARDOUS MATERIALS: OSHA Part 1910.101, Compressed gases (general requirements); Part 1910.102, Acetylene; Part 1910.104, Oxygen; Part 1910.106, Flammable and combustible liquids; Part 1910.110, Storage and handling of liquefied petroleum; Part 1926.152, Flammable and combustible liquids; and, STATE - Chapter 487, Pesticides "Florida Pesticide Law."
- 15).FIRE PROTECTION (Fire & Hazardous Material): OSHA Part 1910.155, Scope, application and definitions applicable to this subpart; Part 1910.156, Fire brigades + Subpart L App A to E; Part 1926.95, Criteria for personal protective equipment; Part 1926.96, Occupational foot protection; Part 1926.97, Protective clothing for fire brigades; Part 1926.98, Respiratory protection for fire brigades; and, NFPA, Std. 1500, Personal Alert Safety System (PASS) Paragraphs 5-7, 1988 Edition.



- 16). FIXED FIRE SUPPRESSION EQUIPMENT: OSHA Part 1910.159, Automatic sprinkler systems; Part 1910.160, Fixed extinguishing systems, general; Part 1910.161, Fixed extinguishing systems, dry chemical; Part 1910.162, Fixed extinguishing systems, gaseous agent; Part 1910.163, Fixed extinguishing systems, water spray and foam; Part 1910.164, Fire detection systems; Part 1910.165, Employee alarm systems.
- 17). MATERIALS HANDLING (Overhead Lift/Crane Usage): OSHA Part 1910.179, Overhead and gantry cranes.
- 18). WALKING AND WORKING SURFACES (Fixed Ladders): OSHA Part 1910.27, Fixed Ladders.
- 19). WALKING AND WORKING SURFACES (Wood, Metal Ladders, and Stairs): OSHA Part 1910.25, Portable wood ladders; Part 1910.26, Portable metal ladders; Part 1926.1053, Ladders; and, Part 1926.1060, Training Requirements.
- 20). PERSONAL PROTECTIVE EQUIPMENT (PPE): OSHA Part 1910.132, General requirements; Part 1910.133, Eye & face protection; Part 1910.134, Respiratory protection; Part 1910.135, Head protection; Part 1910.136, Occupational foot protection; Part 1910.137, Electrical protective devices; Part 1910.138, Hand protection; Part 1910.139, Sources of standards; Part 1910.140, Standards organizations; Part 1910 Appendix B, Non-mandatory compliance guidelines; Part 1926.28, PPE; Part 1926.95, Criteria for PPE; Part 1926.96, Occupational foot protection; Part 1926.100, Head protection; Part 1926.101, Hearing protection; Part 1926.102, Eye and face protection; Part 1926.103, Respiratory protection; Part 1926.105, [Reserved]; Part 1926.106, Working over or near water; and, Part 1926.107, Definitions applicable to this subpart.
- 21). [Reserved]
- 22). ENVIRONMENTAL NOISE CONTROL (Excessive Workplace Noise): OSHA Part 1910.95, Occupational noise exposure + appendix A through I; Part 1926.52, Occupational noise exposure; and, Part 1926.101, Hearing Protection.
- 23). WELDING, CUTTING AND BRAZING: OSHA Part 1910.252, General requirements; Part 1910.253, Oxygen-fuel gas welding and cutting; Part 1926.350, Gas welding and cutting; Part 1926.352, Fire prevention; and, Part 1926.353, Ventilation and protection in welding, cutting and heating.
- 24). MACHINERY AND MACHINE GUARDING (Machine Use): OSHA Part 1910.212, General requirements for all machines; and Part 1910.215, Abrasive wheel machinery.
- 25). HAND AND PORTABLE POWER TOOL: OSHA Part 1910.215, Abrasive wheel machinery; Part 1910.242, Hand and portable powered tools and equipment, general; Part 1910.243, Guarding of portable powered tools; Part 1926.301, Hand tools; Part 1926.302, Power-operated hand tools; Part 1926.303, Abrasive wheels and tools; and, Part 1926.304, Woodworking tools.
- 26). MACHINERY AND MACHINE GUARDING (Woodworking): OSHA Part 1910.213, Woodworking machinery requirements.
- 27). MOTOR VEHICLES, MECHANIZED EQUIPMENT: Part 1926.441, Batteries and battery charging; Part 1926.600, Equipment; and Part 1926.601, Motor vehicles.
- 28). CONSTRUCTION - GENERAL SAFETY & HEALTH REQUIREMENTS TRAINING (Poisons, Animals, Plants, etc.): OSHA Part 1926.20, General safety and health

provisions; Part 1926.21, Safety training and education; and Part 1926.604, Site Clearing.

- 29).WARNING SIGNS: OSHA Part 1910.144, Safety color code for marking physical hazards; Part 1910.145, Specifications for accident prevention signs and tags; Part 1926.200, Accident prevention signs and tags; Part 1926.201, Signaling; and Part 1926.202, Barricades.
  - 30).EXCAVATIONS, TRENCHING AND SHORING: OSHA Part 1926.650, Scope, application, and definitions applicable to this subpart; Part 1926.651, General requirements; and Part 1926.652, Requirements for protective systems + Appendix A to F.
  - 31).CONCRETE AND MASONRY CONSTRUCTION: OSHA Part 1926.700, Scope, application, and definitions, applicable to this subpart; Part 1926.701, General requirements; Part 1926.702, Requirements for equipment and tools; and Part 1926.706, Requirements of masonry construction.
  - 32).WALKING AND WORKING SURFACES (Scaffolding): OSHA Part 1910.28, Safety requirements for scaffolding; Part 1910.29, manually propelled mobile ladder stands and scaffolds (towers); Part 1926.451, Scaffolding; and, Part 1926.452, Definitions applicable to this subpart.
  - 33).LOCKOUT/TAGOUT - CONTROL OF HAZARDOUS ENERGY: OSHA Part 1910.147, The control of hazardous energy (lockout/tagout) + Appendix A; and Part 1926.417, Lockout and tagging of circuits.
  - 34).CONTROL OF ELECTRICAL ENERGY & SYSTEMS: OSHA Part 1910.303, General requirements; Part 1910.304, Wiring design and protection; Part 1910.305, Wiring methods, components, and equipment for general use; Part 1910.332, Training; Part 1910.333, Selection and use of work practices; Part 1910.335, Safeguards for personnel protection.
  - 35).FALL PROTECTION: OSHA Part 1926.500, Scope, applications and definitions; Part 1926.501, Duty to have fall protection; Part 1926.502, Fall protection systems criteria and practices; and, Part 1926.503, Training requirements + App A - E to Subpart M.
2. All employees are expected to request instruction in those tasks or for any equipment with which they are not familiar. Division Directors and supervisors shall insure that all new or transferred employees are properly trained in safety regardless of age, classification, seniority or other before an employee is left alone to his/her job.

## Section 6. General Safety Rules

It is the responsibility of every employee to know and adhere to the safety rules and regulations which apply to the area in which the employee is working or may be visiting. If there is any question or doubt concerning safety, immediately notify your supervisor or the Risk Management Division. All new employees shall be given a copy of the Safety Rules **and &** Regulations and required to study it.

Employees unable to read or comprehend the **Safety** Rules and Regulations will be provided the necessary accommodations to fully understand them.

Report **ALL** injuries and property damage to your supervisor immediately.

Report unsafe conditions to your supervisor immediately.

Always obey smoking, and tobacco, and nicotine regulations.

No person will be permitted to work if their ability or alertness is so impaired through fatigue, illness, medication or other causes as to make it unsafe for the employee or fellow workers. Hair must be groomed or confined to avoid becoming caught in moving machinery which may cause fatal or serious injury. Any employee with hair that exceeds shoulder length should have it tied back or kept confined under their hat while performing tasks involving moving machinery.

Special posted restrictions shall be observed.

Unless qualified or authorized, no employee should repair or work on City equipment.

### **Personal Clothing:**

The clothes you wear are a personal matter if uniforms are not provided. Clothing must adhere to the requirements set forth by the department for the position. The minimum work clothing shall be determined by department standards.

Clothes can be safety hazards if they are loose or ragged. The material can get caught in moving machinery and cause fatal or serious injury. Neckties, loose clothing or jewelry will not be worn around moving machinery.

Clothing that is not clean is not only unsightly, but a health hazard, causing skin infections and irritations.

Clothing furnished by the City must be kept in a clean and presentable condition.

### **Personal Conduct:**

The City is supportive of a safe and productive work environment therefore, employees have a responsibility to adhere to the following:

- Under normal conditions, walk, do not run.
- Obey all rules, signs and instructions. If in doubt, ASK.
- Fighting, disorderly conduct, horseplay and practical jokes are prohibited and may be cause for disciplinary action.
- Intoxicants or persons under the influence of alcohol will not be permitted on City property.
- Narcotics, or the use of, will not be permitted on City property except as prescribed by a physician. Employees must inform their supervisor of any medication they are using that may impair or affect their job performance in any way.
- Unauthorized firearms or explosives will not be allowed on City property. Employees are strictly prohibited from possessing firearms on City property, except when in compliance with Section 790.251, Florida Statutes.

### **Control of Hazards:**

Where feasible, workplace hazards are prevented by effective design of the job-site or job. Where it is not feasible to eliminate such hazards, they must be controlled to prevent unsafe and unhealthy exposure. Once a potential hazard is recognized, the elimination or control must be done in a timely manner. These procedures should include measures such as the following:

- Using engineering techniques where feasible and appropriate.
- Provide for regular equipment maintenance to prevent breakdowns that can create hazards.

- Plan for emergencies, including fire and natural disasters.
- Using administrative controls, such as reducing the duration of exposure.
- Supervisor/foreman shall maintain a periodic site inspection program.
- Inform employees of the emergency medical program that includes first aid on a site, as well as nearby physician and emergency medical care to reduce the risk of any injury or illness that occurs.
- Address any and all safety hazards to employees whenever one is observed.

### **Housekeeping:**

Each Division or Department shall be responsible for supplying a first aid kit for their respective workplace and for keeping it stocked with the appropriate first aid supplies relative to the workplace.

All places of employment, passageways, storerooms, and service rooms shall be kept clean and orderly and in a sanitary condition.

All debris shall be kept clear from all work areas.

Combustible scrap and debris shall be removed at regular intervals.

Containers shall be provided for collection and separation of all refuse. Covers shall be provided on containers used for flammable or harmful substances.

Wastes shall be disposed of at frequent intervals.

Walkways, aisles and working areas shall be kept clean and free of obstructions.

Good housekeeping shall be maintained in all areas.

All stored materials stacked in tiers shall be stacked, blocked, interlocked, and limited in height so that it is secure against sliding or collapse.

Storage areas shall be kept free from accumulation of materials that constitute hazards from tripping, fire, explosion or pest harborage. Vegetation control will be exercised when necessary.

Where mechanical handling equipment is used, sufficient safe clearance shall be allowed for aisles, at loading docks, through doorways, and whenever turns or passage must be made.

### **Inclement Weather:**

The City shall train employees in hazard recognition and safe work practices related to inclement environmental conditions which could pose a special threat to their health and safety. Employees are expected to follow all applicable safety precautions when working in adverse weather conditions and seek shelter as appropriate.

### **Operations:**

Report all defective equipment, machinery, parts or malfunctions to your supervisor.

Do not operate machinery or equipment unless you are qualified and authorized to do so.

Always use the right tool for the job.

Inspect tools daily for damage and defects.

All defective equipment shall be immediately repaired or replaced. Never use or try to repair unfamiliar power equipment.

Never use equipment that you have not been trained on. If needed, request training from your supervisor.

Refer to appropriate items in the Safety Rules and Regulations for safe operation of the City's equipment.

All City operations shall comply with the FSHS. These standards closely follow Federal OSHA Safety Standards.

## **Section 7. Safety Inspection Program**

### **General:**

To encourage the identification and elimination of unsafe practices and unsafe conditions before they become causes of accidents, the Risk Management Director will initiate a safety inspection program. The Safety Committee will assist the Risk Management Director in inspections of City buildings and structures. This program includes routine inspections throughout the City with a Safety Inspection Checklist Report, submitted by the Risk Management Director/Safety Committee to the Department Administrators, Division Directors and City Manager of all activities and findings. Inspections will include observation of unsafe practices, as well as unsafe conditions. They will be scheduled as described in the following types of inspections.

### **Inspections:**

Risk Management will be responsible for City-wide inspections. At least once each year a complete inspection will be made of all City facilities, parks, construction projects or other field operations. The schedule of inspections will be determined by the size and nature of operations.

If necessary, the Fire Department will provide a Fire Inspector, the Building **Development** Division will provide a Building Inspector and ~~the Maintenance Division will provide~~ an Electrical Inspector for building inspections.

Department Administrators and Division Directors are responsible for making sure that all hazards identified during safety inspections are corrected.

### **Follow-up Inspections:**

Additional follow-up inspections will be conducted to ensure corrective action has been taken on previously noted discrepancies.

### **Daily Inspections:**

Supervisors will conduct daily inspections of their departments or areas of operation and are responsible that hazards are kept at a minimum and safe work practices are enforced. All equipment used by employees must be inspected and immediately replaced if worn, defective or damaged.

### **Special Inspections:**

Inspections as required by state and local agencies, insurance personnel, etc. for elevators, boilers, unfired pressure vessels, fire extinguishing equipment, overhead and mobile cranes, etc., will be conducted by outside qualified personnel. Risk Management will coordinate or be informed of all inspections.

## **Industrial Health Inspections:**

Where health hazards such as noises, toxic gases, fume or dusts are suspected, special surveys will be conducted by qualified consulting engineers or industrial hygienists to determine the degree of hazard and the precautions and/or mechanical safeguards needed to provide and maintain safe conditions. A report will be prepared on each inspection that has an extremely unsafe or hazardous condition. Attention will be given to all reports submitted to assure they are properly brought to a conclusion.

## **Section 8. Office Safety**

Good housekeeping is the key to a safe office environment. Report all unsafe conditions immediately to your supervisor. Always obey smoking, tobacco, and nicotine policy regulations. Undue haste results in accidents. Do not run on stairs, walkways or in corridors. Enter and leave buildings in an orderly manner. Bulky office supplies and materials must be lifted properly to avoid muscle strains. Use mechanical devices to lift or carry loads that cannot be easily handled by one or two persons. All stairways will be equipped with handrails and non-slip treads, and be well lighted. Worn stair treads will be immediately repaired to prevent personnel from falling. Rugs, mats and other types of floor covering shall be securely fastened to the floor.

