

LAKE COUNTY
BOARD OF COUNTY COMMISSIONERS
POLICIES AND PRACTICES EMPLOYEE MANUAL



LAKE COUNTY

FLORIDA

SEPTEMBER 7, 1999

Updated Sections

The following sections in the Policies and Practices Employee Manual have been cancelled.

Section 5 - Workplace Violence (Replaced with LCC-74)

Section 6 - Drug Free Workplace (Replaced with LCC-28)

Section 20 - Sick Leave Bank Program (Replaced with LCC-75)

Section 24 - On-The-Job Injury Treatment/reports (Replace with LCC-71)

Section 25 - On-The-Job Injury Workers' Compensation/Pay (Replace with LCC-71)

The new Polices and Procedures can be found on the Lake County Interne/Intranet.

<http://www.lakegovernment.com/>

<http://bccnet.co.lake.fl.us/>

Wording change for the Lake County Policy and Practices Employee Manual

Effective October 26, 1999

Section 29/Corrective Action

Add to Number 8-PRE-DETERMINATION CONFERENCE

If an employee decides to appeal the decision, the employee should proceed to Step 2 of the Grievance Procedure.

Section 30/Grievance Procedure Revise text to step 1 as follows:

This is the initial step for an employee who has not had a Pre-Determination Conference (PDC), who feels there is (are) a valid reason(s) for complaint. If a PDC was held, proceed to step 2. If no PDC was held, the employee may request, within 30 days of occurrence, a conference with their Supervisor and Department Director. The Department Director shall make every effort to resolve the complaint at this point by encouraging open communication and understanding. The employee will be given a written report detailing the discussion with their Department Director regarding the efforts to resolve the complaint (s) stating the issues that have been resolved and any remaining unresolved issues. If the employee is dissatisfied, the process continues to Step 2.

Section 35/Educational Assistance

Revise Number 2, Paragraph 2

The Human Resources Department will review the application for employee eligibility and availability of funds, and approve/disapprove the application. Please keep these changes with your copy of the manual at all times. If you have any questions regarding this addendum, please contact the Human Resources Office at X 9694.

Wording change for the Lake County Policy and Practices Employee Manual

Effective October 1, 2000

Section 19/Sick Leave, Number 5

Upon separation from employment, management or regular part or full time employees will have their Post Employment Health Plan (PEHP) account paid for one-fourth of any accrued sick leave, if PEHP eligibility requirements have been met. However, no more than 480 hours will be paid for this purpose. If an employee dies, payment for one-fourth of any accrued and unused sick leave will be made to the employee's PEHP account up to the maximum allowable (480 hours).

Upon separation from employment, after completing ten years of service, management or regular part or full time employees will have their PEHP account paid for one-half of any accrued sick leave, if PEHP eligibility requirements have been met. However, no more than 960 hours will be paid for this purpose. If an employee dies after completing 10 years of service, pay for one-half of any accrued and unused sick leave will be made to the employee's account up to the maximum allowable (960 hours).

Eligibility Requirements: In order to be eligible for PEHP an employee must be a management or regular part or full time employee and completed twelve months of continuous employment with the Lake County Board of County Commissioners. Employees separating from service with less than one year of employment will not be eligible for payment into the PEHP account.

FOREWORD

This booklet entitled “Lake County Policies and Practices Employee Manual” has been developed for the benefit of all County employees under the jurisdiction of the Lake County Board of County Commissioners. These policies do not apply to members of Lake County boards who are not employees or to County Commissioners. The purpose of these policies is to foster and promote a positive employment environment of mutual benefit and protection for employees and Lake County which encourages employees and public confidence in the administration of personnel management. The system also provides a means for equitable recruitment, selection, development, retention and retirement of employees in positions within the County system. We have attempted to create a personal, sensitive working environment whereby each employee knows what is expected and what can be expected if the rules are violated.

These policies are intended to cover most personnel actions and employee conduct. Those not specifically covered will be interpreted by the County Manager. All interpretations shall be in keeping with the intent and purposes of the Lake County Policies and Practices Employee Manual.

In addition, we believe we have formulated a plan in which an employee has recourse to eliminate unfair or unjust working situations.

Familiarize yourself with the Manual so that you will know what to do if you feel the rules are being violated and what you can expect from your supervisor if you violate the rules.

If we hold ourselves to the highest level of performance, treat each other and the public with common courtesy and fairness, we may never have to invoke some of the procedures that are outlined in the manual.

Lets all do our best.

LAKE COUNTY
BOARD OF COUNTY COMMISSIONERS

EMPLOYEE ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE MANUAL

This will acknowledge that I have received my copy of the Lake County Policy and Practices Employee Manual.

I understand that this Manual represents only current policies, regulations, and benefits, that it does not create a contract of employment and that the County may make changes in it from time to time.

I understand that I have the right to terminate my employment at any time with or without cause, and that the County has the same right.

I agree to comply with all policies and practices now or hereafter adopted by the County.

I understand that this acknowledgment will become a part of my official employee file.

PRINT FULL NAME: _____

SIGNATURE: _____

DATE: _____

This is a copy of the form you signed when you received this Manual. The original has been placed in your personnel file.

TABLE OF CONTENTS

SECTION 1 CODE OF ETHICS.....	1
SECTION 2 EQUAL EMPLOYMENT OPPORTUNITY.....	4
SECTION 3 HARASSMENT.....	5
SECTION 4 SEXUAL HARASSMENT.....	7
SECTION 5 WORKPLACE VIOLENCE.....	9
SECTION 6 DRUG FREE WORKPLACE.....	11
SECTION 7 COMMUNICABLE DISEASE POLICY.....	14
SECTION 8 RECRUITMENT.....	15
SECTION 9 EMPLOYEE STATUS.....	17
SECTION 10 CLASSIFICATION PLAN.....	22
SECTION 11 PAY PLAN.....	23
SECTION 12 WORK HOURS AND TIME RECORDS.....	24
SECTION 13 OUTSIDE EMPLOYMENT.....	26
SECTION 14 SEPARATIONS.....	27
SECTION 15 OVERTIME.....	29
SECTION 16 EMPLOYEE APPRAISALS.....	30
SECTION 17 ANNUAL LEAVE.....	32
SECTION 18 PAID LEAVE OF ABSENCE.....	36
SECTION 19 SICK LEAVE.....	39
SECTION 20 SICK LEAVE BANK PROGRAM.....	42
SECTION 21 HOLIDAYS.....	44
SECTION 22 INCENTIVE DAYS.....	46
SECTION 23 EMPLOYEE INSURANCES.....	48
SECTION 24 ON-THE-JOB INJURY TREATMENT/REPORTS.....	50
SECTION 25 ON-THE-JOB INJURY WORKERS COMPENSATION/PAY.....	52
SECTION 26 RETIREMENT.....	54
SECTION 27 UNPAID LEAVE OF ABSENCE/NON-MEDICAL.....	55
SECTION 28 FAMILY/MEDICAL LEAVE POLICY.....	57
SECTION 29 DISCIPLINE.....	64
SECTION 30 GRIEVANCE PROCEDURE.....	69
SECTION 31 DRESS CODE.....	71
SECTION 32 USE OF COUNTY VEHICLES/PROPERTY.....	72
SECTION 33 EMPLOYEE IDENTIFICATION CARDS.....	73
SECTION 34 POLITICAL ACTIVITY.....	74
SECTION 35 EDUCATIONAL ASSISTANCE.....	76
SECTION 36 PARKING POLICY.....	78

SECTION 1

CODE OF ETHICS

PURPOSE: To prescribe a general code of conduct for Lake County employees.

POLICY: Lake County employees shall maintain certain standards of conduct.

GENERAL ADMINISTRATION:

Chapter 112, Part III, Florida Statutes, Code of Ethics, applies to all Lake County employees. In addition, the Board of County Commissioners has adopted more stringent standards of conduct for its employees relating to acceptance of gifts and employee service on corporate boards and in community associations. For definitions relating to this section, see Chapter 112 F.S.

THE FOLLOWING PROVISIONS OF F.S. 112.313 APPLY TO ALL LAKE COUNTY EMPLOYEES AND ARE SUMMARIZED BELOW:

1. **UNAUTHORIZED COMPENSATION:** No employee, or their spouse or minor child may accept any compensation, payment or thing of value when such employee knows, or with the exercise of reasonable care, should know that it was given to influence the vote or official action of such employee. (for reference, see F.S. 112.313(4))
2. **DOING BUSINESS WITH ONE'S AGENCY:** No employee who is empowered with the authority to purchase on behalf of the County in an official capacity may directly or indirectly purchase, rent, or lease any realty, goods or services for Lake County from a business entity in which the employee, the employee's spouse or child is an officer, partner, director or proprietor, or in which the employee, the employee's spouse or child (or any combination of them) owns a material interest. No employee, acting in a private capacity, may rent, lease or sell any realty, goods or services to Lake County or any of its agencies. (for reference see F.S. 112.313(3))
3. **MISUSE OF PUBLIC POSITION:** No employee shall corruptly use or attempt to use their official position or any property or resource within their trust, or perform their

official duties to obtain a special privilege, benefit or exemption for themselves or others. (for reference see F.S. 112.313(6))

4. **DISCLOSURE OR USE OF CERTAIN INFORMATION:** No employee shall disclose or use information not available to the general public and gained by reason of their official position for their personal gain or benefit or for the personal gain or benefit of any other person or business entity. (for reference see F.S. 112.313(8))
5. **CONFLICT OF INTEREST:** No employee shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with Lake County.

No employee shall have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between their private interests and the performance of their public duties, or that would impede the full and faithful discharge of their public duties. (for reference see F.S. 112.313(7))

THE FOLLOWING PROVISIONS APPLY TO ALL LAKE COUNTY EMPLOYEES AND ARE MORE STRINGENT THAN THE REQUIREMENTS OF F. S. 112.313:

1. **GIFTS:** No employee may either solicit or accept a gift from any person or entity (or agent or lobbyist of such person or entity) doing business with or regulated by Lake County or which is given based upon any understanding that your official action would be influenced. (for reference to corresponding section, see F.S. 112.313(2))
2. **UNCOMPENSATED SERVICE ON BOARDS, COMMITTEES AND COMMISSIONS:** The Florida Commission on Ethics has ruled that uncompensated service on a board, committee or commission (including not-for-profit corporations and unincorporated associations) doing business with or regulated by Lake County does not constitute a violation of the conflict of interest rules under Florida Statute 112.313(7). However, no Lake County employee shall hold such a position unless they have been appointed thereto by the Board of County Commissioners or they have obtained approval from the County Manager.
 - A. Any employee of Lake County who wishes to serve on any committee, board or commission which is subject to the regulation of, or is doing business with Lake County, must first seek approval from the County Manager or designee. Approval shall be granted only in accordance with policies and procedures set forth by the County Manager. When making a decision pursuant to this provision, the County Manager shall consider the following:

1. Whether service on the board, committee or commission, creates an appearance of impropriety or conflict.
 2. Whether a unity of interest exists between the outside board, committee or commission so that it is in the best interests of Lake County to have the employee serve on the board, committee, or commission.
 3. Whether service on the board, committee or commission would create a continuing conflict of interest.
 4. Whether service on the board, committee or commission would prevent the employee from performing a full and faithful discharge of their public duties.
- B. The County Manager or designee shall not give approval of such service which would be in violation of the provisions of F.S. 112.313.

SECTION 2

EQUAL EMPLOYMENT OPPORTUNITY

PURPOSE: To effect equal employment opportunity in Lake County.

POLICY: All applicants and employees shall be afforded equal employment opportunity regardless of race, color, age, gender, religious creed, national origin, disability, familial status, citizenship or any other status protected by law.

GENERAL ADMINISTRATION:

1. It is the County's intent to promote full realization of equal employment opportunity through a positive continuing program. County Supervisors and Department Directors are charged with ensuring that personnel policies, procedures, management practices and other supervisory activities are in full compliance with the intent of this policy.
2. This policy applies to all areas of personnel administration including, but not limited to, hiring, job assignment, opportunities for training and development, pay, benefits, promotion and demotion, layoff and termination, and ethics and standards of personal conduct. Applicants and employees who meet all regular employment standards, and are otherwise qualified, shall be given reasonable accommodations and access for known disabilities, providing that the accommodation will not create an undue hardship on the employer and/or prevent the proper performance of essential duties and responsibilities of the job.
3. The issue of equal employment opportunity is an area of importance to the Lake County Board of County Commissioners and to the management and staff of the Board.

SECTION 3

HARASSMENT

PURPOSE: To inform and educate employees of all levels about their responsibilities, rights, and complaint/grievance processes under the Harassment Policy.

POLICY: Any form of harassment related to the race, color, gender, religion, national origin, age, familial status or disability of an employee or applicant shall not be tolerated by Lake County. The term Harassment includes, but is not necessarily limited to:

1. slurs, jokes, epithets, negative stereotyping, threats, intimidation, hostile acts,
2. denigrating or hostile written or graphic material posted or circulated in the workplace or
3. any other graphic or physical conduct relating to an individual's race, color, gender, religion, national origin, age, familial status or disability.

VIOLATION: Violation of this policy by an employee shall subject that employee to corrective action, up to and including termination.

GENERAL ADMINISTRATION:

1. An employee, who feels that they are being harassed by any other employee or any employee who becomes aware of any harassment of an employee, should at once report the alleged act to any one or more of the following: their immediate Supervisor, Human Resources Director, any Department Director, County Manager or Deputy County Manager. The County Manager shall be notified of all harassment complaints unless the complaint involves the County Manager. The matter will be thoroughly investigated, and when appropriate, corrective action will be taken. We emphasize that you are not required to complain first to your Supervisor.

2. Please do not assume the County is aware of any employee harassment problems. Immediately, bring all complaints and concerns to our attention so they can be resolved. Employees will not be penalized in any way for making a report, in good faith, under this policy. No management personnel, supervisor or other employee shall place an employee at a disadvantage or retaliate against an employee for having reported a complaint of harassment. Any retaliation will result in corrective action up to and including termination.
3. Any employee who makes an intentional false allegation and/ or report, under this policy, will be subject to corrective action, up to and including termination.
4. The County does not condone harassment of its employees in connection with their work by non-employees (general public, vendors, truck drivers, customers, etc.). Any employee who becomes aware of any harassment of an employee by another employee or a non-employee should report such harassment to their Supervisor, Human Resources Director, any Department Director, County Manager, or Deputy County Manager, who shall be responsible for investigating all such incidents. Appropriate action will be taken to remedy the situation.
5. All complaints of harassment shall be investigated and the employee will be advised of the findings. All actions taken to resolve complaints of harassment through internal investigations shall be conducted confidentially, to the extent possible and allowable by law.
6. Any supervisor or employee who is found, after appropriate investigation, to have engaged in harassment of another employee will be subject to appropriate corrective action, up to and including termination, depending upon the circumstances.

SECTION 4

SEXUAL HARASSMENT

PURPOSE: To inform and educate employees of all levels about their responsibilities, rights, and complaint/grievance processes under the Sexual Harassment Policy.

POLICY: Sexual harassment shall not be tolerated by Lake County. Conduct considered to be sexual harassment include, but are not limited to:

1. verbal statements such as jokes, innuendo, intimidation and/or physical conduct of a sexual nature.
2. unwelcome sexual advances, propositions and/or innuendos that create hostile working conditions
3. display in the workplace of sexually suggestive or explicit objects, pictures or drawings and/or denigrating written or graphic material posted or circulated in the workplace.
4. Any other graphic or physical conduct relating to a person's gender.

Verbal statements or physical conduct of a sexual nature is unlawful (1) if such behavior creates a hostile or offensive environment or (2) if submission to such conduct is either explicitly or implicitly made a term or condition of employment or a basis of any employment decision affecting the individual.

VIOLATION: Violation of this policy by an employee shall subject that employee to corrective action, up to and including termination.

GENERAL ADMINISTRATION:

1. An employee, who feels that they are being harassed by any other employee or any employee who becomes aware of any harassment of an employee, should at once report the alleged act to any one or more of the following: their immediate Supervisor, Human Resources Director, any Department Director, County Manager or Deputy County Manager. The County Manager shall be notified of all harassment complaints unless the complaint involves the County Manager. The matter will be thoroughly investigated, and when appropriate, corrective action will be taken. We emphasize that you are not required to complain first to your Supervisor.

2. Please do not assume that the County is aware of any employee harassment problems. Immediately bring all complaints and concerns to our attention so they may be resolved. Employees will not be penalized in any way for making a report, in good faith, under this policy. No management personnel, supervisor or other employee shall place an employee at a disadvantage or retaliate against an employee for having reported a complaint of sexual harassment. Any retaliation will result in corrective action up to and including termination.
3. Any employee who makes an intentional false allegation and/ or report, under this policy, will be subject to corrective action, up to and including termination.
4. The County does not condone sexual harassment of its employees in connection with their work by non-employees (general public, vendors, truck drivers, customers, etc.). Any employee who becomes aware of any harassment of an employee by another employee or a non-employee should report such harassment to their Supervisor, Human Resources Director, any Department Director, County Manager, or Deputy County Manager, who shall be responsible for investigating all such incidents.
5. All complaints of sexual harassment shall be investigated and the employee will be advised of the findings. All actions taken to resolve complaints of sexual harassment through internal investigations shall be conducted confidentially, to the extent possible and allowable by law.
6. Any supervisor or employee who is found, after appropriate investigation, to have engaged in sexual harassment of another employee will be subject to appropriate corrective action, up to and including termination, depending upon the circumstances.

SECTION 5

WORKPLACE VIOLENCE

(Replaced with LCC-74)

PURPOSE: To protect County employees and others and to minimize the risk of violence in the workplace.

POLICY: To maintain a workplace that is free from the presence of violence and to prevent potential presence of violence.

GENERAL ADMINISTRATION:

1. The County prohibits acts or threats of violence, which include but are not limited to the use of obscene, abusive or threatening language or gestures by anyone against any employee or individual arising in or out of the workplace.
2. An employee will be subject to corrective action, up to and including termination, for violation of this policy.
3. The County prohibits employees, former employees, and visitors from bringing unauthorized firearms or other weapons onto County premises or property.
4. An employee who becomes aware of a display of violent, abusive, or threatening behavior or a threat or tendency to engage in the same by another employee or visitor, must report such behavior to their immediate Supervisor, Human Resources Director, any Department Director, County Manager or Deputy County Manager. The County Manager shall be notified of all reports under this section unless the report involves the County Manager. To the extent possible, such reports will be handled confidentially. Employees have a duty to warn their Supervisors, Human Resources Director, Department Directors, County Manager or Deputy County Manager of any suspicious workplace activity, situations or incidents that they observe or that they are aware of that involve other employees, former employees, customers or visitors. This includes but is not limited to, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, possession of firearms

or weapons on the premises or the like. Employees should also report violence between employees off the premises and occurring at any time.

5. Employees will not be penalized in any way for making a report in good faith under this policy. Please do not assume the County is aware of any employee violence problems. Immediately, bring all complaints and concerns to our attention so they can be resolved.
6. Any employee who makes an intentional false allegation and/or report, under this policy, will be subject to corrective action up to and including termination.

SECTION 6

DRUG FREE WORKPLACE

(Replaced with LCC-28)

PURPOSE: To protect our employees and others; to provide the highest level of service and to minimize the risk of accidents and injuries.

POLICY: To maintain a workplace that is free from the presence and effects of drugs and alcohol.

GENERAL ADMINISTRATION:

1. An employee is prohibited from using, selling, dispensing, distributing, possessing or manufacturing illegal drugs and narcotics or alcoholic beverages on County premises, work sites or in County vehicles. In addition, an employee is prohibited from off-premise use of alcohol and possession, use or sale of illegal drugs when such activities adversely effect job performance or job safety or interfere with the County's ability to carry out its mission.
2. The County will not hire, unless federal, state or local law provides otherwise, alcoholics or drug abusers whose current use of such substances prevent them from performing their jobs or who would constitute a direct threat to the property and safety of others. Whenever applicants for employment are to be tested for the presence of substances, they shall be informed of the test in advance and in writing.
3. An employee will be subject to corrective action, up to and including termination, for violation of this policy. Such violations include, but are not limited to, possessing illegal and non prescribed drugs and narcotics or alcoholic beverages at work; being under the influence of such substances while working; using them while working, dispensing, distributing or illegally manufacturing or selling them on County premises, or work sites or in County vehicles or refusing to submit to drug or alcohol tests. Employees, their possessions and County issued equipment and containers under their control are subject to search and surveillance, in accordance with applicable law, while on County premises or while conducting County business.
4. An employee may be required to take a test at any time to determine the presence of drugs, narcotics or alcohol, unless such tests are prohibited by law. Testing positive

for illegal drugs or alcohol is a violation of this policy. An employee who is arrested for or charged with any criminal drug violation must report such arrest or charge to the Personnel Office within five (5) days and management is then to take appropriate action.