Only authorized personnel from the City Maintenance Division Public Works Department will be permitted to move heavy office furniture.

Chairs, boxes or other objects will not be used as substitutes for ladders. Overloading the top file drawer in file cabinets may unbalance the cabinet and cause it to fall forward when the drawer is pulled out. Put materials in bottom drawers whenever possible. Keep heavy books, equipment and other bulky materials off the top of file cabinets; they may fall on you, or cause you to suffer muscle strain when lifting them off the cabinet. Rough, splintered, uneven, or other floor defects will be repaired or the hazard suitably marked. Floors will be kept clean and free of dirt and debris. Non-skid wax will be used on floors to prevent slipping. Weather may cause mud, sand or water to be tracked onto floors near entrances. Storm mats should be placed at these entrances. Wet floor conditions shall be barricaded then cleaned-up immediately.

Never tip your chair backward. This can cause an overbalanced condition and result in your falling to the floor. This also causes a strain on the chair to the point where it may break and cause you to fall.

Every employee shall be responsible for seeing that their own desk and work area is clean and orderly. Pick up items such as pencils or paper clips. All file, desk and table drawers shall be kept closed when not in use. As soon as you leave them, close them. Never open more than one (1) file drawer at a time. Report all poorly lighted work areas to your supervisor.

## **Office Equipment and Machines:**

Objects such as knives, scissors and pens will be handled carefully to avoid injuries.

Only trained, qualified personnel will operate office machines. Operators will be given instruction in safe work practices and told of the particular hazards involved in the use of different machines. Suitable office equipment will be provided for stamping, sharpening, and cutting operations. Makeshift tools, such as unprotected razor blades and pins, will not be used.

Electrical fans, pedestal, oscillating desk and any other types will be equipped with preferred safety guards when installed less than seven (7) feet above the floor. All fans are required to be electrically grounded (a 3-wire cord and 3-prong plug or is double-insulated).

Electrical appliances used for coffee making and other purposes should be inspected periodically to ensure that cords are in good condition and plugs are not broken or cracked. A fire-resistant base should be placed under all heat producing appliances to prevent a fire hazard.

Only non-combustible waste baskets should be used in offices.

Keep all flammable solvents and similar flammable liquids in a metal cabinet away from combustible materials. Identify the contents of all containers.

## **Section 9. Accident Investigation/Reporting**

All accidents involving the City are to be documented immediately after the occurrence. Copies of all accident reports are to be sent to Risk Management within 24 hours of occurrence (48 hours in the event the incident occurred over a weekend).

Accidents are defined as *unexpected events that damage property or cause bodily injury to persons*. Accidents may involve City employees, City property and/or the general public.

### **Vehicle Accidents:**

In the event that a City employee is involved in a vehicle accident while on City business, the following procedures apply:

1. Stop immediately. DO NOT LEAVE THE ACCIDENT SCENE.
2. If there are any injuries, including yourself, CALL 911.
3. If there are no injuries and you are within City limits, call Pinellas Park Police at 544-0758 369-7865. If you are outside the City limits, call the local police.
4. Cooperate with the police investigation and/or paramedics.
5. NOTIFY YOUR SUPERVISOR.
6. Do not discuss the accident with other drivers or witnesses.
7. Obtain names, addresses and phone numbers of witnesses, before they leave the scene.
8. If police are unable to respond, obtain drivers' name, address, insurance information, make, model, tag number and VIN number of the vehicle.
9. Make no comments or commitments of any type to anyone.

Please refer to the City's Drug & Alcohol Policy for the appropriate handling of post-accident drug and alcohol testing.

### **Vehicle Accident Reporting:**

The Pinellas Park Police will forward a copy of their Motor Vehicle Accident Investigation Report to Risk Management. All necessary documents (registration, insurance card and accident instruction form) are in the Vehicle Records Folder in the vehicle glove box. Complete an "Accident Investigation Report" and obtain a copy of the local, state, or county police accident report and forward to Risk Management.

### **Non-Vehicle Accidents:**

In the event that an employee is involved or party to an accident that is connected with liability or property damage, the following procedures apply. Accidents can involve employees, residents, customers and others.

1. For property damage, stop immediately and report damage to owners giving all facts surrounding the accident.
2. If anyone, including yourself, is injured, call 911 immediately and supply information requested (location, nature of injury, the accident, etc.)
3. NOTIFY YOUR SUPERVISOR.
4. Cooperate with the police investigation and/or paramedics if called to the scene.
5. Do not discuss the accident (except to exchange information) regarding liability, insurance coverage, fault, etc. Refer all inquiries to Risk Management.
6. Obtain and document all information regarding the accident. This information is contained on the "Accident Investigation Report."
7. If the accident is serious, notify the Police and Risk Management.

### **Accident Investigation:**

Supervisors are responsible for immediately investigating all accidents involving City employees and/or vehicles. They must observe and report all conditions and obtain complete facts regarding the accident. Their reports must contain the following:

1. Who was involved?
2. When did the accident occur?
3. Where did it happen?
4. What factors contributed to the accident?
5. Identify all unsafe practices, acts or conditions.
6. How did the accident occur?
7. Identify and record possible safety hazards.
8. **Identify** what was the cause of the accident.

Take pictures of the accident, location, vehicles/equipment, property, etc. as soon as possible after the accident. Write down the facts. Do not rely on memory. Do not assume someone else is recording the facts. Do not comment on any liability, engage in any arguments or attempt to place blame for the accident. Refer all parties to the Risk Management Division for information on insurance or claim procedures.

### **Crash Review:**

A motor vehicle crash means any upset or impact involving or allegedly caused by a City owned, rented, leased, or borrowed registered motor vehicle, or any private motor vehicle while being operated by a City of Pinellas Park employee on official business which results in death, bodily injury, or property damage (regardless of how minor) and is attributed, either directly or indirectly, to the



ownership, maintenance or use of such motor vehicle. A motor vehicle crash also includes incidents involving City owned, operated, leased, or borrowed mobile equipment while it is traveling on roadways or in other places normally used for vehicular traffic.

Department Administrators and Division Directors are responsible for the review of all vehicle crashes which involve employees or vehicles assigned to their respective departments. The term vehicle as used in this section means licensed motor vehicles, both City vehicles and employee vehicles which are being operated on City business, as well as other types of mobile equipment which may occasionally be operated on a roadway (golf cart, backhoe, grader, etc.).

Crash review may be performed by designated departmental management employee(s) or via the use of a crash review panel as determined by the Department Administrator. Departments having only a few vehicles may wish to collaborate with other departments as needed in carrying out their reviews. All vehicle crashes will be reviewed within 30 days following the date of the crash and the results of the review will be provided to the City Manager and the Risk Management Director in writing on the assigned form located on the Citywide Information and Publications Drive (G:) in the City Forms folder.

City employees are required to operate vehicles defensively at all times and each crash shall be examined in the context of defensive driving principles. The department review will attempt to identify the root cause of a crash and render an opinion as to whether the crash was preventable or non-preventable.

The purpose of the review is to identify the root cause and preventability of a crash, as well as any training, equipment problems, or other deficiencies which were contributing factors in the crash; and to make recommendations of action and create suggestions for the prevention of future crashes.

#### **Disciplinary Action:**

In the case where it has been determined that a City employee has been careless or negligent in the operation of a vehicle, the employee may be subject to corrective counseling or disciplinary action as determined by the employee's departmental management. Such employment actions are separate management decisions which should be carried out in a timely fashion; they are not dependent upon the results of the crash review process.

## **Section 10. Employee Injuries/Workers' Compensation Injury Reporting Procedure (Emergency First Aid and CPR)**

In the event an employee is injured on the job, the following procedures apply:

1. First aid should be applied for all minor injuries not requiring experienced medical attention. All first aid assistance shall comply with OSHA Regulation EMERGENCY FIRST AID AND CPR: OSHA Part 1910.151, Medical services and first aid; and OSHA Part 1926.50, Medical services and first aid (construction sites) and OSHA Part 1926.23, First aid and medical attention.
2. *NOTIFY YOUR SUPERVISOR.* Your supervisor will approve medical treatment. If an injury has not been reported to a supervisor, there will be no coverage by the City's Workers' Compensation insurance program. All treatment must be properly pre-authorized except in the case of a life-threatening emergency.
3. If medical treatment other than minor first aid treatment is needed, the employee shall be sent immediately to the City's designated Workers' Compensation medical provider.

4. Call 911 for all injuries that are serious in nature. When in doubt about seriousness, call 911. Based on the injury, Emergency Medical Service (EMS) will determine where the injured employee should be taken. Employees with serious injuries should be transported immediately to Northside Hospital or the hospital designated by EMS.
5. Supervisors must complete a City of Pinellas Park "Accident Investigation Report" Form RM89-1 and forward to the Risk Management Division.
6. Supervisors must call the toll free Workers' Compensation injury report line to notify the City's insurer of the injury. Based on the supervisor's information the insurer will complete a DWC-1 First Notice of Injury form and forward it to the Risk Management Division.
7. All medical treatment subsequent to the initial treatment must be approved by the City's insurance carrier. For purposes of City sponsored Workers' Compensation treatment and information regarding an employee's return-to-work status, only approved medical providers can treat employees for on-the-job injuries. Treatment by an employee's personal physician is not permitted for those purposes. Employees must notify their supervisor and the Risk Management Division of all follow-up medical appointments.

### **Transportation of Injured Employees:**

Following are guidelines for deciding where to transport a City employee involved in an on-the-job injury. Essentially, supervisors and paramedics should use their judgment to determine whether or not the patient will require hospital services such as a laboratory or critical care monitoring.

Cases which should definitely go to Northside Hospital are the following:

1. Unconscious patients
2. Patients with cardiac or severe respiratory problems
3. Patients unable to walk or assist in their movement
4. Displaced long bone fractures and those with a neurovascular deficit
5. Hypotensive patients with signs and symptoms of shock
6. Serious medical emergencies such as a stroke

Patients who meet the absolute criteria for transport to a trauma center should go by appropriate means to Bayfront Medical Center.

Injuries such as lacerations, sprains, and non-displaced fractures in patients who can be transported POV (Privately Owned Vehicle) without continued ALS (Advanced Life Support) treatment should be seen at the City's designated Workers' Compensation medical provider.

All employees and supervisors are to follow EMS (Emergency Medical Services) personnel directions for transporting injured employees. Rescue personnel adhere to the County's medical protocol in deciding the destination of cases.

### **Light Duty Work Program:**

The City, at its sole discretion, retains the right to offer an employee who sustains an in line of duty illness or injury a temporary light duty or modified duty assignment for a period not to exceed six months. Such duty shall be in accord with the restrictions set forth by the authorized treating physician. Unless the attending physician specifically documents that the employee cannot perform

light duty work, all employees will be required to perform light duty work. While there is no employee entitlement to light or modified duty, an employee who is offered such a temporary duty assignment and declines shall not be compensated for time off. Division Directors will assign all light duty work. The attending physician will document any physical or mental restrictions and when the employee can return to full-time duty work.

### **Access to Medical and Exposure Records:**

All medical records shall comply with OSHA Regulation GENERAL SAFETY PROVISIONS AND HEALTH RECORDS: OSHA Part 1910.20, Access to employee exposure and medical records.

The City shall permit employees, and their designated representative's direct access to employer-maintained exposure and medical records. The standard limits access applies only to those employees who are, have been (including former employees), or will be exposed to toxic substances or harmful physical agents.

The City will preserve and maintain accurate medical and exposure records for each employee. Exposure records and data analyses based on them are to be kept for 50 years. Medical records are to be kept for at least the duration of employment plus 50 years. Background data for exposure records such as laboratory reports and work sheets need to be kept for only one year. Records of employees who have worked for less than one year need not be retained after employment, but the City will provide these records to the employee upon termination of employment. First-aid records of one-time treatment need not be retained for any specified period.

## **Section 11. Emergency Building Evacuation**

An emergency action plan has been developed to ensure employee safety in the event of a building fire or other emergency.

Refer to Department/Division procedures.

All building evacuation shall comply with OSHA Regulations GENERAL EMERGENCY BUILDING EVACUATION: OSHA Part 1910.36, General requirements; Part 1910.37, Means of egress, general; and Part 1910.38, Employee emergency plans and fire prevention plan.

## **Section 12. Personal Protective Equipment (PPE)**

### **General:**

Proper personal protective equipment, shall be provided, used, and maintained in a sanitary and reliable condition where there is a hazard from processes or environment that may cause injury or illness to the employee.

All fire safety equipment such as fire extinguishers, hose racks, hose reels, detectors, fire alarms, and fire lanes shall be kept clear of obstructions.

Report all defects in personal protective equipment immediately to your supervisor.

All personal protective equipment that is worn or damaged shall be repaired or replaced immediately.

It is every employee's responsibility to wear all protective clothing and equipment as required by safety rules and procedures contained in this handbook or as directed by your supervisor.

All Personal Protective Equipment (PPE) shall comply with OSHA Regulation PERSONAL PROTECTIVE EQUIPMENT (PPE): OSHA Part 1910.132, General requirements.

**Gloves - Hand Protection:**

On operations where gloves are necessary, wear the proper type as specified by your supervisor.

All work requiring hand protection shall comply with OSHA Regulation PERSONAL PROTECTIVE EQUIPMENT (PPE): OSHA Part 1910.138 Hand protection.

**Safety Vests:**

Safety vests are to be worn by any employee working in the roadway or an area within six feet of the edge of a roadway.

Employees working over or near water, where the danger of drowning exists, shall be provided with U.S. Coast Guard-approved life jackets or buoyant work vests. Also employees must comply with OSHA Regulation PERSONAL PROTECTIVE EQUIPMENT (PPE): OSHA Part 1926.106 Working over or near water.

**Ear Protection:**

Exposure to high noise levels can cause hearing loss or impairment. It can also create physical and physiological stress. Specifically designed protection is required, depending on the type of noise encountered and the auditory condition of the employee.