5. An employee's supervisor should report immediately to the County Manager and Human Resources Director any action by any employee who demonstrates an unusual behavior pattern. The County Manager will determine whether the employee should be examined by a physician or clinic and/or tested for drugs and/or alcohol. An employee believed to be under the influence of drugs, narcotics or alcohol will be required to submit to a drug and/or alcohol test. The supervisor will arrange safe transit to the testing site/home. The sheriff's office may be notified to arrange safe transit, if necessary.
6. An employee who uses *legal* drugs or narcotics during work and has any reason to expect such use may affect their ability to perform their work, must report this fact to the County Manager. A determination will then be made as to whether the employee will be able to perform the essential functions of the job safely and properly. Failure to report this information may result in corrective action up to and including termination.
7. An employee who is experiencing work-related or personal problems resulting from a drug, narcotic or alcohol abuse or dependency may request, or may be required to seek counseling. County sponsored or required counseling will be kept confidential and will not have any influence on performance appraisals. Job performance alone, not the fact that an employee seeks counseling, is to be the basis of all performance appraisals.
8. An employee asked to submit to a drug or alcohol test who then states (s)he has a problem with alcohol or substance abuse is not exempt from corrective action, up to and including termination.
9. An employee who is abusing drugs or alcohol may be granted a leave of absence to undertake rehabilitation treatment. An employee will not be permitted to return to work until certification is presented to the County Manager that the employee is capable of performing their job. Failure to cooperate with an agreed upon treatment plan may result in corrective action, up to and including termination. Participation in a treatment program does not insulate an employee from the imposition of corrective action for violations of this or other County policies.

10. The County will, to the extent feasible, provide continuing awareness programs for the workforce about the harmful effects of drug and alcohol abuse.
11. An employee who is required to maintain a Commercial Driver's License (CDL) is subject to random drug and alcohol testing as required by the Federal government in conformance with adopted County policy.
12. An employee who is required to take an annual fitness-for-duty examination is also required to submit to a drug and alcohol test, on an annual basis, in conjunction with their physical examination.

SECTION 7

COMMUNICABLE DISEASE POLICY

PURPOSE: The Board of County Commissioners is committed to providing fair and equal opportunity to all employees, including those who have a communicable disease. The Board is also committed to providing all employees a safe work place.

POLICY: It is our policy not to discriminate against any employee because they may have a communicable disease, may be terminally ill or may be suspected of having a communicable disease or being terminally ill.

GENERAL ADMINISTRATION:

1. We recognize that employees and the immediate family members with life-threatening illnesses and communicable diseases including, but not limited to, AIDS, may choose to remain involved in as many normal activities, including work, as their condition allows. As long as these employees are able to perform the essential functions of their position, and medical or other evidence indicates that their condition is not a threat to others, they will be treated fairly and consistently with other employees.
2. Employment decisions regarding employees with communicable diseases will be based on certified medical judgment and potential risk to others.

SECTION 8

RECRUITMENT

PURPOSE: To provide county management with a number of qualified applicants for all position vacancies.

POLICY: Written job vacancy announcements will be posted in all Departments. The County Personnel Office may solicit from any other accepted sources which may be helpful to recruit qualified applicants.

GENERAL ADMINISTRATION:

1. The Department where a vacancy exists will notify the Personnel Office. Job postings and advertisements will be placed and applicants recruited by the Personnel Office.
2. The Personnel Office and the hiring authority will review applications/resumes and determine who meets the minimum qualifications. A candidate may be designated as “Qualifiable,” if they are deemed to be able to meet the minimum requirements within 12 months. Typing test requirement is exempt from this definition.
3. Any current employee may apply for another County position that is posted or advertised. Current employees of the County will not be penalized for making an application for another County position. It is the responsibility of the employee to keep their application information current.
4. No one will be denied the opportunity to submit an employment application except those who previously failed to pass the required pre-placement drug screen which will bar applicants from reapplying for County employment until the documented successful completion of a rehabilitation program, or those who have been proven to have falsified a previous application. Falsification of a previous application will bar applicants from reapplying for County employment for a minimum of twelve (12) months and those applications will be considered on a case by case basis. Former County employees wishing to re-apply are subject to the provisions relating to Separation.
5. After a conditional offer, the following tests may be required; drug screen, medical evaluation, worker’s compensation background screen, including prior employment

and references, driver's license records check, credit report, criminal history check and a physical demonstration of job-related skills.

6. Once an employee is hired, they shall be required to provide a current mailing address and telephone number, if they have one, and thereafter inform the county of any changes in address, telephone, driver's license status or any arrests or convictions of criminal offenses. Failure to report a status change in driver's license or arrest/convictions may result in corrective action up to and including termination.
7. **VETERAN'S PREFERENCE:** Disabled veterans, their spouses, spouses of veterans missing in action and veterans of war time eras who meet the minimum qualifications may be eligible for veteran's preference for some vacancies under state law.
8. No person shall be employed by Lake County in a position in which they supervise, employ, promote or advance for employment a member of their immediate family. Additionally, no person shall be employed nor serve as a volunteer in a position in which they will be supervised, employed, promoted or advanced for employment by a member of their immediate family, except as allowed by Florida Statutes, Part III, Section 112.3135(1)(d). For the purposes of this Section, the term "immediate family" is defined as; father, mother son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister, in accordance with Florida Statutes, Part III, Section 112.3135(1)(d).
9. No family member as defined in Florida Statutes, Part III, Section 112.3135(1)(d) of a County Commissioner, County Manager or County Attorney shall be hired, nor serve as a volunteer.

SECTION 9

EMPLOYEE STATUS

PURPOSE: To facilitate the selection and appropriate placement of employees.

POLICY: Employees will be classified into categories to clarify pay and benefit practices for different types of employment.

GENERAL ADMINISTRATION:

All employees are classified into specific categories for record keeping purposes in the personnel system. Benefits and pay, including paid holidays, are different for employees in certain categories. For more specific information on each benefit and pay policy, refer to the pertinent sections of this manual. Upon approval of the new hire by the Department Director or County Manager, the employee is hired in one of the following classifications:

1. **PROBATIONARY:** All new hires are placed into an initial six-month probationary period. This period is used by both the County and the employee to assess the mutual benefits of the employment. Completion of the probationary period does not confer an expectation of continued employment for any specific term. An employee has the right to terminate at any time and the County has the same right, with or without cause.

The following Sections of the Employee Manual do not apply to Probationary Employees:

- a. Layoff or Recall Procedures and
- b. Grievances Procedures - except those procedures regarding equal employment opportunity/discrimination claims and participation in the grievance process as a member of a grievance committee or in cases where the management employee is involved as a supervisor, department director or witness in the grievance complaint.

In addition, probationary employees are exempt from any other due process procedures conferred by this manual, local, state or federal law.

2. **REGULAR:** This classification pertains to all employees who have satisfactorily completed the probationary period of employment other than management, temporary employees or interns.
3. **MANAGEMENT:** Management employees are the County Manager, County Attorney, Deputy County Manager, Assistant County Attorneys, Department, Office and Division Directors and any other employees designated by the County Manager in writing.

The following Sections of the Employee Manual do not apply to Management Employees:

- a. Probationary Period
- b. Layoff or Recall Procedures and
- c. Grievance Procedures - except those procedures regarding equal employment opportunity/discrimination claims and participation in the grievance process as a member of a grievance committee or in cases where the management employee is involved as a supervisor, department director or witness in the grievance complaint.

In addition, management employees are exempt from the Corrective Action Section of this manual and any other due process procedures conferred by local, state or federal law.

Management employees are covered by all other standards of employment within this policy manual.

Adherence to the terms and content of this policy section is a condition of employment of all Management Employees. Acceptance is conclusively presumed on the part of all management employees subsequent to the date of adoption of this policy.

4. **PROMOTION OR TRANSFERRED PROBATION:** This classification refers to an employee who has been promoted or transferred into a new position with a different job classification. All promoted or transferred employees, other than a voluntary demotion, serve a six month probationary period in their new positions and are evaluated at the end of this period. If an employee cannot perform the functions of the new position within the first six month period, the employee may be reclassified, demoted or terminated by the County. Pay and benefits for employees in this status are the same as for regular employees so long as the initial probationary period has

been served. Employees demoted voluntarily may serve a six (6) month probationary period at the discretion of the Department Director.

5. **CORRECTIVE PROBATION:** Employees in this status have been subject to corrective action in accordance with these rules. Pay increases, if any, will be deferred until the probationary period has been served. The Department Director will determine if the increase is to be awarded at that time. The merit, if awarded, will be effective on the date corrective probation ends, and based upon the evaluation performed on the anniversary date.
6. **PERFORMANCE PROBATION:** Employees who receive an overall rating of less than satisfactory on their performance evaluation or whose performance becomes sub-standard will be placed on performance probation for a minimum of three (3) months, with six (6) months being the norm. The supervisor will develop an improvement plan with the employee. An employee on performance probation who does not meet improvement goals will be subject to corrective action up to and including termination.
7. **TEMPORARY (NOT ON-CALL) AND/OR SEASONAL:** This classification refers to employees meeting one of the following criteria:
 - a. The position is for a specific amount of time after which no regular position is created.
 - b. The position is for the temporary replacement of an employee who is on an approved leave of absence, extended sick leave or other authorized absence.
 - c. The position is for seasonal or intermittent work.

Temporary employees may be authorized by the County Manager for a period not to exceed 180 days when there is sufficient funding available within the budget of the department to which the employee is to be assigned and funding is verified by the Finance Department of the County. Seasonal employees and temporary part-time on-call Firefighters, may exceed 180 days. Temporary employees are not entitled to any benefits.