Employees are required to use hearing protection devices when noise levels exceed the action level as determined by their department's procedures.

Pre-formed or molded ear plugs should be individually fitted by a professional. Waxed cotton, foam, or fiberglass wool earplugs are self-forming.

Ear muffs need to make a perfect seal around the ears to be effective.

Plain cotton is ineffective as protection against hazardous noise and should not be used.

Noise level exposure, auditory testing and training are required for all job applications.

All ear protection shall comply with OSHA Regulation ENVIRONMENTAL NOISE CONTROL: OSHA Part 1910.95, Occupational noise exposure, + appendix A through I; Part 1926.52, Occupational noise exposure; Part 1926.101, Hearing Protection.

**Respiratory Protection:**

Employees exposed to occupational diseases caused by breathing air contaminated with harmful dusts, fogs, fumes, mists, gases, smokes, sprays, vapors or oxygen-deficient environments shall be provided with respirators and proper training on their use.

Employees required to use respiratory protective devices shall be thoroughly trained in their use.

Respiratory equipment shall be inspected regularly and maintained in good condition.

All work with respiratory protection shall comply with OSHA Regulation RESPIRATORY PROTECTION: OSHA Part 1910.134, Respiratory protection; Part 1926.55, Gases, vapors, fumes, dusts, and mists; and, Part 1926.103, Respiratory protection.

**Hard Hats:**

Head protection or "Hard Hats" as defined by the Occupational Safety and Health Administration (OSHA) is to provide "for protection of heads of occupational workers from impact and penetration from falling and flying objects and from limited electric shock and burn." This Section defines the equipment, City operations and City building locations where all employees and visitors are required to wear hard hats. Any elimination or additions should be directed to the director of Risk Management for review and possible updating.

When required, hard hats are provided by the City to protect employees against the danger of head injury from falling or flying objects, or from electrical shock and burns. Hard hats are to be in good condition at all times. Employees owned hard hats are not permitted. All employees required to wear a hard hat for operating equipment or conducting City operations will be issued hard hats of the proper type, as specified herein. They should be with the employee at all times.

### **Use of Hard Hats:**

Hard hats will be worn at all times by all personnel and visitors when involved in the following situations:

1. When designated "Hard Hat Required" equipment is on a designated job site and in operation;  
  
The equipment will be posted with permanent visible signs indicating *"HARD HAT REQUIRED"*
2. During the following operations:
  - a. In any situation or operation where workers or visitors are below other workers (3 feet or more) that could reasonably expect tools, equipment or other apparatus could drop or fall (on ladders, on scaffolding, in trenches, on roofs of buildings, etc.).
  - b. When working with equipment or tools beyond six feet in height that could reasonably be expected to drop or fall, such as fence, trees or structures under construction.
  - c. When working in all below ground situations (manholes, submersible stations, trenches, lift stations, etc.).
  - d. When any overhead crane or boom is in operation.
  - e. When any boom is being operated from fixed or mobile equipment.
  - f. When raising and lowering of a flashing traffic arrow mounted on a trailer.
  - g. When operating the spring loaded crank overhead tarp on dump trucks.
  - h. When called upon to perform maintenance, clean up, field operations and/or inspections during disaster.
  - i. In building locations damaged by disaster, fire, flood or other cause which could result in structural damage or falling material.
  - j. Persons working near high voltage (220 volts or higher) electrical hazards.
  - k. When going onto or into a construction site.  
The above operations/sites are to be posted with temporary visible signs indicating *"HARD HAT AREA"*
3. In the following City buildings designated as *"HARD HAT AREA"*:

- a. Purchasing warehouse storage area when a fork lift is in operation.
- b. In all sanitary sewer lift stations when a pump is being pulled and lifted.
- c. In all submersible stations where you go into stations.
- d. In Pump Station #2 when an overhead crane is in operation.

The above areas are to be posted with permanent visible signs indicating *"HARD HAT AREA"*

Helmets for the protection of persons against impact and penetration of falling and flying objects shall meet the specifications contained in American National Standards Institute, Z89.1-1986, Safety Requirements for Industrial Head Protection.

Helmets for the head protection of persons exposed to high voltage electrical shock and burns shall meet the specifications contained in American National Standards Institute, Z89.2-1986.

HARD HATS ARE NOT REQUIRED WHEN EMPLOYEES ARE OPERATING EQUIPMENT THAT HAVE TOTALLY ENCLOSED CABS. If any area is designated as *"HARD HAT AREA"* all persons entering these areas will be required to wear a hard hat at all times. Division Directors and supervisors are responsible for designating the above areas and special temporary situations as *"HARD HAT AREAS"* not previously defined or where there is a real and present danger of falling and flying objects, construction areas, and any underground excavations where personnel are working above other workers. All work requiring head protection shall comply with OSHA Regulation PERSONAL PROTECTIVE EQUIPMENT (PPE): OSHA Part 1910.135, Head protection and 1926.100 Head protection.

### **Foot and Toe Protection:**

Foot protection equipment shall be worn when there is reasonable probability that injury can be prevented by such equipment.

The wearing of sandals or tennis shoes is not allowed. Exceptions would be for those employees whose duties would require them to wear shoes used for sports activities, and lifeguards who do not wear shoes when performing their duties.

Protective foot wear (Safety Shoes) is to be worn by any employee who in the course of his duties is required to visit a work site where hazardous conditions exist that could injure his feet.

Safety-toe footwear shall meet the requirements of ANSI Z41 - 1991, American National Standards for Personal Protection - Protective Footwear.

All work required foot protection shall comply with OSHA Regulation PERSONAL PROTECTIVE EQUIPMENT (PPE): OSHA Part 1910.136, Foot protection.

### **Safety Glasses, Goggles, and Face Shields:**

Protective eye and face equipment shall be required, used, and maintained in sanitary and reliable condition, as necessary to protect employees from workplace hazards.

Goggles or face shields should be worn by all employees performing work that exposes them to eye injury. Employees not performing work, but who are in the area of exposure such as helpers and visitors, should also wear eye protection. Hazard areas will be identified with visible signs. Eye protection will be required in these areas. Sufficient visitor goggles or face shields will be available

for protection of persons entering these areas and will be of the type required to guard against the hazard existing.

Appropriate goggles with filter lenses shall be used for such operations as oxyacetylene welding, cutting, lead burning and brazing. Where eye injury is increased by grinding, buffing, sandblasting, etc., additional precautions such as side shields for safety glasses must also be employed.

Do not take chances with eye injuries - contact your supervisor or first aid people immediately upon injury. Do not rub your eyes when some foreign object is in them.

Eye and face protection equipment shall be in compliance with ANSI Z871-1989, "Practice for Occupational & Educational Eye & Face Protection."

All eye and face protection will comply with OSHA Regulation PERSONAL PROTECTIVE EQUIPMENT (PPE): OSHA Part 1910.133, Eye & face protection and Part 1926.102, Eye and face protection.

## **Section 13. Buildings and Grounds Maintenance**

### **Floors and Building Areas:**

Report all unsafe conditions immediately to your supervisor. Check for tripping hazards, broken walks, holes, exposed pipes, wires, debris, etc.

All floors shall be kept clean at all times of all dust, dirt, grease or other debris. Building floors should be clear of obstructions or slippery materials. Floors will not be cleaned with flammable liquids. Dust, which can explode under certain conditions, will be kept down during sweeping by spreading an approved sweeping compound over the floor. Extreme care shall be taken to avoid excessive washing or polishing of floors. Use only non-skid wax.

All projections shall be kept to a minimum on walls and ceilings. Ceilings will be kept in good repair and free of loose plaster and paint that could fall and injure persons below. Materials will not be stored under or piled against buildings, against doors, exits, or under stairways. Roofs will be kept free of all debris.

Floor openings shall be guarded by a standard railing and toe boards or cover. In general, the railing shall be provided on all exposed sides, except at entrances to stairways.

Every open-sided floor or platform, six feet or more above adjacent floor or ground level, shall be guarded by a standard railing, or the equivalent, on all open sides except where there is entrance to a ramp, stairway, or fixed ladder.

Each employee on ramps, runways, and other walkways shall be protected from falling six feet or more to lower levels by guardrail systems.

All floors and openings shall comply with OSHA Regulation WALKING AND WORKING SURFACES: OSHA Part 1910.22, General requirements; and Part 1910.23, Guarding floor and wall openings and holes; and OSHA Regulation FALL PROTECTION: Part 1926.500, Scope, applications and definitions; Part 1926.501, Duty to have fall protection; Part 1926.502, Fall protection systems criteria and practices; and Part 1926.503, Training requirements + App A - E to Subpart M.

### **Exits:**

Every building designed for human occupancy shall be provided with exits sufficient to permit the prompt escape of occupants in case of an emergency.

Exits and the way of approach and travel from exits shall be maintained so that they are unobstructed and are accessible at all times.

All exits shall discharge directly to the street or other open space that gives safe access to a public way.

Exit doors serving more than 50 people, or at high hazard areas, shall swing in the direction of exit travel.

Exits shall be marked by readily visible, suitably illuminated exit signs. Exit signs shall be distinctive in color and provide contrast with surroundings. The word "EXIT" shall be of plainly legible letters, not less than six inches high.

Any door, passage, or stairway which is neither an exit nor a way of exit nor a way of exit access, and which is so located or arranged as to be likely to be mistaken for an exit, shall be identified by a sign reading "Not an Exit" or similar designation.

### **Aisles and Passageways:**

Where mechanical handling equipment is used, sufficient safe clearance shall be allowed for aisles, at loading docks, through doorways and whenever turns or passage must be made.

Aisles and passageways used by mechanical equipment shall be kept clear and in good repair with no obstruction across or in aisles that could create hazards.

Permanent aisles and passageways shall be appropriately marked.

Covers and/or guard rails shall be provided to protect personnel from the hazards of open pits, tanks, vats, ditches, etc.

## **Section 14. Construction**

### **Ladders:**

Portable and fixed ladders with structural defects--such as broken or missing rungs, cleats or steps, broken or split rails, or corroded components--shall be withdrawn from service by immediately tagging "DO NOT USE" or marking in a manner that identifies them as defective.

All ladders shall comply with OSHA Requirement WALKING AND WORKING SURFACES: OSHA Part 1910.27, Fixed ladders and OSHA Requirement WALKING AND WORKING SURFACES: OSHA Part 1910.25, Portable wood ladders; OSHA Part 1910.26, Portable metal ladders; OSHA Part 1926.1053, Ladders; and OSHA Part 1926.1060 Training Requirements.

### **Scaffolds and Platforms:**

Report all defective equipment, machinery, parts or malfunctions immediately to your supervisor.

All scaffolds shall comply with OSHA Regulation WALKING AND WORKING SURFACES: OSHA Part 1910.28, Safety requirements for scaffolding; OSHA Part 1926.451, Scaffolding; and OSHA Part 1926.452, Guardrails, handrails and covers.

### **Excavations and Trenching:**

Report all defective equipment, machinery, parts or malfunctions immediately to your supervisor.



Daily inspections of each excavation and trench shall be made by a competent person.

All trenching and shoring shall comply with OSHA Regulation EXCAVATIONS, TRENCHING AND SHORING: OSHA Part 1926.650, Scope, application, and definitions applicable to this subpart; OSHA Part 1926.651, General requirements; OSHA Part 1926.652, Requirements for protective systems; and plus Appendix A to F.

### **Confined Spaces:**

All employees required to enter into confined or enclosed spaces must be instructed as to the nature of the hazards involved, the necessary precautions to be taken, and in the use of required protective and emergency equipment. Confined or enclosed spaces, include, but are not limited to: storage tanks, process vessels, bins, boilers, ventilation or exhaust ducts, sewers, underground utility vaults, tunnels, pipelines, and open top spaces more than four feet deep such as pits, tubs, vaults, and vessels.

All entry into confined spaces shall comply with OSHA Regulation PERMIT REQUIRED CONFINED SPACE: OSHA Part 1910.146, Permit-required confined spaces; Part 1926.21, Safety Training and Education; Part 1926.55, Gases, vapors, fumes, dusts, and mists; and, Part 1926.57, Ventilation; Part 1926.800, Underground construction.

### **Concrete and Masonry Construction:**

No construction loads shall be placed on a concrete structure or portion of a concrete structure unless based on information received from a person who is qualified in structural design, that the structure or portion of the structure is capable of supporting the loads.

All protruding reinforced steel onto and into which employees could fall shall be guarded to eliminate the hazard of impalement.

No employee shall be permitted to work under concrete buckets while buckets are being elevated or lowered into position.

A limited access zone shall be established whenever a masonry wall is being constructed.

All concrete and masonry construction shall comply with OSHA Regulation CONCRETE AND MASONRY CONSTRUCTION: OSHA Part 1926.700, Scope, application, and definitions, applicable to this subpart; Part 1926.701, General requirements; Part 1926.702, Requirements for equipment and tools; and, Part 1926.706, Requirements of masonry construction.

### **Construction Hazard Identification--Barricades/Signs:**

All construction work will be clearly identified by signs. The protective barriers will be suitably marked with reflective and illumination materials for easy sighting after dark. Traffic channeling devices shall be used where applicable.

When signs, signals and barricades do not provide necessary protection on or adjacent to a highway or street, flagmen or other appropriate traffic controls shall be provided.

Flagmen shall be provided with and shall wear a red or orange warning garment while flagging. Warning garments worn at night shall be of reflectionized material.

All barricading, traffic channeling or signage shall comply with the Federal Highway Administration, Manual on Uniform Traffic Devices and OSHA Regulation WARNING SIGNS: OSHA Part 1910.144, Safety color code for marking physical hazards; Part 1910.145, Specifications for accident prevention

signs and tags; Part 1926.200, Accident prevention signs and tags; Part 1926.201, Signaling; and, Part 1926.202, Barricades.

### **Grass Cutting:**

Mower operators will wear eye protection, hearing protection and sturdy work shoes at all times. No adjustments will be made by the operator or maintenance person while the machine is running.

Gasoline for lawn mowers and other lawn care equipment will be kept in safety cans plainly lettered "GASOLINE." All sources of ignition will be kept clear when fueling. Fueling will not be done while engines are running. Smoking is not allowed when fueling.