8. **TEMPORARY ON-CALL:** This classification refers to employees who are on-call status. They have no regular, set schedule and may exceed 180 days employment. Temporary on-call employees are not entitled to any benefits.

9. **PART-TIME:** This classification refers to employees who are scheduled to work less than thirty-seven and one-half (37.5) hours per week on a regular basis and may be classified as regular, management or temporary depending on the nature of the particular job for which they were hired.
10. **FULL-TIME:** This classification refers to employees who are scheduled to work at least thirty-seven and one-half (37.5) hours per week on a regularly scheduled basis in a position funded and approved by the Board of County Commissioners.
11. **GRANT:** This classification refers to employees who are hired for positions funded by a grant(s). Grant employee positions are terminated upon the expiration of the underlying grant(s). Otherwise, Grant employees have the same status as regular and management employees and are entitled to all benefits accordingly.
12. **LIMITED TERM:** This classification refers to employees hired to perform a specific project. Limited Term employees are terminated upon completion of the project. Otherwise, Limited Term employees have the same status as regular and management employees and are entitled to all benefits accordingly.
13. **INTERNS:** This classification refers to high school, undergraduate or graduate students assigned to County departments as part of a work-study program or other school based guidance or career development program, or a departmental recruitment effort. Interns may be paid or unpaid status. Paid interns will not be entitled to any benefits. Intern status terminates upon graduation from the educational institution.
14. **VOLUNTEERS:** This classification refers to a person who, of his/her own free will, provides goods and services to any unit of County Government without receiving monetary or material compensation. Volunteers are unpaid and are not entitled to any benefits.
15. **BENEFITS:** County benefits vary according to employment status. For more specific information see pertinent sections of this manual.
16. **COUNTY ATTORNEY:** Assistant county attorneys and other county attorney staff work under the direction of the County Attorney. Where there are references in this manual to approvals required of the County Manager or actions to be taken by the County Manager with regard to employees of the County Attorney's Office, such reference shall be to the County Attorney, except that the normal grievance policy shall apply to non-attorney staff of the County Attorney's Office.

SECTION 10

CLASSIFICATION PLAN

PURPOSE: To assure job descriptions are maintained for accuracy, accountability and appropriateness.

POLICY: Lake County maintains a complete list of all positions as well as accurate descriptions.

GENERAL ADMINISTRATION:

The County Manager is charged with the responsibility for proper and continuous maintenance of the classification plan to reflect, on a current basis, the duties being performed by each employee in the County's service. The Human Resources Director shall recommend to the County Manager necessary amendments to the plan for new positions and the abolishment of positions no longer required. Reclassifications of positions shall be made as follows:

1. The County Manager shall cause to be performed an analysis of each new position as it is created and on the basis of such analysis, place the position into the appropriate pay grade within the classification plan.
2. Changes in the duties and responsibilities of a position involving either the addition of new assignments or the taking away or modifying of existing assignments shall be reported to the Human Resources Director or Department Director. If the changes are determined to be permanent and more than minor changes, justifying reclassification, the County Manager shall place such position in the appropriate grade.
3. The County Manager shall periodically review the classification of positions and shall make appropriate changes in the classification plan with input from the Department Directors and Personnel.
4. No employee may be employed in more than one (1) position with the County unless authorized by the County Manager.

SECTION 11

PAY PLAN

PURPOSE: The pay plan is intended to provide equitable standards of pay for all classes in the classification plan.

POLICY: Lake County will continuously review the pay grade of all regular salaried and hourly positions and have a fair and equitable administration of wage increases.

GENERAL ADMINISTRATION:

1. **COMPOSITION:** The pay plan includes a wage and salary schedule with pay grades assigned to each job description. Each pay grade has a minimum and maximum salary amount.
2. **NEW HIRES:** Newly hired employees shall start at the minimum pay grade assigned to the job classifications unless approval is given by the County Manager. The new hire whose training, experience or skills are exceptional may be hired above the minimum, with the advance approval of the County Manager.
3. The County Manager will be responsible to ensure a fair and equitable administration of any increases in wages. All actions shall be based upon fair and objective personnel standards and measures and will follow guidelines to be applied uniformly and without regard to position, race, religion, color, gender, age, national origin, political affiliation, veterans status, marital status or disability.
4. Bi-weekly payroll checks are issued on alternate Fridays one week following the end of a two week pay period. When a payday falls on a holiday, paychecks will be issued the day before, whenever possible.

SECTION 12

WORK HOURS AND TIME RECORDS

PURPOSE: To create standards for hours of work and record keeping.

POLICY: All departments shall have a designated work week.

GENERAL ADMINISTRATION:

1. **DESIGNATED WORK WEEK:** Employees are expected to report to work promptly before the start of their regular shifts and depart from work promptly following the end of their regular shifts. Employees are required to record their actual hours of work to the nearest quarter of an hour, in accordance with the Fair Labor Standards Act (FLSA). Employees working overtime without prior authorization will be subject to corrective action up to and including termination.
2. **LUNCH PERIODS AND BREAKS:** Each non-exempt employee must take a minimum of one-half hour for a meal break. Check with your Supervisor to determine the meal break policy in your department. Each employee may also take a fifteen (15) minute break mid-morning and mid-afternoon in or around the job site, unless work requirements dictate otherwise. Meal periods and breaks may not be accumulated for use as leave time on any given day, week or pay period. Breaks and meal periods shall be taken at a time convenient to and with the approval of the Department Director.
3. **MANAGEMENT and EXEMPT EMPLOYEES:** Management and regular employees exempt from overtime are expected to allocate whatever amount of time is necessary to accomplish the tasks assigned to them. In some cases, this may require more hours than the standard work week and the County Manager, Deputy County Manager or designee may authorize administrative leave in such situations. Administrative time off, when authorized, must be used within sixty (60) days of the date it is earned. Any administrative leave authorized but unused during the sixty (60) day period shall be forfeited and shall not accumulate.
4. **TIME RECORDS:**
 - a. Time sheets will be filled out each day by non-exempt employees. Time must be recorded upon arrival at work, before and after lunch periods and upon

leaving at the end of the workday. Exempt employees are required to complete an accurate leave report every two weeks.

b. Time records are maintained for a two (2) week period.

5. CALL BACK:

Employees required to come to work on off-duty hours due to an emergency or other urgent situation shall be paid for actual time worked in excess of their normal schedule, which will be calculated at a rate of time and one-half for hours worked over forty (40) hours. Time off, paid or unpaid, excluding holidays and annual leave scheduled in advance, shall not be counted as time worked when calculating overtime at time and one-half.

6. ON-CALL:

Employees required to be “on-call” are to be paid two hours of their regular pay for each 24-hour period they are on-call. On-call hours are excluded from hours worked for overtime purposes and are reported as “other pay”.

SECTION 13

OUTSIDE EMPLOYMENT

PURPOSE: To provide certain criteria for employees with other employment.

POLICY: Employees engaged in outside employment must obtain prior approval and are subject to certain criteria.

GENERAL ADMINISTRATION:

Any employee wishing to engage in outside employment must submit a request in writing to their immediate supervisor and Department Director on forms provided by the County. Department Directors are authorized to direct an employee to discontinue outside employment if it is later found to be inconsistent with the guidelines below. The request will be approved by the Department Director and the County Attorney if the following criteria are met:

1. Such employment will not cause the employee to be late to work, leave early or cause any reduction in the employee's efficiency when on duty with the County. The County desires each employee to be available for overtime when necessary.
2. Such employment will not involve a conflict of interest or conflict with the employee's duties.
3. Outside employment will not occur during assigned working hours unless the employee is on approved annual leave.
4. The outside job must be one that will not bring disfavor or disrespect upon the employee, his department or the County.

SECTION 14

SEPARATIONS

PURPOSE: To outline the types of separation and applicable procedures.

POLICY: Employment with Lake County may be terminated either by the employee or the County, with or without cause.

GENERAL ADMINISTRATION:

1. **RESIGNATION:** Any County employee who resigns shall submit a written letter to their Supervisor stating the effective date and the reason for their resignation. Exempt and Management employees shall give a minimum of four weeks advance notice, and all others shall give at least two weeks notice. The County Manager may waive notification requirements.
2. **INVOLUNTARY TERMINATION, DEMOTION, OR SUSPENSION:** An employee may be demoted, suspended or recommended for termination when in the judgment of the Supervisor and/or Department Director, the employee's work or misconduct so warrants. When the Supervisor takes such action, a written notification shall be filed with the Human Resources Director containing a statement of reasons for the recommendation. The employee shall be notified in writing of the effective date of the proposed action, and the date for a pre-determination conference. An employee may be demoted, dismissed or suspended without pay for violation of any of the offenses listed in Section 29 relating to Corrective Action. Notwithstanding this, employees may be dismissed without cause.
3. **RETIREMENT:** Lake County participates in the State of Florida Retirement System and any retiring employee must follow the procedures and requirements as outlined in Florida Statutes, Chapter 121.
4. **EXIT PROCESS:** Regardless of the type of separation, all employees are asked to report to the Personnel Office for an Exit Interview. The supervisor shall assure that all County property and materials (including badges, uniforms, patches, keys, etc.) are returned. Employees shall also report to Risk Management to finalize insurance arrangements.

5. **FINAL PAYCHECK:** Upon separation from County service for any reason, final paycheck arrangements shall be made with the supervisor or Personnel Office and shall be coordinated with the Payroll office of the Clerk of the Circuit Court.

6. **REEMPLOYMENT:** A regular employee who resigns or was separated by reduction in force shall be eligible for re-employment. The former employee must qualify as any other applicant. The former employee who was terminated for corrective reasons, is not eligible for re-employment. An employee separated by a reduction in force, will be granted an interview for any open position, within twelve (12) months of previous employment with the County, for which they meet the minimum requirements.

SECTION 15

OVERTIME

PURPOSE: To comply with all State and Federal laws.

POLICY: It is the policy of Lake County not to require overtime work by its non-exempt employees, although it may be authorized, if necessary.

GENERAL ADMINISTRATION:

1. The normal work week is a seven day period. Fire service employees shall have overtime computed based on a twenty-eight (28) day work period.
2. Overtime payment shall be at time-and-one-half rate for all hours worked beyond forty (40) in a normal work week. Fire Service employees on 24-hour shift earn this time for work in excess of 212 hours worked in the twenty-eight (28) day work period.
3. Time off, paid or unpaid, other than holidays and annual leave scheduled in advance, shall not be counted as time worked when calculating overtime at the time and one half rate.
4. Employees required to work overtime will be given at least 48 hours notice, unless otherwise agreed upon by the employee and the Supervisor. This provision does not apply in emergency situations.

SECTION 16

EMPLOYEE APPRAISALS

PURPOSE: To provide a standard method for measuring employee performance and to establish the opportunity for the employee to discuss their job performance with their Supervisor.

POLICY: The Personnel Office, upon approval of the County Manager, has established a procedure for appraising employee's performance, which includes time tables for regular discussions between the employee and their Supervisor about job performance.

GENERAL ADMINISTRATION:

1. Each employee shall be evaluated annually by their immediate Supervisor to assess job performance. All appraisals shall be reviewed by the Department/Division Director before processing by the Personnel Office.
2. All probationary employees shall be evaluated at the end of the six (6) month period from date of hire or more frequently if deemed appropriate by the Department Director.
3. Employees who have been promoted or transferred shall also serve a six (6) month promotion /transfer probation. Therefore, they shall be evaluated after their first six (6) months in a new position. Employees transferred to the same job classification shall not serve a transfer probation. A promoted employee's anniversary date will be changed to the effective date of the promotion for future appraisals.
4. The performance appraisal shall be discussed with the employee, who will sign a copy which is placed in the employee's personnel file and a copy shall be given to the employee. The employee's signature indicates their acknowledgment of the discussion NOT that the employee agrees or disagrees with the appraisal.
5. An employee may submit written comments on his/ her evaluation in the space provided on the evaluation form or on a separate document if desired. Employee comments shall be filed with the evaluation.

6. An employee may appeal a performance appraisal to their Department Director by requesting a meeting in writing within thirty (30) days and stating the areas of disagreement with the appraisal. The decision of the Department Director will be final.

SECTION 17

ANNUAL LEAVE

PURPOSE: To provide eligible employees with vacation time.

POLICY: All full-time and part-time employees working at least 22.5 hours per week who are filling regular established positions earn annual leave with compensation.

GENERAL ADMINISTRATION:

1. SCHEDULE:

Full-time and part-time employees (other than Fire Services shift employees), earn leave as follows:

<u>LENGTH OF CONTINUOUS SERVICE</u>	<u>ACCRUAL</u>
0 -3 years	.0462 x regularly scheduled paid annual hours*
4 -15 years	.0585 x regularly scheduled paid annual hours
16 years and up	.0769 x regularly scheduled paid annual hours

* Regularly scheduled annual hours is defined as - the number of hours per week x 52 weeks.

Examples:	37.5 hr./week	1950
	40.0 hr./week	2080

Example: You have worked for LCBCC for four (4) years and are scheduled to work forty (40) hours/week:

40 hrs/week x 52 weeks = 2080 annual hours
.0585 (accrual rate for 4 years) x 2080 annual hours =121.68 annual leave hours accrued.

Fire Service employees on 24-hour shift earn leave as follows:

<u>LENGTH OF CONTINUOUS SERVICE</u>	<u>ANNUAL LEAVE</u>
0--3 years	.081 x 2756 regularly scheduled paid annual hours = 223.24
4 - 15 years	.0932 x 2756 regularly scheduled Paid annual hours = 256.86
16 years and up	.1115 x 2756 regularly scheduled paid annual hours = 307.29

For Fire Service employees on 24-hour shift, the annual leave above includes 4 shift days accrual in lieu of holiday compensation.

2. USAGE:

- a. Use of annual leave shall not be authorized prior to the time it is earned and shall not be used without prior approval of the Department Director. Annual leave of five (5) or more days must be requested at least two (2) weeks prior to usage. Usage of annual leave in less than four (4) hour increments is strongly discouraged; however, quarter hour increments may be approved by the Department Director. Leave time cannot be scheduled in excess of regularly scheduled hours.
- b. Upon exhaustion of sick leave credits, annual leave may be used in lieu thereof with the approval of the Department Director.
- c. Employees other than those who have chosen to use direct deposit, may request advance payment of regular pay, sick pay or annual leave when they will not be available or at work on the County regular pay day.
- d. Any employee may accumulate leave in excess of the limitations. During the calendar year; however, the excess leave must be used by the last period paid in the calendar year or it will be forfeited unless written approval is obtained from the Department Director to accumulate excess leave. However, any leave

accumulated in excess of the carry-over limitations will be forfeited at time of separation. The limitations of annual leave are as follows:

<u>CONTINUOUS SERVICE YEARS</u>	<u>CARRY-OVER LIMITATIONS</u>
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0 - 4 years	200 hours
5 - 9 years	240 hours
10 + years	300 hours

- e. Each Supervisor shall make every effort to ensure earned annual leave is used on a current basis. The County encourages its employees to take their leave each year for their health and well being.
- f. Upon separation, payment for unused annual leave shall be made, up to the maximum carry-over limitations above, to employees who have completed the six months probationary employment period.
- g. Active employees may not receive pay in lieu of taking a vacation. (Earned annual leave cannot be “sold” or “exchanged” for cash payment).
- h. Available annual leave must be used before taking unpaid time off.
- i. Newly hired probationary employees shall accrue but are not authorized to use annual leave for their first six months of employment unless they have prior approval by their Department Director. Employees who terminate during their initial probationary period will not be paid for earned annual leave.

- j. Temporary (not on-call) employees working at least 22.5 hours per week, shall accrue but are not authorized to use annual leave during their temporary employment. Employees who separate during or at the end of their temporary employment period will not be paid for earned leave. The accrued leave can be used only if the employee is hired in a regular position. At that time, the employee is subject to the six-month probationary period and all other

pertinent policies. The date of hire is established when regular employment commences.

SECTION 18

PAID LEAVE OF ABSENCE

PURPOSE: To compensate employees for leave under certain allowable conditions.

POLICY: Full-time and part-time employees are entitled to paid leave of absence in certain circumstances with proper documentation.

GENERAL ADMINISTRATION:

1. COURT AND JURY DUTY:

- a. An employee who is summoned as a member of a jury is granted leave of absence with pay. Employees summoned for jury duty, but not selected, must report back to the job site the same day. When the employee is compensated by the court system for their service as a juror, any stipend received must be returned to the County Finance Office.
- b. Employees who are subpoenaed or required to appear in court relating to County business or as a witness for the County or State are paid at their regular rate if called away from their work site. Since the County is continuing to pay employees their regular wages, any witness fees or stipends received must be returned to the County Finance Office.
- c. Employees who are absent from work due to personal litigation or court cases may be allowed to utilize annual leave with Department Director approval.
- d. Employees will not be reimbursed for meals, lodging or travel expenses incurred while in service as either a juror or witness, unless travel is out of the County and related to County business.

2. CONFERENCES:

- a. Paid leave shall be granted to employees who attend conferences which contribute to the effectiveness of their employment upon approval by the County Manager. The conference must be job related. If the conference

occurs outside of scheduled work hours, it must be required attendance by the County to be paid.

- b. Travel to conferences out of Lake County must be approved by the County Manager.

3. EXAMINATIONS:

An employee may be granted leave with pay for the purpose of taking examinations, provided such examinations are pertinent to their employment upon approval by the Department Director. The examination must be job related.

4. MILITARY LEAVE:

Employees who are members of the United States Armed Forces Reserve, including the Florida National Guard, shall be entitled to administrative leave without loss of pay or time during periods of active duty as provided by Florida Statutes.

5. ADMINISTRATIVE LEAVE FOR RE-EXAMINATION OR TREATMENT BY VETERANS ADMINISTRATION WITH RESPECT TO SERVICE-CONNECTED DISABILITY :

Employees of the County who have been rated by the Veterans Administration to have incurred a service-connected disability and have been scheduled by the Veterans Administration to be re-examined or treated for the disability shall be granted administrative leave for such re-examination or treatment without loss of pay or benefits. In no event shall the paid leave under this section exceed six (6) calendar days a year. A leave request should be submitted to the Department Director for the leave as far in advance as possible.

6. DEATH IN IMMEDIATE FAMILY:

Employees, upon request, shall be granted up to two (2) days of bereavement leave with pay in the County and three (3) days of bereavement leave with pay if travel is required outside the County for absences relating to the death or burial of an immediate family member. (Immediate family is defined under "Sick Leave"). If additional time is needed, sick and/or annual leave may be used with Department Director approval.

7. TERMINATION OF EXEMPT AND MANAGEMENT EMPLOYEES:

The County Manager, at his or her discretion, may authorize paid administrative absence to Division Directors and Department Directors who are required to resign at the County Manager's direction. The amount of paid absence granted will be on a case-by-case basis, depending on the associated circumstances.

SECTION 19

SICK LEAVE

PURPOSE: To monetarily assist County employees during times of injury or illness to themselves or to members of their immediate family.

POLICY: Eligible Lake County employees whose absence from work is caused by illness or injury shall be provided limited sick leave with compensation. Sick leave is a privilege extended to an employee, not a benefit.

GENERAL ADMINISTRATION:

1. METHOD OF EARNING SICK LEAVE:

- a. All employees who are scheduled to work at least twenty-two and one-half (22.5) hours per week or more on a regular basis shall accrue-sick leave at the rate of .0462 X regularly scheduled bi-weekly hours per pay period. Accrual is based on being in a paid status for regular schedule.
- b. Temporary (not on call) employees scheduled to work at least 22.5 hours per week or more may accrue, but are not authorized to use sick leave during their temporary employment classification. Days of absence may be used without pay during the temporary employment period. The accrued sick leave may only be used if the employee subsequently receives a regular position with the County. At that time, the employee can follow the existing rules for regular, management and probationary employees.

2. USE OF SICK LEAVE:

- a. Payment for sick leave shall be made only with the approval of the Department or Division Director.
- b. Employees may use their sick leave for a personal illness, accident, injury, dental or physician's appointment or for the illness, injury or death of a member of the employee's immediate family. Immediate family is defined as

spouse, parents, parents-in-law, children, step-children, grandchildren, grandparents, brothers, sisters, or persons living in the employee's household.