### **Wire Ropes, Chains, and Ropes:**

Wire ropes, chains, ropes, and other rigging equipment shall be inspected prior to use and as necessary during use to ensure their safety. Defective gear shall be removed from service.

### **Operational Safety:**

All employees shall be trained in Department/Division procedures before operating the following:

|   |                                    |
|---|------------------------------------|
| Adding Stabon Chemical to                     | Insecticide Spraying               |
| Water Truck Tank                              | Ladders                            |
| Air Compressor-Jackhammer                     | Laser Level                        |
| Boom Mower                                    | Lawn Mowers                        |
| Brush Cutter                                  | Mighty Mole                        |
| Case "TL 100" Trencher                        | Mower                              |
| Chain Saw                                     | Mueller "CL-12"                    |
| Chipper                                       | Power Shovels and Crane            |
| Circular Saw                                  | Quick-Cut Saw                      |
| Concrete/Asphalt Saws                         | Rigid "535" Pipe Threading Machine |
| Concrete Grinder                              | Spray Equipment                    |
| Cutting Torch                                 | Tractors and Attachments           |
| Distributor Truck's Gas Burners               | Vac-Con                            |
| Ditch-Witch "400SX" Pipe Puller<br>& Trencher | Vermeer "V-4150" Trenching Tractor |
| Excavations and Trench                        |                                    |
| Fork Lift                                     |                                    |
| Grinding Wheel                                |                                    |

## **Section 15. Supplies and Materials Handling**

### **Lifting, Carrying and Moving Materials:**

All employees are required to do some lifting, moving and handling of materials and equipment as part of their regular assigned duties. *Avoid accidents - learn the right way to handle materials.* Know your physical capacity and limitations. Get help if needed to lift, carry or move material. Weight is only one criterion to consider when lifting objects. You must also consider the size, shape, packaging material, etc. If an object is large, bulky or feels too heavy to lift, get help and/or place the object on a dolly for easy transport. The proper steps in lifting safely are the following:

1. Consider the size, weight and shape of the object to be carried. Do not lift more than can be handled comfortably. If necessary, get help.

2. Set feet solidly, with one foot slightly ahead of the other for increased effectiveness. Feet should be far enough apart to give good balance and stability
3. Get as close to the load as possible. Bend legs about 90 degrees at the knees. Crouch, do not squat. It takes about twice as much effort to get up from a squat.
4. Keep the back as straight as possible. It may be far from being vertical, but it should not be arched. Tuck in the chin so the head is in line with the back. Bend at the hips, not the middle of the back.
5. Grip the object firmly. Maintain that grip while lifting and carrying. Before changing the grip, set the object down again.
6. Straighten the legs to lift the object and at the same time bring the back to a vertical position.
7. Never carry a load that you cannot see over or around. Make sure the path of travel is clear.

### **Bags and Sacks:**

Bags and sacks may be lifted by stooping down as far as possible and rolling the bag or sack up to the knees, chest and shoulder before straightening the legs and carrying with the back vertical. Place hand on hip so the bag or sack rests partly on the shoulder, arms and back. Be sure of your grip and footing.

### **Barrels and Drums:**

Barrels and drums may be upended by grasping both ends, press down with one hand and lift the other in a rocking fashion until the drum is balanced on the bottom chime. The lower grip may then be released and the drum placed on end. Keep feet in the clear. Do not drop the drum or barrels.

### **Long Objects:**

Long objects should be carried on the same shoulders (left or right) of all persons making the carry.

### **Boxes, Cartons, Packages and Other Material:**

A box, carton, or package should never be handled by the steel strapping bands. A hand truck or fork lift should be utilized when required. When two or more persons are required to handle an object, one person should be in charge and give signals for lifting, moving, lowering and dropping in unison.

Before cutting metal strapping, make sure no one is standing where they might be hit by loose ends of straps. (Eye protection should be worn during these operations). To cut bands, place a gloved hand on the strap to prevent injury from springing back. Before handling containers, inspect them for protruding nails, wire ends, splinters and sharp ends of metal bands.

Package or box all loose items before moving. Wipe off oil, grease, dirt or other foreign matter before lifting. Wear gloves when moving rough, burned or jagged objects and those with sharp corners. Hooks, crowbars, rollers and skids should be used when provided. Be sure the path of travel is clear of obstructions and well lighted, if inside. Stay at all times within the prescribed safety aisles in warehouses and storage areas.

Never attempt to catch a heavy falling object; this can cause injury. Do not stand on a box or truck when placing materials on a high pile, or when reaching for an object above your head.

### **Storage of Materials:**

Materials shall be stored with due regard to their fire characteristics. Both inside and outside storage facilities and areas are used by the City. Warehouse, storage yards and supply dumps are all part of the storage operation. All sources of ignition will be prohibited in all storage buildings and areas. Signs will be posted to this effect.

Smoking shall not be permitted in or around any storage areas. Signs will be posted where smoking is prohibited.

Materials will not be stored under or piled against buildings, against doors, exits or under stairways. Stored materials shall be kept at least 18 inches from automatic sprinkler heads. Sprinkler systems, valves, fire extinguishers, exits, and fire doors will be provided sufficient clearance as to allow use. In no case will materials be piled, stacked or placed to block access to emergency equipment and exits. Large, bulky or unusually heavy materials will be stored near entrances to minimize the amount of handling needed and make movement easier. Do not store glass bottles and heavy items on the top of shelves; place on the floor or in lowest bin. All scrap lumber, waste material and rubbish shall be collected and stored in piles or containers for regular removal. Protruding nails in boards, planks and timbers shall be removed, hammered in or bent over flush with the wood.

Storage areas will be kept clean of debris at all times.

Fire lanes and access roads will be kept clear at all times. Aisles, as far as practical, should be straight and lead directly to exits. There should be as few aisle intersections as possible. Aisle widths should allow for safe movement and clearance. Exit routes for personnel will be kept clear of obstructions. Aisles will be kept clear of stock, materials and protruding objects.

Always keep to the right and operate equipment at safe authorized speeds.

### **Clothing Storage:**

Personal clothing shall be kept clean. Clothing that is contaminated with flammable substances will not be placed in enclosed areas in order to avoid spontaneous combustion.

### **Piling and Stacking Materials:**

Materials shall be piled in neat stacks, stabilized by dunnage if necessary. Leaning or unbalanced stacks will be restacked immediately to prevent their falling. Stacked material will be kept at least 18 inches away from electric light fixtures. Fire extinguishers shall not be obstructed or blocked.

### **Oily Rags and Waste Material:**

Oily rags and other wastes will be placed in fire-resistant enclosed containers provided. All containers shall be emptied daily.

### **Lumber Storage:**

Lumber will be stacked level, stable and shall be self-supporting. Used lumber will have all nails and splinters removed before it is stacked for storage. New lumber will also have the splinters removed before it is stacked for storage. Always wear gloves when stacking or moving lumber.

### **Cement and Lime Bags:**

Bags of cement and lime will not be stacked more than ten (10) bags high without setbacks, except when restrained by walls of appropriate strength. The bags around the outside of stacks shall be

placed with the mouths of the bags facing the center of the stack. During unstacking, the entire top of the stack shall be kept nearly level and the necessary setback maintained.

### **Bricks and Blocks:**

Brick shall be stacked on an even, solid surface and shall not be stored on scaffolds or runways in excess of normal supplies for immediate brick laying operations or in excess of a safe load limit of scaffold or runway. Floor, wall, and partition blocks shall be stacked in tiers on solid, level surfaces. When required, the stack shall be stepped back and secured to prevent toppling. Stacking shall be no more than three (3) feet high.

### **Steel:**

Reinforcing, sheet, and structural steel shall be stored as follows: Reinforcing steel will be stored in orderly piles away from walkways and roadways; structural steel will be securely piled to prevent members sliding off or pile toppling over. All storage and piling of steel will be neat, orderly and secure.

### **Pipe:**

Pipe shall be stacked and blocked so as to prevent spreading or rolling. Separate stacks will be made for each size.

### **Round Piling or Poles:**

Round piling or poles shall be stored in an orderly manner on a solid, level surface. Either a pyramid shaped stack or battened stack shall be used. The lower tier of stacks shall have all piles or poles securely chocked to prevent lateral spread. When a battened type of stack is used, the outside pile or pole shall be securely chocked, and shall be tapered back at least one pile or pole in each tier. Unloading of round piling, poles, or pipe shall be done so that no person is to be required to be on the unloading side of the carrier after the tie wires have been cut or during the removal of stakes.

### **Sand, Gravel, Crushed Stone, Dirt and Stockpiled Material:**

When this material is withdrawn from stockpiles by equipment operators, they will ensure that no overhanging or vertical face exists. No operator will load from any pile that overhangs his equipment.

All material handling shall comply with OSHA Regulation MATERIALS HANDLING AND STORAGE: OSHA Part 1910.176, Handling materials - general.

### **Hazardous Materials:**

Refer to HAZARDOUS MATERIAL & FIRE PREVENTION Sections for proper handling.

### **Hoisting and Lifting Equipment:**

Never overload hand operated or electric hoists. The rated load will be legibly and permanently marked in a prominent location on all hoist and lifting equipment including jacks. (Jacks supplied with vehicles are excluded). Rated load limits shall not be exceeded.

### **Cranes and Derricks:**

Rated load capacities, recommended operating speeds and special hazard warnings or instructions shall be conspicuously posted on all equipment. Instructions or warnings shall be visible from the operator's station.

Equipment shall be inspected by a competent person before each use and during use, and all deficiencies corrected before further use.

The use of a crane or derrick to hoist employees on a platform is prohibited.

All hoisting and lifting equipment shall comply with OSHA Requirement MATERIALS HANDLING: OSHA Part 1910.179, Overhead and gantry cranes.

## **Section 16. Powered Industrial Trucks, Including Fork Lifts and Hand Trucks**

### **General:**

Report all defective equipment, machinery, parts or malfunctions immediately to your supervisor.

### **Fork Lift Trucks:**

Only qualified personnel trained in the operation of fork lifts and other powered industrial trucks are authorized to operate this equipment.

Prior to operation of powered industrial trucks, the operator shall examine the vehicle and if any item is found to be defective or in need of repair, the items shall be corrected prior to use.

When using fork lifts, do not operate in excess of speeds that allow full control of the equipment and safety of the load. Do not permit any part of a load to obstruct vision while driving. If your vision is obstructed - drive in reverse. Only the driver shall ride on the fork lift. *Riding the forks is strictly prohibited, for any reason.* Watch out for pedestrians. Sound horn at blind corners.

Lift and lower loads smoothly, and never carry loads in an elevated position.

Power trucks will not be left unattended without lowering the platform or forks, first shutting off power, neutralizing controls, setting brakes and removal of the ignition key. When entering other vehicles with fork lift trucks, the wheels of the vehicle shall be chocked to prevent any movement.

### **Hand Trucks:**

When using two-wheel hand trucks - do not overload. Make sure the load is stable so the weight is on the axle not the handle. The same warning against overloading applies to the four-wheel hand truck. Never pile a load so high that it might fall or prevent you from seeing ahead. Hand trucks are meant to be pushed not pulled, with the exception of the four-wheel truck with swivel axle and tongue which is designed for pulling. The motorized hand truck can be run either way. Never pull a four-wheel truck down an incline.

All fork lift trucks shall comply with OSHA Requirement MATERIALS HANDLING AND STORAGE: OSHA Part 1910.178, Powered industrial trucks.

## **Section 17. Woodworking Shop Operations**

### **General:**

Report all defective equipment, machinery, parts or malfunctions immediately to your supervisor.

Only qualified and authorized personnel will operate woodworking machines.

All fixed power-driven woodworking tools shall be provided with a disconnect switch that can be either locked or tagged in the off position.

All woodworking tools and machinery shall meet applicable requirements of ANSI 01.1-1961, Safety Code for Woodworking Machinery.

Never wear neckties, loose sleeves, gloves or jewelry around moving machinery.

### **Personal Protective Equipment (PPE):**

PPE, as required, shall be worn at all times when operating woodworking equipment.

Eye protection shall be worn during sanding and grinding operations, when working on wood lathes and power saws or any other device presenting eye hazards.

### **Machine Lockout Procedures:**

If you have to work on a piece of equipment, lock out all of the power sources. Follow these lockout rules:

1. Provide a safety lock for everyone working on a machine.
2. Issue only one key per safety lock, and make sure it is used only on machines and equipment. Do not use safety locks on tool boxes, lockers, carts or desks.
3. Make sure switches and valves do not operate after lock is in place. Do not work on machines that cannot be locked out.
4. Do not pull fuses or use a safety tag as a substitute for the use of a safety lock.
5. Each employee is responsible for the removal of the lock when the work is completed.

### **Guarding:**

Never operate machinery with guards removed.

All woodworking machinery such as table saws, swing saws, radial saws, band saws, jointers, tenoning machines, boring and mortising machines, shapers, planers, lathes, sanders, veneer cutters, and other miscellaneous woodworking machinery shall be effectively guarded to protect the operator and other employees from hazards inherent to their operation.

A power control device shall be provided on each machine to make it possible for the operator to cut off the power to the machine without leaving his position at the point of operation. Power controls and operating controls should be located within easy reach of the operator while at his/her regular work location, making it unnecessary for the operator to reach over the cutter to make adjustments. This does not apply to constant pressure controls used only for setup purposes.

Each operating treadle shall be protected against unexpected or accidental tripping. On applications where injury to the operator might result if motors were to restart after power failures, provisions shall be made to prevent machines from automatically restarting upon restoration of power.

All woodworking machinery shall comply with OSHA Regulation MACHINERY AND MACHINE GUARDING: OSHA Part 1910.213, Woodworking machinery requirements.

### **Floors:**

Shop floors will be kept in good repair. Sawdust, wood scraps or other objects which could cause personnel to slip or stumble, will not be allowed to collect on floors. Adequate working space will be provided.

### **Cutting Tools:**

All cutting tools will be kept sharp and in good condition at all times. All woodworking tools will be stored in a place provided for this purpose.

### **Machine Layout:**

Machines will be positioned in the shop to afford efficient and safe operation and provide ease of stock handling. Aisles throughout the shop will be plainly marked and kept free of material and debris.