- c. For purposes of bereavement only, sister-in-law, brother-in-law, aunts and uncles qualify as "immediate family."
 - d. Excessive use of sick leave under this rule will constitute grounds for the assumption that the employee is unable or unwilling to perform essential job duties. Abuse of sick leave may constitute grounds for corrective action up to and including termination. Abuse is determined on a case-by-case basis; however, some examples of abuse are:
 - (1) more than three (3) Monday absences in any 12-month period or more than three (3) Friday absences in any 12-month period for an employee who is regularly scheduled to work Monday through Friday;
 - (2) more than three (3) absences in any 12-month period on the regularly scheduled work day following a payday;
 - (3) routinely taking a sick day as sick leave is earned so as to show a pattern such as one day per month or one day every other month; and
 - (4) sick leave use in excess of 50% of the employee's total sick leave accrual.
 - e. Sick leave usage approved under the provision of Family/Medical Leave is exempted from being defined as abuse.
 - f. Supervisors may require employees to submit written certification from a physician if an employee is absent from work for five (5) or more days continuously or if an employee uses five (5) or more sick days in any sixty (60) day period.
3. **MAXIMUM ACCRUAL:**
- The maximum number of sick leave hours that may be accrued is unlimited.
4. Available leave hours (annual and sick), must be taken before using unpaid time off.

5. Upon termination of employment, regardless of reason, a management or regular part time or full time employee is entitled to be paid for one-fourth (1/4) of any accrued sick leave. However, no more than 480 hours will be paid for this purpose.
6. Temporary and probationary employees forfeit their sick leave pay-out upon separation.

SECTION 20

SICK LEAVE BANK PROGRAM

(Replaced with LCC-75)

PURPOSE: To establish a plan to allow full-time employees of the County to participate in a sick leave bank which may be used on depletion of their sick and other leave credits.

POLICY: The Sick Leave Bank Program is a voluntary program designed to provide participating employees with additional leave credits in the event of personal catastrophic illness and/or accident. Catastrophic illness or injury includes, but is not limited to unplanned life threatening situations requiring in-patient hospitalization and/or surgery; chemotherapy. Situations excluded include, but are not limited to, planned non-life threatening surgery, pregnancy (without complications), chicken pox, cold or flu.

GENERAL ADMINISTRATION:

1. Regular full-time employees with one year of continuous service are eligible to participate in the Sick Leave Bank. Employees receiving workers' compensation benefits and employees receiving long term disability benefits will not be eligible to receive benefit payments from the Sick Leave Bank.
2. Eligible employees may participate in the Sick Leave Bank Program subject to the following:
 - a. Enrollment can occur at any time, once an employee meets the eligibility requirements. Donations must be made in writing on a Sick Leave Bank Donation Form.
 - b. Employees donate eight (8) hours sick leave upon enrollment. Employees must have a combined balance of 80 hours of sick and/or annual leave in order to enroll in the Sick Leave Bank for the first time. Thereafter, employees may be asked to donate a minimum of 8 hours or a maximum of 24 hours of accrued sick leave per year, if needed. Sick leave donated to the Sick Leave Bank will be deducted from the

employee's sick leave accrual and no longer be available to the employee. Enrolled employees, who later decide not to participate will lose the hours already donated into the program. Any lapse in membership would require the employee to meet the criteria as a first time member.

3. Employee must be an active participant to request a withdrawal of hours from the bank.
4. A minimum of 240 hours is required to activate the Bank. Additional donations may be solicited at any time the Bank "balance" falls below 120 hours.
5. No member may contribute a "lump sum" amount of leave at termination or any time during employment other than previously described.
6. To request leave from the Sick Leave Bank, participating employees must submit a Sick Leave Bank Withdrawal Form. Only participating employees may request leave from the Sick Leave Bank.

Participating employees requesting to withdraw leave from the Bank must have used all available paid leave prior to submitting a written request.

7. All requests for time are subject to available hours. A maximum of 240 hours per year, per participating member, will be considered. Additional hours will be considered on a case by case basis.
8. Payment for hours granted from the Sick Leave Bank will be at the receiving employee's hourly rate of pay earned on the last day of active/paid county services.
9. If leave granted to a participating employee is not used, it will revert to the Sick Leave Bank.
10. Intermittent use of approved sick leave bank withdrawal must be documented by the employee's attending physician or health care provider.

SECTION 21

HOLIDAYS

PURPOSE: To establish holidays with compensation for employees.

POLICY: The Lake County Board of County Commissioners is empowered to establish paid holidays.

GENERAL ADMINISTRATION:

1. All employees, other than Fire Service employees on 24-hour shift, who are scheduled to work at least thirty-seven and one-half (37.5) hours per week or more on a regular basis will be granted a day off with a regular scheduled day's pay on County designated holidays. Part-time employees who are scheduled to work on the holiday will be paid their regular scheduled hours.
2. In order to receive holiday pay, an employee must be in an approved pay status both the work day before and the work day after the holiday. Pay status includes employees on paid vacation or paid sick leave but does not include employees on workers' compensation.
3. Temporary employees, hired for a specific project or casual labor employees are ineligible for holiday pay.
4. When required to work on a holiday, an employee will receive holiday pay and be paid for the hours worked on the holiday at the appropriate rate.
5. County holidays include:
 - (1) New Year's Day
 - (2) Martin Luther King's Birthday
 - (3) President's Birthday
 - (4) Memorial Day
 - (5) Independence Day
 - (6) Labor Day
 - (7) Veteran's Day
 - (8) Thanksgiving Day
 - (9) Day after Thanksgiving
 - (10) Christmas Day
 - (11) Employee's Birthday*
 - (12) Designated Floating Holiday**

- * Employee's Birthday shall be taken on the birthday or within thirty (30) calendar days following employee's birthday. This may be waived by the Department/Division Director, if, at the convenience of the Department/Division Director, the employee cannot be relieved from duty.
 - ** Designated Floating Holiday: the day before or the day after Christmas, or, the day before or the day after New Year's Day.
6. Holidays which fall on a Saturday, will be observed on the preceding Friday. Holidays that fall on a Sunday will be observed on the following Monday.

SECTION 22

INCENTIVE DAYS

PURPOSE: To provide an incentive for employees to make conservative use of their sick leave privileges.

POLICY: Lake County shall provide additional benefits in the form of incentive or annual leave days.

GENERAL ADMINISTRATION:

1. All regular and management employees who have been employed from the first payroll period in each calendar year through the last day of the twenty-sixth payroll period in each calendar year shall be eligible for incentive days.
2. Following the end of the twenty-sixth payroll period of the calendar year, the eligible number of sick leave hours will be converted to annual hours based on sick leave hours used during the calendar year unless the employee specifically requests otherwise.
3. The maximum number of sick leave hours that can be converted to annual hours is shown on the following chart, less any sick leave hours used during the calendar year.
4. Sick leave hours will be converted on an hour for hour basis, with a minimum of four (4) hours to be converted. The schedule for conversion is as follows:

<u>Scheduled Work Day</u>	<u>Maximum Number of Converted Hours</u>
4.0	20.0 (minus hours used)
5.0	25.0 (minus hours used)
7.5	37.5 (minus hours used)
8.0	40.0 (minus hours used)
10.0	40.0 (minus hours used)
24.0	53.0 (minus hours used)

NOTE: If an employee's scheduled work day is other than the above, please contact Personnel for accurate conversion figures.

5. Any incentive days earned will be deducted from the employee's accrued sick leave balance and added to the employee's accrued annual leave balance.
6. Hours donated to the sick leave bank will not be counted as sick leave hours used by the donating employee.
7. Eligible employees who do not want to have their sick leave hours converted to annual hours shall complete the appropriate form and submit that form to payroll.

SECTION 23

EMPLOYEE INSURANCE

PURPOSE: To describe coverage available to all eligible employees.

POLICY: Lake County provides medical, life, accidental death & dismemberment, dental, and long term disability benefits for each full-time employee.

GENERAL ADMINISTRATION:

1. **MEDICAL/DENTAL:**

A medical plan is provided to all management and regular full-time and part time employees, regularly scheduled to work a minimum of thirty (30) hours per week. The medical and dental plans are available to eligible dependents upon request with the cost determined by the Board of County Commissioners being paid by the employee through payroll deduction.

2. **LIFE:**

Life insurance in an amount of one times annual salary, rounded up to the nearest thousand, (\$20,000 minimum) plus “accidental death and dismemberment” is provided for eligible full-time employees at no cost to the employee. The employee is responsible for notifying Risk Management of changes in the beneficiary record. Additional life insurance is available upon request, with the full cost being paid by the employee through payroll deduction.

3. **CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1985 (COBRA):**

Covered employees and/or their family members are eligible for temporary continuation of the medical plan in the event of a qualifying event such as termination, death and divorce. Contact the Risk Management Division for additional information.

4. **DISABILITY:**

Full-time employees are covered by a group long term disability policy that pays a portion of gross income. In the event of a disability and in accordance with policy provisions.

5. ENROLLMENT:

All insurance coverages require completion of an application at the Risk Management Division office. Insurance becomes effective on the first of the month following a full calendar month (i.e. April, May, etc.), of employment. COBRA continuation of medical plan requires application at the Risk Management Division.

6. INFORMATION:

Further information is contained in the respective Plan Documents, Certificates and Booklets, or may be obtained from Risk Management.

SECTION 24

ON-THE-JOB INJURY TREATMENT/REPORTS

(Replaced with LCC-71)

PURPOSE: To codify the procedures for obtaining treatment and reporting injuries which are covered by the Florida Workers' Compensation Law, F.S. Chapter 440.

POLICY: All employees are required to immediately report on-the-job injuries to their immediate Supervisor. The Supervisor shall report the injury to Risk Management as soon as possible.

GENERAL ADMINISTRATION:

1. For all serious emergencies, such as profuse bleeding, broken bones, unconsciousness, shock, etc., call 911. In remote areas it may be necessary to transport the injured employee to the nearest medical provider.
2. The supervisor shall complete a First Report of Injury or illness, for each injury or illness arising out of employment, and forward to Risk Management within 24 hours.
3. The employee must obtain authorization from Risk Management for any non-emergency medical care and follow-up doctor visits.

NOTE: Except for emergency treatment, only doctors certified in Workers' Compensation and authorized by Risk Management shall be accepted as treating physicians. Unauthorized medical treatment or service is not covered.