### **Waste Removal:**

Chips or dust will never be removed from machinery by hand. Brushes will be used to safely clean woodworking machinery. Waste materials will immediately be cleaned up and disposed of after the operation is completed.

### **Exhaust Systems:**

Woodworking machines are required to be equipped with effective suction hoods, connected to an exhaust system designed to efficiently remove and prevent the accumulation of flammable wood dusts. Any sawdust collecting on rafters, beams, overhead pipes and machinery will be cleaned at regular intervals. Blowing materials down with compressed air is prohibited.

### **Lighting:**

Adequate illumination will be provided in the shop. Suitable fixtures will be provided for machine illumination at points of operation.

### **Compressed Air:**

Use of compressed air used for cleaning purposes shall not exceed 30 psi when the nozzle end is obstructed or dead-ended, and then only with effective chip guarding and personal protective equipment.

### **Saws:**

Before usage, all saw blades will be checked for cracks or defects. Cracked or defective blades will be replaced immediately. Before usage, check that all saw guards are in good working order, if not, immediately repair or replace. Be sure the saw blade is firmly tightened on the arbor.

The saw fence should be correctly adjusted at a right angle to the cutting head and securely fastened in place. If it is properly set, the stock will not bind. If not properly set, the stock is likely to bind and a kickback may result.

Do not push two or more pieces side-by-side through a planer, because one of them may be thrown back by the planer blades. When a saw binds in a cut, shut off your machine before trying to release the material.

Never use a rip saw for cutoff work and a crosscutting saw for ripping. Never cross feed a cutoff saw. Do not stop a saw by forcing a piece of wood against it. Cutter blades should be kept well sharpened,



evenly ground, balanced and properly and securely fastened at all times. Never use saw blades larger in diameter than is allowable.

Proper eye protection shall be worn at all times.

### **Pusher Sticks:**

Pusher sticks will be used when sawing short or narrow pieces of work. Guards will be securely in place when pusher sticks are used.

All employees shall be trained in Department/Division procedures before operating the following:

|                      |                        |
|----------------------|------------------------|
| Air Tools            | Portable Circular Saws |
| Band Saw             | Radial Arm Saw         |
| Belt Sanding Machine | Rip Saw                |
| Circular Saw         | Swing Cutoff Saws      |
| Circular Table Saw   | Table Saw              |
| Compressed Air       |                        |

All use of power tools shall comply with OSHA Regulations HAND AND PORTABLE POWER TOOL: OSHA Part 1910.215, Abrasive wheel machinery; Part 1910.242, Hand and portable powered tools and equipment, general; Part 1910.243, Guarding of portable powered tools; Part 1926.301, Hand tools; Part 1926.302, Power-operated hand tools; Part 1926.303, Abrasive wheels and tools; and Part 1926.304, Woodworking tools.

## **Section 18. Machine Shop Operations**

### **General:**

Report all defective equipment, machinery, parts or malfunctions immediately to your supervisor.

Only qualified and authorized personnel will operate machines.

Wear eye protection at all times where eye hazards exist. Before turning on a machine, make sure everyone is clear.

Do not leave a machine running unattended. Machines must be stopped and power turned off before changing chucks or loading heavy items into the chucks. Make sure the chuck is tight and the chuck key is removed before restarting the machine. Never brake or slow down a machine with your hands. Turn off the power and wait for it to stop.

Keep your machine clean. Remove chips with a brush or stick - not your hands. Floors shall be clean of oil, solvents and coolants and if there is an accidental spill, it must be cleaned immediately. Use approved cleaning material.

Do not wear neckties, loose or ragged clothing, long sleeves, gloves or jewelry near machinery. Hair must be groomed or confined to avoid becoming caught in moving machinery which may cause fatal or serious injury. Any employee with hair that exceeds shoulder length should have it tied back or kept confined under their hat while performing tasks involving moving machinery.

Personal Protective Equipment (PPE)

PPE, as required, shall be worn at all times when operating machinery.

### **Machine Lockout Procedures:**

If you have to work on a piece of equipment, lock out all of the power sources. Follow these lockout rules:

1. Provide a safety lock for everyone working on a machine.
2. Issue only one key per safety lock, and make sure it is used only on machines and equipment. Do not use safety locks on tool boxes, lockers, carts or desks.
3. Make sure switches and valves do not operate after lock is in place. Do not work on machines that cannot be locked out.
4. Do not pull fuses or use a safety tag as a substitute for the use of a safety lock.
5. Each employee is responsible for the removal of the lock when the work is completed.

### **Machinery, Fixed:**

Machines designed for a fixed location shall be securely anchored to prevent walking or moving, or designed in such a manner that they will not move in normal operation.

### **Machine Guarding:**

Never operate machinery with guards removed.

Portable, power-driven circular saws shall be equipped with guards above and below the base plate or shoe.

All guards and safety devices must be in place and properly adjusted before operating a machine.

1. Machine guarding shall be provided to protect employees in the machine area from hazards such as those created by point of operation, nip points, rotation parts, flying chips and sparks. The guard shall be such that it does not offer an accident hazard in itself.
2. The point-of-operation guarding device shall be so designed as to prevent the operator from having any part of their body in the danger zone during the operating cycle.
3. Special supplemental hand tools for placing and removing material shall permit handling of material without the operator placing a hand in the danger zone.
4. Some of the machines that usually require point-of-operation guarding are guillotine cutters, shears, alligator shears, power presses, milling machines, power saws, jointers, portable power tools, and forming rolls and calendars.
5. All machine guarding shall comply with OSHA Requirement MACHINERY AND MACHINE GUARDING: OSHA Part 1910.212, General requirements for all machines; and OSHA Part 1910.215, Abrasive wheel machinery.

All employees shall be trained in Department/Division procedures before operating the following:

Abrasive Grinding  
Drill Press  
Lathes

## **Section 19. Electrical Safety**

### **Electrical Wires and Extension Cords:**

Treat all electric wires as LIVE WIRES. Do not drag cords over sharp edges or run cables across aisles where trucks can damage them. Pull the plug instead of yanking the cord. Never remove a cord if it is in use. Electricity can jump across exposed prongs. Keep electric cables away from steam lines and hot water lines which carry insulation. Keep cords clean. Never allow an extension cord to lie in water, oil, grease or other solvent. Wipe clean before using. Excessive scraping, kinking and stretching will cause damage to power cables and cause premature failures and possible shock or burn. Worn, cracked or defective extension cords shall be discarded.

### **Lockout/Tagout:**

When making electrical repairs all employees will comply with OSHA Requirement LOCKOUT/TAGOUT - CONTROL OF HAZARDOUS ENERGY: OSHA Part 1910.147, The control of hazardous energy (lockout/tagout) plus appendix A; OSHA Part 1926.417, Lockout and tagging of circuits.

### **Electrical Equipment:**

Grounds provided on electrical apparatus shall not be disconnected or broken. Shock, no matter how slight, is a warning something is wrong. Tag the equipment and have it checked before reusing.

Never use a portable electrical tool unless you know it is in good condition. Portable electrical tools are required to be grounded at the case or frame, grounded by use of a three-wire conductor and plug and if not double-insulated. If an extension cord is to be used with the tool, it must also be of the three-wire grounded type.

Double-insulated portable electrical tools are internally grounded by incorporating insulation in case or frame when designed. The wire containing male plug will have two prongs in the place of three. Check the plate on the tool to ensure that it states that the tool is "double-insulated" and will not require prescribed ground wire and plug.

In wet locations wear rubber boots and gloves or stand on a good insulated mat or platform. Use only low voltage equipment in such locations, if possible.

Never use or try to repair unfamiliar power equipment.

### **Electrical Repairs:**

Only qualified and authorized electricians will install and maintain electrical facilities and power lines. Two qualified employees will work together when high voltage circuits or energized circuits of any voltage are involved. Exercise care in removing or replacing light or power fuses - use fuse pullers. Live wire work is defined as work on wires, switches, starters, panels, or other electrical equipment while the potential of 25 volts or more of electricity is present.

All electrical installations will be installed and maintained in accordance with provisions of the National Electrical Code, National Fire Protection Agency (NFPA).

Persons working around electrical circuits will not wear watches, rings, or other metallic objects which could act as conductors of electricity.

Personnel will treat low voltage systems with the same respect as high voltage circuits. Care will be taken to avoid contacting low voltage lines when working on poles, ladders or in other high places; the shock may be sufficient to cause the workers to lose footing and fall.

High-Voltage power lines as defined in Chapter 185S-4, Florida State Regulation, "Shall mean overhead electrical conductors carrying a voltage in excess of 400 volts between conductors, or from

any conduction to ground. No equipment will be operated, erected, installed or stored, or any part thereof, within close proximity (10 feet) of any high-voltage power lines, unless danger from accidental contact has been effectively guarded against by: de-energizing and grounding high-voltage lines; erection of mechanical barriers to prevent physical contact with high voltage conductors, or installing an insulated cage-type guard or protective device about the boom or arm of the equipment . . . All mechanical barriers and all insulated protective devices and links . . . shall be submitted to and approved by the Florida Department of Commerce, Industrial Safety Division."

### **Personal Protective Equipment (PPE):**

PPE, as required, will be worn at all times during electrical repairs. No live wire work will be performed unless necessary and with electrical gloves. When it is necessary to wear safety gloves, only those designed for electrical work will be used. Gloves will be inspected for cuts, punctures or signs of wear. All rubber goods used in electrical work will be given a voltage test annually, except that rubber gloves in active use will be tested every three months.

Report to your supervisor any leaking steam or water joints which are near any motors or other electrical apparatus. If you find sparking or smoking motors or other electrical equipment, turn off the power and report the condition at once.

All work on electrical energy and systems shall comply with OSHA Requirement CONTROL OF ELECTRICAL ENERGY AND SYSTEMS: OSHA Part 1910.303, General requirements; Part 1910.304, Wiring design and protection; Part 1910.305, Wiring methods, components, and equipment for general use; Part 1910.332, Training; Part 1910.333, Selection and use of work practices; and Part 1910.335, Safeguards for personnel protection.

## **Section 20. Painting, Paint, and Solvent Storage**

Clean up spilled paint, solvents, grease, oil or other materials at once. Watch where you are going, make sure you have a clear working space around you.

Use tools to loosen stuck windows. Don't attempt to do it by hand, unless you are standing on a firm support and can use both hands.

### **Paint Mixing:**

Paint mixing will be done outdoors whenever possible, or if done inside, it will be conducted in an adequately ventilated area. All sources of ignition shall be prohibited in all mixing areas, and electrical facilities used near paint preparation spaces will be of the approved explosion-proof type.

### **Storage - Flammable and Combustible Material:**

Refer to "Fire Prevention and Protection" and "Hazardous Materials" for proper storage, handling and fire protection of flammable and combustible material.

Do not soak paint brushes in open containers of solvent and place them in paint storage buildings or lockers. A suitable fire extinguisher shall be available immediately adjacent to any storage area.

### **Protective Clothing and Equipment:**

Painters preparing surfaces for painting shall wear eye protection to protect their eyes from chips and flying particles. Proper clothing should be worn to completely cover the body to avoid dermatitis to skin, weather and temperature permitting. Hands will be washed before eating. Respirators shall be worn when spray painting or working with paints which contain lead or toxic materials, when adequate ventilation cannot be provided, and the proper respirator shall be selected for the hazards present.

Gloves and eye protection will be worn when handling acids, lye or other cleaning materials that affect the skin.

Suitable special safety equipment shall be worn when painting towers, elevated structures and other high places.

### **Scaffolds:**

Report all defective equipment, machinery, parts or malfunctions immediately to your supervisor.

Use of a makeshift scaffold will be prohibited.

All scaffolds shall comply with OSHA Regulation WALKING AND WORKING SURFACES: OSHA Part 1910.28, Safety requirements for scaffolding; Part 1926.451, Scaffolding; and Part 1926.452, Guardrails, handrails and covers.

## **Section 21. Welding Safety**

### **Welding and Cutting Operations:**

Only qualified personnel, trained and familiar with safety practices, will be authorized to perform welding operations.

Flame-producing equipment is prohibited in the vehicle maintenance shop except where safety controls exist.

### **Personal Protective Equipment (PPE):**

PPE, as required, shall be worn at all times during welding or cutting operations.

Welders will wear necessary protection including long sleeve shirts and ankle length trousers. When arc welding, a welder must wear a welder's helmet, gloves and other protective equipment required on the job. A welder's helper must also wear eye protection and other equipment as required.

It is the welder's responsibility to obtain and work behind screens, especially when not working in an enclosed welding shop and when working outside, where property and other personnel are exposed to flying particles, flash burns to the eyes, fire and explosion hazards.

All welding or cutting operations shall comply with OSHA Regulation WELDING, CUTTING AND BRAZING: OSHA Part 1910.252, General requirements; Part 1910.253, Oxygen-fuel gas welding and cutting; Part 1926.350, Gas welding and cutting; Part 1926.352, Fire prevention; and Part 1926.353, Ventilation and protection in welding, cutting and heating.

### **Cylinders, Hoses and Regulators:**

Always secure cylinders in an upright position. The valve protection cap will not be removed until the cylinder is secured and about to be used. Always attach an oxygen pressure-reducing regulator before using oxygen from the cylinder.

Valve protection caps shall be in place and secure when compressed gas cylinders are transported, moved, or stored. Cylinder valves shall be closed when work is finished and when cylinders are empty or are moved.

Cylinders shall be kept far enough away from the actual welding or cutting operations so that sparks, hot slag, or flame will not reach them. When this is impractical, fire resistant shields shall be provided. Cylinders shall be placed where they cannot become part of an electrical circuit.

Oxygen and fuel gas regulators shall be in proper working order while in use.

When "cracking" the oxygen cylinder valve, stand at the side or rear of the cylinder outlet. Open the oxygen cylinder valve, slightly for an instant, then close it. This will clear the valve of dust or dirt - then open the valve - slightly at first - then all the way. It is important that the pressure-reducing regulator be tightly screwed or bolted to the oxygen cylinder. Always use a regulator wrench or "key." Test connections for leaks around the oxygen cylinder valve stem, oxygen regulator inlet connections at the cylinder valve, all hose connections, and blowpipe oxygen valves. Use nothing except soapy water for testing.

Do not use compressed air to blow out the talc in a new hose. It may contain oil, moisture or scale. Blow it out with oxygen.

Compressed gas cylinders shall be kept away from excessive heat, shall not be stored where they might be damaged or knocked over by passing or falling objects, and shall be stored at least 20 feet away from highly combustible materials.

Acetylene cylinders shall be stored and used in a vertical, valve-end-up position only.

Oxygen cylinders in storage shall be separated from fuel-gas cylinders or combustible materials (especially oil or grease) a minimum distance of 20 feet.

After shutting off a cylinder, make sure all pressure is released from both gauge diaphragms. Be sure gases are shut off before you put down a torch. Never completely empty cylinders. Leave five pounds of pressure to prevent contamination flow-back.

Do not expose cylinders to damage from heat or electrical arcs.

All work with compressed gasses shall comply with OSHA Regulation HAZARDOUS MATERIALS: OSHA Part 1910.101, Compressed gases (general requirements); Part 1910.102, Acetylene; and Part 1910.104, Oxygen.

### **Operational Hazards:**

When an electrode holder is not in use, it must be placed where neither the holder nor the electrode can cause an arc.

Use an igniter or pilot-light torches. Do not use matches. Do not light the torch with both valves open; it may cause a backfire.

Gasoline tanks and other containers of flammable or combustible liquids will be drained, flushed and steamed (if steam is available). If this is not practical (to use steam), fill completely with water before any welding is done. Be sure the container is vented. Sealed containers will not be welded under any circumstances.

Fumes and dust accumulating in the air during welding of cadmium plated metals is a major health hazard. Welding or cutting indoors or in confined spaces involving cadmium-bearing or cadmium-coated base metals shall be done using local exhaust ventilation or airline respirators.

Where exhaust ventilation is used, outlets to such systems shall be as far removed from the workplace as is practical. Respirators should be used by the welder for their protection against fumes

and dust if the ventilation provided is insufficient. Outdoor operations shall be done using respiratory protective equipment such as fume respirators approved by the U.S. Bureau of Mines.

If you are required to weld the following types of materials, contact your supervisor for further instructions.

|                    |                    |
|--------------------|--------------------|
| Fluorine compounds | Beryllium          |
| Cadmium            | Cleaning compounds |
| Zinc               | Lead               |
| Mercury            | Stainless steel    |

Do not attempt to repair a leaking cylinder. Remove it immediately.

## **Section 22. Construction and Fire Vehicle Operation**

### **General:**

Report all defective equipment, machinery, parts or functions immediately to your supervisor. Only properly trained and qualified personnel will be authorized to operate and maintain construction vehicles and equipment.

All mechanized equipment will be inspected prior to use and at frequent intervals to ensure that safe operating conditions are maintained. Mobile equipment operators shall conform to all laws and regulations governing motor vehicles when operating on state, county and city roads and highways.

When construction equipment proves hazardous to highway users, traffic will be controlled or warned by flagmen, signs, temporary barricades or other approved methods.

Operators will never leave their equipment unattended with the motors running.

Machinery left overnight will be parked in accordance with department regulations.

Protection will be provided on all construction equipment to guard operators against falling objects or swinging loads. No one will attempt to get off or on to moving equipment. Unauthorized personnel will not be permitted to ride on construction equipment at any time.

Equipment will not be oiled or greased when it is in operation, nor will it be fueled while the motor is running. Accumulations of dirt, grease and oily rags will not be permitted on any equipment.

Job conditions will determine safe operating speeds. Care will be taken when starting, turning, stopping and backing. Operators will be careful to avoid contacting high voltage electrical lines when working cranes, cherry pickers and like equipment.

Stationary equipment will be placed on firm foundations, located so weight and vibration will not cause the earth to cave in or create hazards to other facilities in the area.

Operators will wear eye protection when dust or other eye hazards are present. When deemed necessary because of dust, blowing sand, etc., respiratory protection will be provided and worn.

When an engine must be cranked by hand, the equipment must first be taken out of gear.

When construction equipment is to be towed, safety chains will be used in addition to regular towing hooks. If equipment is towed after dark, lights will be placed at the rear of the tow. Personnel shall not ride on the tow bars between equipment. When construction equipment is moved by trailer, care will be taken in loading and unloading to prevent machinery from tipping over; articles on the truck boxes or beds shall be secure from movement.

Clearance heights all along the proposed route of travel will be checked and operators will keep a close watch to avoid striking low hanging objects. When moving equipment on roads and highways, state, county and city laws will be observed. Overhanging portions of loaded equipment will be marked by warning flags or lights.

No one will be permitted to ride buckets, hooks or loads of shovels and cranes at any time.

Before moving tractors, dozers, etc., operators will walk all the way around their machines to make sure there are no obstructions and the way is clear. Operators will not allow passengers to ride on their tractors.

### **Operational Safety:**

All employees shall be trained in Department/Division procedures before operating the following:

|                |                           |
|----------------|---------------------------|
| Backhoe        | Rescue Trucks             |
| Bobcats        | Road Reclaimer            |
| Brush Chippers | Rollers                   |
| Dump Trucks    | Sewer Cleaners            |
| Excavators     | Street Sweeper            |
| Fire Trucks    | Trailers                  |
| Fork Lifts     | Tractors                  |
| Gradalls       | Tractors with attachments |
| Graders        | Tree Spades               |

## **Section 23. Water and Wastewater Distribution and Collection Systems**

### **General:**

Good housekeeping is a must for the health of water and wastewater workers. Floors, sidewalks, catwalks and stairways shall be kept clean and free from obstructions. Smoking will not be permitted and signs will be posted where explosive and/or flammable gases may be generated.

Immediately after work, and always before eating, wastewater personnel will wash their faces and hands thoroughly with soap and water. When persons come in direct contact with sewage or sludge, they will wash immediately. All cuts and scratches will be treated immediately. Should any contact be made with chlorine in the eyes or skin, the area shall be flushed immediately with running water and the immediate attention of a physician should be obtained.

### **Personal Protective Equipment (PPE) and Testing Devices:**

Protective clothing, equipment and devices such as breathing apparatus, respirators, safety belts, safety harnesses and testing devices for the detection of combustible gas, oxygen deficiency and hydrogen sulfide will be made available as needed. All sewers, pits and settling tanks shall be tested for explosive gases and oxygen deficiencies before workers are permitted to enter. When either of these hazards are found, forced ventilation will be provided and personnel shall wear appropriate breathing apparatus as directed by their Supervisors and department policies.

Workers entering deep sewers or manholes shall wear safety belts, safety harnesses and lifelines. One employee, or preferably two, will remain outside the sewer or manhole to tend the line and provide emergency assistance if needed. This employee will wear a safety belt or harness and have



rescue equipment immediately at hand in the event they must enter a sewer or manhole to effect the rescue.

Protective specialized clothing shall be worn when needed to avoid direct contact with sewage or sludge.

Wastewater and water plant workers will be trained in the use, and know the limitations, of all breathing apparatus provided for their protection. Only trained and qualified persons will use testing equipment. All breathing apparatus will be inspected regularly to ensure it is in proper working order. Defective apparatus will be immediately repaired or replaced without delay. A record of inspections will be kept on each piece of equipment, preferably in the form of a checklist located in the equipment container.

All work with respiratory protection shall comply with OSHA Regulation RESPIRATORY PROTECTION: OSHA Part 1910.134, Respiratory protection; Part 1926.55, Gases, vapors, fumes, dusts, and mists; and, Part 1926.103, Respiratory protection.

### **Operational Safety:**

Adequate ventilation will be provided in pump pits, digester areas and all other locations where hazardous gases may accumulate. Good lighting will be available for safe plant operations, particularly around pits, settling tanks and on stairways and fixed ladders.

Fences and railings will be installed to prevent plant personnel from falling into manholes, scum chambers and open tanks. All stairways will be equipped with safety rails. Toe boards will be placed on walkways where there is a danger of tools or equipment being accidentally kicked into tanks or pits and areas where other persons pass beneath.

Never work alone in sedimentation areas if no guard rails are provided and wear an anchored lifeline.

Never enter a manhole or sewer until a check is made to be sure there are no explosive or poisonous gases and that adequate oxygen is present. Barriers and warning signs shall be placed far enough from open manholes to give oncoming traffic sufficient warning of the hazards ahead.

When gasoline, oil or any other hazardous substance is detected in sewer or water systems, plant personnel shall immediately leave the danger area and notify their supervisor. When working near water, watch your footing carefully. Be sure you have a rope or life ring nearby. Avoid working alone in such areas; work in pairs, whenever possible.

Pumps and other equipment present electrical shock hazards because of wet conditions. Make sure all equipment in use is effectively grounded and kept in good repair. This also applies to portable electrical equipment and tools.

Cleaning solvents with a flash point below 140 degrees F. will not be used in sewage and water plants.

### **Chlorine Handling Procedure:**

Chlorine is extremely dangerous and can be harmful or fatal. Therefore, good working practices must be followed to minimize the dangers of accidental chlorine exposure. In addition to ventilation, respiratory protection equipment and other applicable requirements of the National Chlorine Institute, these requirements shall also apply:

No less than two employees, thoroughly trained and aware of chlorine's hazardous properties, shall be assigned to investigate and repair all leaks and to maintain equipment. One of the employees shall remain outside the space immediately available for assistance during the investigation/repair

operation and shall follow procedures outlined in "Protective Equipment and Testing Devices" of this Section.

A self-contained air-breathing unit, shall be worn at all times when it is necessary to locate or repair any leak in piping or when making repairs or adjustments on any leaking equipment. Safety belts, safety harnesses and lifelines shall also be worn into any chlorine area which is contaminated or may become contaminated because of the repair work or change of chlorine cylinders. Should any contact be made with chlorine in the eyes or skin, the area shall be flushed immediately with running water. The Chlorine Emergency Response Plan shall be followed in the event of a chlorine leak at the water treatment plants. All employees shall be trained on the Chlorine Emergency Response Plan. As outlined in Hazardous Communications - "Right to Know" of City of Pinellas Park OSHA/Florida Division of Safety Requirements #12.

All work with respiratory protection shall comply with OSHA Regulation RESPIRATORY PROTECTION: OSHA Part 1910.134, Respiratory protection; Part 1926.55, Gases, vapors, fumes, dusts, and mists; and Part 1926.103, Respiratory protection.

## **Section 24. Use and Handling of Pesticides**

### **General:**

When mixing, applying or handling pesticides, avoid contaminating your clothes with the materials, breathing the vapors and touching substances to your mouth, eyes or skin. During handling and using pesticides, wear protective clothing. If clothes become contaminated through splashes or spills, change clothing. Shower and change clothing as often as necessary to keep chemicals from seeping through the skin. Be completely familiar with the characteristics of the materials being used and read all pesticide container labels carefully, making sure you comply with the directions given.

Keep hose and pipe connections of pesticide applicators tight to prevent leaks and spills. Do not use pesticides near drinking water, food, open flames, or in the vicinity of equipment producing high temperatures. All waste materials soaked with pesticides will be discarded in covered metal containers, and all fire prevention practices will be observed at all times.

If a person accidentally swallows a toxic pesticide, administer the antidote recommended on the container label and immediately transport the victim to the hospital emergency facility. When a person accidentally spills any pesticides on their skin, remove all clothing and flood the contaminated area with water. Follow flooding with a thorough soap-and-water wash.

### **Storage and Mixing:**

All pesticide containers will be labeled and stored in a safe and orderly manner in a controlled area. Areas in which "ON HAND" supplies of toxic pesticides are stored and mixed will be completely enclosed and locked to prevent the materials from falling into the hands of unauthorized persons. Storage spaces will be located where the toxic contents will not contaminate food supplies, water or create a fire hazard.

Those containers labeled "POISON" shall be locked in approved storage areas.

Do not store pesticides near open flames or strong oxidizing materials. Never store or transport pesticides with food supplies. Storing and mixing facilities will be equipped with running water, soap and showers to enable personnel to quickly remove any spilled pesticides that come in contact with the skin.

### **Safe Practices:**

Employees should not work alone. Two employees shall be present at all times when injurious materials are applied. Cabs of vehicles and other mobile equipment shall be of such design as to enable employees to perform duties without harmful exposure, and provisions made to provide cooling and ventilation.

### **Personal Protective Clothing and Equipment (PPE):**

Protective respirators and breathing apparatus and clothing recommended by the manufacturer and approved by the department shall be used. All work with respiratory protection shall comply with OSHA Regulation RESPIRATORY PROTECTION: OSHA Part 1910.134, Respiratory protection; Part 1926.55, Gases, vapors, fumes, dusts, and mists; and Part 1926.103, Respiratory protection.

All work with pesticides shall comply with OSHA Regulations HAZARDOUS SUBSTANCES: OSHA Part 1910.1200, Hazardous communications; Florida Statutes, Chapter 442, Rule Chapter 30I-41, Toxic Substances in the Workplace; and Florida Statutes, Chapter 487, Pesticides "Florida Pesticide Law."

## **Section 25. Motor Vehicle Operation**

### **General:**

Any and all accidents involving City vehicles will be investigated by the City Police Department.

When a vehicle breaks down, the operator shall immediately notify his supervisor. All defective equipment shall be immediately repaired or replaced.

As a driver of any City vehicle you are solely responsible for operating it in a safe manner and are charged with complying with all state, county and local city driving rules and regulations.

Employees, when driving City vehicles, shall comply with all safety rules as specified by Florida Statutes, Chapter 316, State Uniform Traffic Control.

Employees who operate motorcycles, scooters, ATVs. etc. on City business, shall wear DOT certified headgear at all times.

### **Safety Belts:**

Employees using City vehicles will comply with State law relative to the use of seat belts.

1. Any employee driving a City of Pinellas Park vehicle will use a seat belt.
2. All passengers riding in the front seat of a City vehicle are required to use a seat belt.
3. The driver is responsible for making sure all seat belts are in use prior to the vehicle leaving the parking space.
4. **Fleet** Maintenance Division mechanics will check seat belts each time a vehicle comes into the garage for a problem; however, any difficulty with a seat belt shall be reported immediately in order that it may be corrected at once. No vehicle is to be driven unless the seat belts are in good working condition.