4. On weekends, holidays, after hours or when the need for a physician's care is urgent, the employee shall go to the nearest medical provider or facility.
5. Following treatment, whether direct or upon referral, the employee shall return to the Risk Management office with the medical treatment report.

6. For each injury reported, the Supervisor shall conduct a preliminary investigation and complete a Supervisor's Investigative Report (SIR) and forward to Risk Management within 24 hours.
7. The Safety Action Team (Workplace Safety Committee) shall review each SIR, and determine if the accident was preventable or non-preventable. A recommendation, for corrective action shall be made on preventable accidents.

SECTION 25

ON-THE-JOB INJURY WORKERS' COMPENSATION/PAY

(Replaced with LCC-71)

PURPOSE: To outline the policy for payment of workers compensation benefits.

POLICY: Employees incurring injuries or illnesses covered under the Florida Workers' Compensation, Florida Statutes, Chapter 440, shall be paid in accordance with the law.

GENERAL ADMINISTRATION:

An employee who is required to be absent from work due to a compensable injury shall be compensated in accordance with the applicable law as follows:

- a. Workers' Compensation does not pay for absences during the initial 7 calendar days following an accident. The employee may choose to use accrued sick leave hours for the first 7 days and as supplement pay to workers' compensation pay. If the absence exceeds 21 calendar days, workers' compensation will pay the employee for the initial 7 days.
- b. Workers' Compensation will pay compensation benefits in accordance with Florida Statutes Chapter 440, for absences beyond the first 7 calendar days.
- c. County group benefits (health insurance, life insurance, etc.) shall be continued only so long as the employee remains in paid status and in compliance with the eligibility requirements of the County and of each plan.
- d. Employees who are injured because they do not follow a safety rule or do not use a safety device provided by the County may have their compensation benefit reduced by 25%.
- e. Employees may not use their accrued vacation leave to supplement their workers' compensation until all available sick leave hours are exhausted.

- f. Any and all leave associated with an on-the-job injury or illness (paid or unpaid), where the injury or illness is a “serious health condition,” as defined in the Family and Medical Leave Act, shall be designated as Family Medical Leave and run concurrently with Worker’s Compensation.

SECTION 26

RETIREMENT

PURPOSE: To state the County's policy regarding normal service retirements.

POLICY: The Board of County Commissioners provides retirement benefits for employees pursuant to the Florida Retirement System.

GENERAL ADMINISTRATION:

1. All regular and management employees are enrolled in the Florida Retirement System (FRS) with contributions made by the County on behalf of each employee.
2. All retiring employees shall notify the Human Resources Director no later than four (4) months prior to the normal service retirement date in order that processing of necessary paperwork may begin. Further information about the FRS is available in the Personnel Office.

SECTION 27

UNPAID LEAVE OF ABSENCE/NON-MEDICAL

PURPOSE: To grant employees a leave of absence without pay under allowable conditions.

POLICY: Full-time and part-time regular and management employees may be eligible for a leave of absence without pay.

GENERAL ADMINISTRATION:

1. An employee must request an unpaid leave of absence for personal reasons or military duty. A written request may be approved by the Department Director.
2. Any leave of absence without pay shall be approved at least two (2) weeks prior to the leave being taken, except in the case of an emergency. If an absence is taken in excess of two (2) consecutive work days without notification and/or approval, the employee shall be considered to have abandoned their position with the County.
3. An employee shall not earn annual or sick leave credits while on an unpaid leave of absence.
4. An employee returning from an unpaid leave of absence or returning before the expiration of a leave period shall be required to give at least two (2) weeks notice or have Department Director approval.
5. Unpaid leaves of absence may be granted in the following increments: 1) personal leave - up to one (1) month; and 2) military leave - no longer than five (5) years and the employee shall make application for reinstatement within ninety (90) days of military discharge. Employees who return before the exhaustion of the leave will be entitled to a reinstatement to their former or a similar position. Anniversary dates are adjusted for any unpaid personal leave taken beyond thirty (30) days.
6. If an unpaid military leave extends beyond thirty (30) days, an employee may continue their group insurance benefits by remitting the premium payments under COBRA provisions. Arrangements for continuation of insurances are made through Risk Management.

September 7, 1999

September 7, 1999

SECTION 28

FAMILY AND MEDICAL LEAVE POLICY

PURPOSE: To grant employees a leave of absence under certain allowable conditions.

POLICY: It is the policy of Lake County to grant up to twelve (12) weeks of family and medical leave during any calendar year (beginning January 1), to eligible employees, in accordance with the Family and Medical Leave Act of 1993 (FMLA). The leave may be paid, unpaid or a combination of paid and unpaid, depending on the circumstances and as specified in this policy.

GENERAL ADMINISTRATION:

1. **ELIGIBILITY:** In order to qualify to take family and medical leave under this policy, an employee must meet all of the following conditions:
 - a. An employee must have worked for Lake County Government at least twelve (12) months, or fifty-two (52) weeks. The 12 months, or 52 weeks, need not have been consecutive. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week;
 - b. An employee must have worked at least 1250 hours during the 12 month period immediately before the date when the leave would begin;
2. **TYPE OF LEAVE COVERED:** In order to qualify as FMLA leave under this policy, an employee must be taking the leave for one of the reasons listed below:
 - a. the birth of a child and in order to care for that child;
 - b. the placement of a child for adoption or foster care;
 - c. to care for a spouse, child, or parent with a serious health condition; or
 - d. the serious health condition of the employee.

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

A “serious health condition” means an illness, injury, impairment, or physical or mental condition that involves any of the following:

- a. An overnight stay for inpatient treatment in a hospital, hospice or residential medical care facility.
- b. A period of inactivity requiring absence from work, school or other regular daily activities of five (5) or more calendar days and that also involves continuing treatment by or under the supervision of a health care provider.
- c. Continuing care by or under the supervision of a health care provider for: 1) prenatal care or, 2) a chronic or long-term health condition that is incurable or so serious that, if not treated, would result in a period of incapacity of five (5) or more calendar days.

Employees with questions about what illnesses are covered under this Policy or under the County’s sick leave policy are encouraged to consult with the Human Resources Director.

The County requests that the employee provide a doctor’s certification of the serious health condition. The certification process is outlined in number 7.

If an employee takes paid sick leave for a condition that progresses into a serious health condition, the County will designate the leave from the first knowledge of the serious health condition as family medical leave. The county will not include any prior leave as retroactive family medical leave, except as allowed by law.

3. EMPLOYEE STATUS AND BENEFITS DURING LEAVE:

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

If the employee chooses not to return to work for reasons other than a continued serious health condition, the County will require the employee to reimburse the County the amount it paid for the employee’s health insurance premium during the unpaid leave period.

While on unpaid leave, the employee must continue to make any premium payments either in person or by mail. The payment must be received in the Risk Management

Division by the last day of each month for the next month's coverage. If the payment is more than 30 days late, the employee's dependent health care coverage may be dropped for the duration of the leave.

If the employee purchases life insurance or other insurance, services or plans the County will continue making the payroll deductions while the employee is on paid leave. However, when the employee is on unpaid leave, the employee must make those payments to Risk Management. If the employee does not make these payments, the County may discontinue coverage during the leave period. As an option, the employee may voluntarily prepay their health plan premiums before the starting date of the family and medical leave. The employee should contact the Risk Management Division to exercise this prepayment option.

Exempt employees are required to record intermittent or reduced hours taken under family medical leave provisions. These hours can be recorded without jeopardizing their exempt status as defined by the FMLA.

4. EMPLOYEE STATUS AFTER LEAVE:

An eligible employee who takes leave, in compliance with the Family and Medical leave Act, will be able to return to the same job, or a job with equivalent status, pay, benefits and other employment terms. The position will be the same or one which entails substantially equivalent skill, effort, responsibility and authority. The County may choose to exempt certain employees, defined as "key employees," from this requirement and not return them to the same or similar position.

Anniversary dates will be adjusted for any unpaid leave taken over thirty (30) days, in accordance with the established policy on long term leave.

5. USE OF PAID AND UNPAID LEAVE:

If an employee has accrued paid leave, the employee must use paid sick leave first then take paid annual leave and take the remainder of the 12 weeks as unpaid leave. Available leave hours (annual and sick), must be used before using unpaid time off. If the leave is for the employee and qualifies as "catastrophic," as defined in Section 20/Sick Leave Bank Program, POLICY, and the employee is a member of the Sick Leave Bank, the employee may be eligible for sick leave bank hours.

6. INTERMITTENT LEAVE OR A REDUCED WORK SCHEDULE:

An employee may take FMLA leave in 12 consecutive weeks; may use the leave intermittently (take a day periodically when needed over the year); or, under certain circumstances, may use the leave to reduce the work week or work day, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 weeks over a 12 month period.

The County may temporarily transfer an employee to an available alternate position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

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

If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the County before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave is medically necessary. The County may require certification of the medical necessity.

7. CERTIFICATION OF THE SERIOUS HEALTH CONDITION:

The County will ask for certification of the serious health condition. The employee should try to respond to such a request within 15 days of the request, or provide a reasonable explanation of the delay. Failure to provide certification may result in a delay and/or discontinuation of leave. Medical certification may be provided by using the Family/Medial Certificate of Health Care Provider form.

Certification of the serious health condition shall include: the date when the condition began, its expected duration, diagnosis and a brief statement of treatment. For medical leave for the employee's own medical condition, the certification must also include a statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the employee's position. For a seriously ill family member, the certification must include a statement that the patient requires assistance and that the employee's presence would be beneficial or desirable.

If the employee plans to take intermittent leave or work a reduced schedule, the certification must include dates and the duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

The County has the right to ask for a second opinion if it has reason to doubt the certification. The County will pay for the employee to get a certification from a second doctor, which the County will select.

If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third doctor. The County and the employee will jointly select the third doctor and the County will pay for the opinion. This third opinion is considered final.

8. PROCEDURE FOR REQUESTING LEAVE:

Except where leave is not foreseeable, all employees seeking approval for family medical leave, must submit the request in writing to their immediate supervisor, with a copy to the Personnel Office, on forms provided by the County. Such requests must be forwarded to the Personnel Office.