### **Vehicle Inspection by Operators:**

All vehicles shall be inspected by the operator prior to its use to assure all parts, equipment, and accessories are in safe and proper operating condition and free of any apparent damage or defect.

#### 1. Daily System Check

- a. Service brakes, including trailer brake connections, if necessary, test brakes after driving through water or puddles or driving during heavy rain;
- b. Parking system (hand brake);
- c. Emergency stopping system (brakes);
- d. Check coupling devices;
- e. Seat belts;
- f. Operating controls (oil pressure gauges, etc.);
- g. Safety devices including horn, tires, steering mechanism, and windshield wipers;

#### 2. Daily Visual Inspection

- a. Does your vehicle sit level?
- b. Are there any fresh oil spots underneath?
- c. Is there any broken glass?
- d. Are there wet spots where water has been leaking?
- e. Look for any change in the appearance in the vehicle since you last saw it.

#### 3. Weekly Check

- a. Check oil in engine crankcase and fill as necessary;
- b. Check water in radiator and fill as necessary;
- c. Raise hood or cab if necessary to check all belts for slippage or excessive wear, or both;
- d. Lower and secure hood or cab.

#### 4. General Check

- a. These requirements apply to equipment such as lights, reflectors, defrosters, fire extinguishers, tire jack, etc.; where such equipment is necessary;
- b. Drivers will also wipe off windshields, side and back glass, lights and reflectors when conditions warrant;
- c. No vehicle or equipment shall be put into service until any defect or safety violation likely to cause an accident or breakdown has been corrected.
- d. No vehicle shall be operated until all loose equipment or material is properly tied down or stored in a closed area such as a trunk.

### **Safe Driving Practices:**

Concentrate on driving. A good driver dismisses their worries or anger when they enter the vehicle. Never press for the right-of-way. Always limit your vehicle speed so that there is a clear space and time for any emergency stop. Slow down in dense traffic or thickly settled areas. Adjust speed for poor visibility and weather conditions. Slow down at intersections or curves. Use appropriate signals well in advance of any action. Signal early and slow down gradually.

The use of narcotics and habit-forming drugs is strictly forbidden. If prescribed medication is to be used, it must be authorized by a medical doctor; and if any medications might impair your ability in any way, you will not drive, and must notify your supervisor immediately.

Driving while under the influence of drugs or alcoholic beverages shall be grounds for disciplinary action, including dismissal.

### **Parking:**

Vehicles should be parked off the traveled way where they will not interfere with the normal flow of traffic and will not obstruct the view of other drivers.

Municipal vehicles are not to park in "*NO PARKING*" zones except in emergency situations or in required performance of official duties. At those times a vehicle is parked in a "*NO PARKING*" zone, emergency blinkers will be turned on.

No municipal vehicle is to be left unattended with ignition key left in the ignition. All municipal vehicles should be locked when not in use. When parking, remove the ignition key, put the transmission in park or the lowest gear, set the parking brake firmly, and turn the front wheels toward the curb.

### **Backing:**

Many vehicle accidents occur when backing out of parking areas. Never back unless necessary. Plan ahead to avoid backing.

Truck drivers and drivers of other types of heavy equipment that makes backing difficult due to size and design will always check the rear and sides of their vehicles by walking around the vehicle and observing if proper clearance is sufficient to back safely. If you are in the cab and cannot ensure that you have proper clearance, dismount from the cab and physically check the rear and sides of the vehicle. If you have a passenger, have him direct you. Never back a vehicle unless you have assured that you are clear to do so.

Back as careful as possible - *slowly*.

Back to the left whenever possible, and always back away from traffic.

When parking parallel, leave sufficient space to leave without backing.

### **Drive Defensively:**

Keep alert at railroad crossings. Make sure you have a clear view of the tracks. When driving in City traffic be alert for mistakes or unexpected actions of others. Drive more slowly and keep alert for pedestrian and cross traffic. Drive at speeds which permit stopping within the visibility range of your headlights. Keep headlight beams depressed to reduce reflected glares caused by fog, rain or wet pavement. Always consider proper loading and proper load distribution as factors in safe driving. Courtesy while driving is a great contribution in the elimination of accidents.

### **Motor Vehicle Crash Review Panel:**

All motor vehicle crashes which involve City vehicles or City employees while driving personal motor vehicles on City business are subject to review by a Citywide Crash Review Panel. This panel is composed of City employees who are subject area experts from various departments. The emphasis of this panel is to determine the root cause of vehicle crashes, to provide for a fair hearing of the facts surrounding the crash and to identify and report any training, work practice or equipment deficiencies which could contribute to future crashes. The panel investigates and reviews City motor vehicle crashes and submits a recommendation to the appropriate City Administrator regarding whether a crash was preventable or non-preventable. Complete details of the Crash Review Panel policy are set forth in City Administrative Regulations.

## **Section 26. Motor Vehicle Maintenance Shops**

### **General:**

Report all unsafe conditions immediately to your supervisor.

Keep repair shops adequately ventilated to protect against exposure to hazardous concentrations of carbon monoxide gas; move any equipment with engine running to the outside or attach a hose leading to the outside to the exhaust pipe. Always work with adequate illumination at work benches, lubrication pits and other shop work areas.

Maintain working areas free of trash scraps and other tripping hazards. Set aside time for a shop cleanup prior to the end of each work day.

Personnel will avoid wearing extremely greasy, oily or dirty clothing. Do not wear rings or other jewelry when working on motor vehicles, servicing batteries, operating rotating machine shop equipment or when working on or around electrical equipment.

To reduce fire and slipping hazards, do not allow floors to become saturated with oil or other flammable materials. Use absorbent material and clean up spills immediately. All floors shall be kept clean at all times of all dust, dirt, grease or other debris. Floors shall be clean of oil, solvents and coolants. All such spillage must be cleaned immediately. Use approved cleaning materials. Never use gasoline or any other hazardous materials for this purpose.

No smoking is permitted in the maintenance shop.

### **Safety in Maintenance Activities:**

Only persons properly trained in the operation of shop machines will be authorized to use them.

Air compressor storage tanks will be drained at least once a day, by opening the drain valve and allowing water and water vapor to escape. Air nozzles should be a maximum of 30 psi. Compressed air is not to be used to clean hands, face or clothing. If cleaning machine parts with compressed air, proper eye protection must be worn. All belts, pulleys, gears, chain, sprockets, or any moving parts on air compressors will be completely enclosed with a guard.

Do not drain gasoline, oil or other liquids and materials in areas where they are likely to go into storm sewers and sewage systems. Drain into drums or buckets for proper disposal.

Compressed air shall not be used for blowing dirt from hands, face or clothing. Be sure the nozzle is designed for maximum 30 psi when used for cleaning and eye protection shall always be worn when using air equipment.

All compressed gas cylinders will be racked and secured in carts or to walls or posts to prevent being accidentally knocked over. Valve protection caps shall be installed on all cylinders not in use. This

requirement also applies to cylinders transported in vehicles. All shop hand tools will be inspected daily for defects. Tools found defective will be immediately repaired or replaced.

Alligator type hoods on some vehicles can cause injuries when they are dropped while the mechanic is working on some part of the vehicle. Provide supplementary blocking as necessary.

Wear eye protection when working under vehicles, when pounding is done by you or another person on some part of the vehicle. This will prevent dust, dirt and rust from causing an eye injury.

When a vehicle is jacked up or hung up on chain hoists, and when a mechanic is making repairs underneath, it will be blocked with pyramid jacks, trestles or substantial wood blocking. No one will be permitted to work inside a vehicle that is blocked up when another person is working under the vehicle, unless necessary.

Mechanics working under vehicles will ensure that their legs do not protrude in aisles exposing themselves to injury or creating a tripping hazard, unless necessary.

### **Tire Repair:**

Avoid strains and hernia when handling heavy tires by getting help, or placing tires on dollies or using lifting equipment. Do not use extension handles or pipe (cheaters) on wrenches for removing lug nuts. Use air operated wrenches whenever available. Always use a safety cage when inflating tires equipped with lock rings. When inflating the tire, turn your face away from it. Never hold the tire between your legs at any time. Always stand to one side when applying the air.

### **Elevating Type Lifts:**

Elevating lifts should be provided with a "safety leg." Tripping this leg to lower the lift will be done by a procedure which will not permit a worker to get under the lift. All lifts will be provided with stop checks. Rocking of lifts during lubrication jobs will not be permitted.

No one is permitted to be in a vehicle when it is being lifted.

Daily inspections will be made of lifts and their hydraulic cylinders and lines, to ensure they are in safe operating condition.

### **Above Ground Maintenance Racks:**

Above ground racks used for maintenance and lubrication work will be provided guard rails and steps or stairs, wherever possible.

The rack and areas below will be cleaned of grease, oil and other slippery materials when in use. Gasoline or other flammable solvents will never be used for cleaning maintenance racks. Use approved cleaning materials. If caustics are used, suitable protection will be worn.

Sufficient lighting will be provided for workers. Portable or permanent lighting will incorporate guards for protection. If lights are to be used or installed where explosive vapors are likely to be present, they shall be of the explosive-proof type.

### **Hoisting and Lifting Equipment:**

Never overload hand operated or electric hoists. The rated load will legibly and permanently be marked in prominent location on all hoist and lifting equipment including jacks. (Jacks supplied with vehicles are excluded). Rated load limits will not be exceeded. Standard hand signals shall be used if there is an operator and a helper.

### **Specialized Shop Work:**

Welding, painting and undercoating will be conducted in separate, isolated shops designed for this purpose. Only trained and authorized personnel will operate specialized testing machines and equipment. Eye protection shall be worn by maintenance personnel using permanently mounted, or portable, grinding and cutting tools that produce flying chips or dust.

When using an air operated tool, be sure it is of the size and type suited for the job. Pay attention to your footing to prevent slipping. Ensure that the tool is secured in a manner which will prevent it from falling if working above someone.

When installing a cable, use a bar, not your hands, to guide it.

Do not depend on hydraulic systems to support components of heavy equipment being repaired.

**Do not** block or tieback heavy parts.

Be sure that all guards have been replaced before operation of any equipment which has been repaired or adjusted.

Proper protective equipment shall be worn when boiling out radiators.

All electric machines, motors, portable electric tools and equipment will be properly grounded.

Before using a portable drill on thin sheet stock, be sure that no one is on the other side of area being drilled. Use a wood block whenever necessary.

Do not use an extension drill when a shorter drill will do.

Always use a key to tighten or loosen the chuck if you are using a key type chuck. When tightening a hand drill chuck with a key, keep your hands away from the trigger switch to avoid accidental actuation of the drill motor.

It will be the responsibility of mechanics to check their personal tools to ensure that they are in good condition at all times. Defective tools will be repaired or replaced immediately. Special care will be given portable electric tools to be sure they incorporate proper grounding requirements and that cords and plugs are in safe condition.

### **Storage - Flammable and Combustible Material:**

Refer to "Storage of Materials" and "Fire Prevention and Protection" for proper storage, handling and fire protection of flammable and combustible material.

### **Operational Safety:**

All employees shall be trained in Department/Division procedures before operating the following:

- A/C Recovery Machine
- Fork Lift
- Vehicle Lift

All construction/motor vehicles shall comply with OSHA Requirement CONSTRUCTION/MOTOR VEHICLES: OSHA Part 1926.441, Batteries and battery charging; Part 1926.600, Equipment; and, Part 1926.601, Motor vehicles.



## **Section 27. Fire Prevention and Protection**

### **General:**

The prevention and protection against hazards of fire are a very important part of the City safety program. Fires must be detected, stopped from spreading and extinguished within minutes after they start. Fire extinguishers and other fire equipment are available in all work areas and vehicles. Learn the location of fire extinguishers and fire equipment and know how to use them.

All employees are required to attend Fire Safety Training classes conducted by the City's Fire Department.

No fire extinguisher, fire hose or other emergency equipment is to be removed or used for any purpose except for its intended use.

In the event of fire, the person discovering the fire will first call the Fire Department, by dialing 911, then inform all persons in the vicinity of the fire and ask for assistance. When calling Emergency 911, be sure to give the location of the fire or emergency, including what City you are calling from. You should fight a fire only if you have had training in the use of the extinguisher and are confident that you can operate it effectively.

### **Fire Prevention Requirements and Controls:**

Do not block fire extinguishers, fire hoses, fire alarm boxes, fire detection installations, sprinkler valves or sprinkler heads, fire escapes or fire exits. Do not hang clothing or place materials on fire extinguishers or other fire equipment. Report all missing, damaged or inoperative fire extinguishers and those that have been used, to your supervisor, immediately.

Always obey smoking, **tobacco, and nicotine** regulations.

At no time should candles be allowed to burn in the workplace.

Dispose of all flammable wastes as quickly as possible. Flammable scrap, wiping rags or rubbish should be placed in airtight metal containers. Excelsior, paper and all other packing material must be kept in fireproof containers and emptied at least once a day.

Gasoline, kerosene, oil or other flammable liquids will never be poured into drains or sewers. They will be collected in containers identified for that purpose until proper disposal can be made.

Know the location of the fire exits you should use in an emergency and the route you should take to reach them.

Change your clothes right away if they get soaked with oil, gasoline, kerosene, naphtha or other flammable liquids.

### **Storage:**

Buildings' mechanical rooms containing air conditioning, heating, electrical and elevator machinery and equipment shall not be used as storage areas.

Space in enclosed fire escapes and under stairways will not be used to store materials. Fire exits and open fire escapes will not be blocked by stored materials. Boxes, discarded lumber and other combustible rubbish will be removed from buildings and areas adjacent to buildings.

Drums and other containers of gasoline, oil, solvents, thinners, oil-based paint and varnish will not be stored in locations where they could be ignited by sparks, flames or other sources of ignition and

shall not exceed amounts allowable in any one fire-safe area. Storage of unmarked or improperly marked containers is strictly prohibited.

Metal containers with lids will be used for storage of clean rags and waste materials. Combustible trash and materials will not be intermingled with rags and cloths saturated with flammable liquids.

Only one day supply of flammable liquids or paints will be kept in processing rooms and paint spray rooms.

Safety cans will be used for handling and transporting small quantities of flammable and combustible liquids.

In no case will materials be piled, stacked or placed to block access to emergency equipment and exits.

At no time will flammable, combustible or hazardous materials be stored in open containers.

Drums used for dispensing flammable or combustible liquids shall be equipped with an approved pump, which is the preferable method or the drums may be equipped with self-closing valves and will be stored in a fire safe area, an approved storage cabinet or storage room. Drip pans will be provided to catch spills. These drums shall incorporate a means for grounding against static electricity.

### **Source of Ignition:**

Shops, warehouses and offices that produce combustible refuse such as paper, wood and metal shavings, will be kept clean so that accumulation of waste materials will not create a fire hazard.

### **Gasoline heaters and stoves will not be used in any building.**

The use of blow torches, soldering iron heaters, welding torches or other equipment having open flames will be carefully restricted to isolated places where there is a good circulation of air and where no vapors of gasoline or other flammable liquids can collect.

Gasoline and gas torches will be stored in special places designated for that purpose.

No welding torches or welding devices will be used where flying sparks or molten metal can come in contact with combustible materials. This also applies to use of cutting torches.

Sufficient natural or mechanical ventilation will be provided in all areas where flammable or explosive materials, fuels, vapors or gases present fire hazards.

Open flames, open element heaters, static generating devices (not properly grounded) and non-vapor-proof or non-explosion-proof electrical equipment will not be allowed in the vicinity where high volatile liquid vapors and fumes are present or likely to exist.

Hot plates, coffee pots, oven and cooking or portable heating devices will be of the approved (Underwriters Laboratory) types. These devices will be inspected to ensure the cords and plugs are not defective.

Rayon, nylon, silk, wool and certain plastics used in clothing will generate static electricity (sparks). Persons handling flammable and combustible liquids and gases should wear non-static producing clothing, such as cotton, to avoid fire hazards.

Fuels, solvents or other volatile liquids will not be used to clean clothing or used as cigarette lighter fluid. Open solvent or gasoline containers will not be placed near electrical equipment or sources of ignition.

Empty flammable liquid containers will be cleaned and purged before being stored. Store these containers away from buildings.

Do not hang decorations around exits, windows, lights, doors or near any heat-producing appliances such as lamps or heaters. Be sure that decorations are fire-retardant and approved.

Tampering with electrical wiring is prohibited. Defective wires, switches, drop cords, extension cords, etc. will be reported immediately to your supervisor who will arrange for qualified people to repair it.

All equipment used near flammable or explosive materials and substances will be approved explosion-proof type, installed in compliance with the National Electrical Code.

Only proper size fuses will be used on electrical circuits and fuses will never be bypassed by "jumper wires" or other devices.

Rest rooms will be kept free of combustible materials and will not be used for storage. Containers will be provided for paper and trash disposal.

### **Kitchens and Cooking Equipment:**

All cooking equipment and appliances will be kept free of grease accumulation. Portable ovens, waffle irons, electric frying pans, etc. will never be left unattended while in use, and will be kept clean. Appliances with defective cords and plugs will not be used. Oils and greases will never be left unattended on stoves. Keep paper napkins, paper towels and other combustibles away from the top of stoves, appliances and griddles. Kitchen hoods and grease filters will be cleaned on a regular schedule. All exhaust fans will be kept free of lint, dust and grease and will be cleaned as often as necessary.

A fire extinguisher of the proper type (40BC) for kitchen fires will be installed in the cooking area. Under no circumstances will the fire extinguishers be blocked.

Never use water on grease fires. Use the fire extinguisher which will serve to smother the fire.

### **Classes of Fires and Types of Fire Extinguishers Used:**

All fire extinguishers shall bear a tag showing the date that the extinguisher was last inspected and filled. Fires are grouped into four general classes as follows:

- Class "A" - wood, paper and textiles
- Class "B" - flammable/combustible liquids, grease, oil, etc.
- Class "C" - electrical equipment

This classification system makes it possible to determine what type of fire extinguisher is suited for fighting a particular kind or class of fire.

The A:B:C dry chemical type fire extinguishers can be used on all A:B:C classes of fires with safety. This fire extinguisher is distributed in most City buildings, facilities and areas for use.

### **Flammable and Combustible Liquids:**

Flammable liquids do not burn; it is their vapor given off during evaporation that ignites and burns when combined with air. When handling and using flammable and combustible liquids extra care should be used to prevent fires and explosions. To prevent evaporation of flammable liquids, with resultant vapors, keep them in closed containers. When such liquids are handled or stored, they are usually exposed to air at some point of operation, such as filling containers and mixing or transferring

liquids from one container to another. At this time vapors are released creating fire and explosion hazards.

Remove all sources of ignition and provide adequate ventilation. Rigid measures will be taken to exclude all sources of ignition from the vicinity of flammable and combustible liquids and their vapors. All spark and flame producing devices will be prohibited. Smoking or the introduction of flame within 50 feet of any flammable liquid is forbidden.

Most flammable and combustible liquids emit vapors heavier than air which settle in depressions, pits and on floors. Effective floor level ventilation may be necessary to remove these vapors. Adequate ventilation will always be provided in areas where flammable liquids are used, handled or stored. Ventilator fan blades used will be made of non-sparking material and all ventilating equipment will be approved explosion-proof type. Ducting systems will be bonded and grounded to prevent generation of static electricity.

Where required, storage tanks and other flammable liquid containers will be equipped with vents for discharging excess pressures that may build up. Vent pipes on storage tanks will be at least 12 feet above ground and located only where discharged vapors will be safely dissipated. Every precaution will be taken to avoid the use of leaky or ruptured containers in processing rooms, shops and indoors. Metal storage cabinets or equal protection will be used and shall be of the approved type.

### **Flammable Gases:**

Flammable gases are similar to flammable liquids in many respects. Under pressure or decreased temperature, flammable gases become liquids. Flammable liquids become gases if their temperatures are raised or their pressure decreased. In general, flammable gases have physical characteristics similar to the vapors of flammable liquids; they are in a form, at normal temperatures, which will permit them to mix freely with air. Explosive limits and temperature ranges give indications of the flammability.

Some of the most commonly used flammable gases are hydrogen, hydrogen sulfide, acetylene, ethane and propane. Acetylene is a flammable gas dissolved under pressure in acetone to make handling safer and is most commonly used in welding operations. Hydrogen and many other gases remain in a gaseous state under normal pressure in cylinders. Ethane and similar petroleum gases become liquids under moderate pressure and are stored in containers in this form. Oxygen is not flammable, but is necessary for combustion.

Most gases have a characteristic odor. Beware of any unusual odors around gas cylinders, in most cases there is a leaking container. Report immediately any leaking containers. Be sure all sources of ignition are kept away.

The first principle of controlling flammable gases is to prevent their escape from containers, because they can form explosive or flammable gas-air mixtures. Storage cylinders are used for holding compressed gases. Each cylinder is fitted with a valve that is equipped with a safety cap. The cap contains a fusible safety plug that releases or blows out when extreme pressure builds up or temperatures reach a danger point.

Warning signals will be posted in areas where flammable gas cylinders are stored. No spark or flame-producing equipment will be used in areas where flammable gases are stored.

Flammable gas cylinders will be handled carefully at all times to minimize dangers of fire or explosion. Careless handling will damage cylinders and valves, and may cause the container to fall and cause dangerous gas leaks.

Gas cylinders will not be used for any purpose other than for containing compressed gas. Gas cylinders will be moved by hand trucks when possible. Cylinder valves will be closed and valve

protection caps in place. Under no circumstances will cylinder valves be used for lifting purposes. The name of the gas for which the valve is intended will be stamped on the valve body. Cylinder valves will be opened by hand, unless the container is equipped with a wrench key. Jammed valves will not be freed by forcing or hammering. Do not "crack" valves in locations where a source of possible ignition exists.

Only qualified persons will be authorized to make repairs to gas cylinders and their components.

Extreme care will be taken to prevent fires or explosions when storing flammable gas cylinders. Acetylene cylinders will never be stored in a horizontal position. All cylinders will be secured by at least one chain. Cylinders will not be stored where cylinder temperatures are subject to rise above 125 degrees F. Neither will they be stored in areas where they will be subject to accidental damage, corrosive chemicals nor similar damaging materials. Cylinders in open storage will be protected from weather. Do not store cylinders near electrical conductors, conduit or other sources of electricity. Empty cylinders will be plainly marked with a sign "Empty Cylinder" and stored in locations separate and apart from full containers. Cylinders of different kinds of gas will not be stored together. Nonflammable gases will be stored in locations separate from flammable gases. Proper and sufficient ventilation will be assured for indoor storage of cylinders to prevent accumulation of flammable gases if leaks occur.

When handling hazardous materials use protective clothing and goggles. Do not remove a wet leaking container.

Only approved containers and portable tanks shall be used for storing and handling flammable and combustible liquids.

No more than 25 gallons (94.75 liters) of flammable or combustible liquids shall be stored in a room outside of an approved storage cabinet. No more than three storage cabinets may be located in a single storage area.

Inside storage rooms for flammable and combustible liquids shall be of fire-resistive construction and have self-closing fire doors at all openings.

Flammable liquids shall be kept in closed containers when not actually in use.

Conspicuous and legible signs prohibiting smoking shall be posted in service and refueling areas.

All work with compressed gasses shall comply with OSHA Regulation HAZARDOUS MATERIALS: OSHA Part 1910.101, Compressed gases (general requirements); Part 1910.102, Acetylene; Part 1910.104, Oxygen; Part 1910.106, Flammable and combustible liquids; Part 1910.110, Storage and handling of liquefied petroleum; and Part 1926.152, Flammable and combustible liquids.

### **Flammable and Explosive Material--Handling Chemicals:**

All flammable and explosives will be moved only in properly marked and approved containers. Never transport flammable liquids in open containers. No food or drink shall be allowed in an area where potentially toxic substances are stored, mixed or otherwise handled. Wear protective goggles and clothing when contact may occur with chemicals.

All chemicals or other injurious materials must be stored in proper, approved containers. Antidotes and first aid treatment methods shall be attached to the container or otherwise readily available to all workers.

## **Section 28. Hazardous Materials**

### **Hazardous Communications "Right-to-Know":**

As discussed in "Right-to-Know" training, the City works to protect employees and the public against the dangers of hazardous materials. Although necessary precautions are taken to avoid an accident involving hazardous materials, there may be an occasion where these materials are spilled, or are leaking from their containers. The following procedures are to be followed for all hazardous material emergency spills or leaks:

1. *IMMEDIATELY CALL EMERGENCY 911* and describe the emergency and location. The Pinellas Park Fire Department maintains trained personnel to respond to these emergencies.
2. Isolate any persons exposed to the hazardous substance until they can be checked by the response team.
3. Immediately evacuate the hazardous area.
4. Contact Risk Management and describe the emergency and location. It is the responsibility of Risk Management to notify the local and State Emergency Response Agency as required by Federal Superfund Amendments (SARA, Title III) and Florida Statutes, Chapter 252.

### **Hazardous Material Disposal:**

There are Environmental Protection Agency regulations concerning disposal of obsolete hazardous material. Contact your Department Administrator and Risk Management before disposing of any hazardous material.

### **Emergency Response Plan:**

All work with hazardous substances shall comply with OSHA Requirement HAZARDOUS SUBSTANCES: OSHA Part 1910.1200, Hazardous communications; and Part 1926.59, Hazard communication.

The Chlorine Emergency Response Plan shall be followed in the event of a chlorine leak at the water treatment plants. All employees working with Chlorine shall be trained on the Chlorine Emergency Response Plan. As outlined in Hazardous Communications - "Right to Know" of City of Pinellas Park OSHA/Florida Division of Safety Requirements #12.

## **Section 29. Police/Fire Operation Safety**

### **General:**

Many of the duties of Police and Fire employees are hazardous to themselves as well as the public. These rules and regulations do not address all safety procedures and operations of the Police and Fire Departments. The Police and Fire Departments will adhere to all general City safety procedures outlined in this Section.

### **Police Department Safety:**

1. The Police Department Directives Manual is adopted by the Department and utilized by all employees. The manual outlines numerous procedural guidelines designed to increase City effectiveness, efficiency, and safety in the delivery of law enforcement services.
2. The departmental directives are designed to (1) increase law enforcement capabilities to prevent and control crime; (2) increase cooperation and coordination with other law enforcement services; and (3) increase citizen and employee confidence in goals, objectives, policies, and practices of the agency.

Compliance with these directives will promote the safety of the officers and citizens of the community.

If there is a conflict with safety practices outlined in the Safety Rules and Regulations and departmental directives manual, the department directives take precedent. Any conflict should be directed to Risk Management.

### **Fire Department Safety:**

1. The Pinellas Park Fire Department is a member of the National Fire Protection Association, and as such complies with all the codes and standards published by that organization for the safety of fire personnel. The most significant of these standards are the following:
  - a. NFPA 1403, Fire Service Training. This standard prescribes the proper procedures for training firefighters in such areas as material identification, water supplies, exposure times, apparatus staging, and spectator safety.
  - b. NFPA 1500, Safety and Health Programs. This code delineates the minimum standards for basic training and educational requirements for structural firefighting, as well as operations of vehicles and fire apparatus, emergency operations, and facility safety standards.
  - c. NFPA 1901, Automotive Fire Apparatus. This code imposes specific construction standards on fire equipment and apparatus. It dictates minimum structural requirements on such things as electrical systems and devices, hose compartments, operating controls, water tanks and pumps, and aerial ladders and platforms. It also establishes acceptance testing and grading procedures for new equipment.
  - d. NFPA 1971, Protective Clothing For Structural Fire Fighting. This standard creates similar qualifications for protective clothing and equipment. It also defines requirements for textiles to include moisture and thermal protection barriers, retro reflectivity, collar lining, and acceptance testing procedures.
2. In addition to compliance with NFPA standards, The Emergency Medical Services rendered to the community are conducted in compliance with the provisions of the Pinellas County Medical Operations Manual, and specific local safety procedures are incorporated into the Pinellas Park Fire Department Standard Operating Procedures 300 and 600 series.

If there is a conflict with safety practices outlined in the Safety Rules and Regulations and departmental directives manual, the department directives take precedent. Any conflict should be directed to Risk Management.

### **Operational Safety:**

All Police and Fire employees shall be trained in appropriate OSHA, Division of Safety Requirements.