When an employee plans to take leave under this policy, the employee must give the County 30 days notice. If it is not possible to give 30 days notice, the employee must give as much notice as is practicable. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to the department's operations.

If the employee fails to provide 30 days notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date the County receives notice.

While on leave, employees are requested to report periodically to the Personnel Office and their supervisor regarding the status of the medical condition and their intent to return to work.

9. OUTSIDE EMPLOYMENT DURING LEAVE:

Outside or supplemental employment is generally prohibited during paid and/or unpaid Family and Medical leave. Exceptions may be granted on a case-by-case basis, but must be approved prior to the leave.

10. OTHER REPORTS AND CERTIFICATIONS:

September 7, 1999

During a family and medical leave, the County may require the employee to report periodically on their status and intent to return to work.

The County may also require the employee or their health care provider to complete one or more additional medical certification forms at reasonable intervals during the family and medical leave, but not more often than every 30 days unless one of the following occurs:

- a. The employee requests an extension of leave.
- b. Circumstances described in the previous certification have changed significantly.
- c. The County receives information that casts doubt on the continuing validity of the employee's previous certification.
- d. The employee is unable to return to work after the family and medical leave ends because of the continuation, recurrence or onset of a serious health condition involving the employee or an immediate family member.

11. RETURN TO WORK:

When an employee has taken family and medical leave because of a serious health condition, except for intermittent leave, and wants to return to work upon the expiration of the leave, the County will require (in accordance with its uniformly-applied policy) that the employee obtain and present a fitness-for-duty certification from the health care provider which states that he is able to resume work and perform the essential functions of the position, with or without a reasonable accommodation. The fitness-for-duty certification relates only to the particular health condition that caused the need for family and medical leave. The County may deny a request for reinstatement until the receipt of the fitness-for-duty certification.

12. Any and all leave associated with an on-the-job injury or illness (paid or unpaid), where the injury or illness is a "serious health condition," as defined in the Family and Medical Leave Act, shall be designated as family medical leave and run concurrently with Workers' Compensation.

13. OTHER INFORMATION:

Employees who fraudulently obtain family and medical leave from the County are not entitled to job restoration or maintenance of employee benefits.

14. The County intends to comply with the requirements of federal law governing family and medical leave. It does not intend to provide any type of family and medical leave beyond the minimum federal law requirements, except to the extent that the state laws and other clearly-articulated policies apply. The County has the right to reject any family and medical leave (and maintenance of employee benefits) that does not meet the minimum federal law requirements. This rejection may take place at any time, even if the County previously granted the family and medical leave or maintained employee benefits.

SECTION 29

CORRECTIVE ACTION

PURPOSE: To set forth the behavioral standards for employees and clarify the potential corrective action that may be taken when employees violate rules of County conduct and performance standards.

POLICY: Each supervisor is charged with ensuring adherence to the County's Policies and Practices Employee Manual within their area of responsibility.

GENERAL ADMINISTRATION:

1. Each Department Director, with approval of the County Manager, shall provide to all employees clearly defined department objectives and work performance standards, including department rules of conduct. Corrective actions should be documented in writing with a copy placed in the employee's personnel file.
2. The County will follow progressive corrective action in the following manner:

First Offense	-	Oral Warning
Second Offense	-	Written Warning
Third Offense	-	Suspension without pay
Fourth Offense	-	Termination

An employee may be subject to demotion, suspension or termination for other causes even though the cause is not enumerated in subsections 3 or 4 below. Nothing herein prohibits the demotion, suspension or termination of an employee without cause.

3. The "misconduct" or "conduct" for which an employee may be subject to progressive corrective action is not limited to willful misconduct. Corrective Action may be imposed for any conduct which falls short of what an employer may reasonably expect and require of an employee. Progressive corrective action may be imposed for offenses such as, but not limited to:

- a. tardiness
- b. absenteeism of one day without notification
- c. discourtesy
- d. horseplay
- e. substandard performance
- f. failure to notify supervisor of an on-the-job injury or accident
- g. smoking in a prohibited area
- h. creating or contributing to poor housekeeping
- i. misuse of County equipment
- j. inadvertent or isolated violation of the rules of the Department or standards of conduct (other than “serious” misconduct which results from a lack of good judgment).
- k. violation of a safety policy, procedure or rule.
- l. violation of Parking Policy.

Each violation shall be considered individually in determining the appropriate corrective action.

4. Serious misconduct may result in non-progressive corrective action, up to and including termination. Examples of serious misconduct offenses which may warrant discharge or non-progressive corrective action are listed below:
 - a. incompetence or substandard job performance
 - b. inefficiency in the performance of an employee’s duties
 - c. offensive conduct (harassment, rudeness, profanity, etc.) or conduct which disrupts the work place
 - d. insubordination
 - e. solicitation or taking for personal use a fee, gift or other valuable thing in the course of work, or in connection with it, when such fee, gift or other valuable thing so solicited or taken might be construed as receiving a favor or obtaining

better treatment than that accorded other persons, either on a present or future basis

- f. failure to immediately notify supervisor when information has been filed by a prosecuting official against them for a violation of law, including moving violations, has been indicted by a Grand Jury, or incarcerated and/or charged with any unlawful act
- g. conviction of or pleading no contest to a felony or first degree misdemeanor or other serious crime including, but not limited to, DUI, DWI
- h. inattention to duty or carelessness
- i. excessive tardiness or absenteeism
- j. at-fault, on-the-job accident resulting in personal injury or injury to others
- k. attempting to use political influence in order to affect any term or condition of employment
- l. dishonesty
- m. immorality or other conduct, on or off duty, which could affect performance of one's job or could have a negative impact on the County, including the County's reputation
- n. having drugs or alcohol present in one's system or in violation of the provisions of the Drug Free Workplace Policy
- o. violation of safety rules or regulations
- p. violation of any other County or department rule of conduct or standard of performance
- q. an absence of two (2) or more consecutive work days without notification and/or approval is considered job abandonment and a voluntary resignation
- r. unauthorized possession or use of County property or the property of a co-worker

- s. carelessness or other behavior resulting in the loss or damage of County property
 - t. sexual, racial or other prohibited harassment as defined in the Sections relating to Harassment
 - u. falsification (deliberate or otherwise) of any County records including employment applications and time cards or other documents required to be submitted to the County, including doctor's notes, or failure to notify County of change in driver's license status or any arrests or convictions of criminal offenses
 - v. possession of explosives or other unauthorized weapons on or in County property
 - w. fighting with or striking any employee, or threatening to fight
 - x. leaving the workplace without the specific permission of the Supervisor, Department Director or County Manager.
5. **PROBATION:** Any type of corrective action may be accompanied by placing the employee on probation. There will be periodic evaluations of an employee's performance and conduct during any probation period. Failure to improve may result in further corrective action up to and including termination. If an employee is promoted or transferred into another department while on corrective probation, the employee must serve the corrective probationary period prior to beginning promotion or transfer probation.
 6. **SUSPENSION WITHOUT PAY:** An employee may be suspended without pay when the misconduct as identified in subsection 4, is severe, but termination is not recommended. Prior to the suspension, an informal conference between the employee and supervisor will take place where the terms and conditions of the suspension will be explained to the employee subject to confirmation by the Human Resources Director.
 7. **SUSPENSION WITH PAY:** An employee may be suspended with pay pending an investigation of misconduct or other similar event.
 8. **PRE-DETERMINATION CONFERENCE:** Each employee whose Supervisor recommends suspension, demotion or termination under these rules will have the opportunity to participate in a pre-determination conference with the Department Director. The employee will be advised of the reasons for the recommendation of suspension, demotion or termination and the employee will be allowed to present all

documentation and evidence in support of their respective positions. The Department Director after hearing testimony and reviewing the documentation, will approve, modify or disapprove the recommendation of the supervisor. The Human Resources Director will attend the pre-determination conference.

SECTION 30

GRIEVANCE PROCEDURE

PURPOSE: To provide a system to hear grievances concerning the terms and conditions of employment. The grievance procedure may not be used to alter a written term or condition of employment currently in effect.

POLICY: It is the policy of Lake County that all employees be treated fairly and consistently.

GENERAL ADMINISTRATION:

1. STEP 1: CONFERENCE WITH IMMEDIATE SUPERVISOR AND DEPARTMENT/DIVISION DIRECTOR

This is the initial step for an employee who feels that there is (are) a valid reason(s) for complaint. Within 30 days of the occurrence, the employee may request a conference with their Supervisor and Department Director. The Department Director shall make every effort to resolve the complaint at this point by encouraging open communication and understanding. The employee will be given a written report detailing the discussion with their Department Director regarding the efforts to resolve the complaint(s) stating issues that have been resolved and any remaining unresolved issues. If the employee is dissatisfied, the process continues to STEP 2.

2. STEP 2: APPEALS TO THE COUNTY MANAGER

If the grievance has not been resolved, the employee may file a written request within seven (7) calendar days of the receipt of the response from STEP 1 for the grievance to be heard by the County Manager. In the case of grievances resulting from terminations, suspensions or demotions, the County Manager may refer the grievance to a grievance committee to consider the matter and make recommendations.

Should a grievance committee be convened, the grievance committee shall be composed of not less than three (3) employees to hear informal testimony. The committee shall be randomly chosen and shall not include employees who are from the grievant's department. The Committee shall include one department director, one supervisor other than a department director and one employee who is not a supervisor. All three (3)

employees of the Committee shall be from different departments. The committee shall elect a chairperson. The Human Resources Director shall make arrangements for the committee to meet. The committee shall make a decision by a majority vote and a written statement of the decision and recommendations shall be issued to the County Manager and the participants within five (5) working days of the meeting. Should a grievance committee not be convened, the County Manager shall hear informal testimony.

In either case, the employee shall have the right to be accompanied, represented, and advised by legal counsel, or be self represented. If the employee will be represented by counsel, the employee shall inform the Personnel Department of this in writing at least one (1) working day before the hearing. The employee shall be responsible for their own attorney fees. All proceedings before the grievance committee or the County Manager shall be informal and legal rules of evidence and procedure shall not apply.

Within ten (10) calendar days of the proceeding, or in the case of a grievance committee recommendation, within ten (10) calendar days of the grievance committee recommendation, the County Manager shall issue a written order which may sustain, reverse, or alter the outcome of the matter which is the subject of the grievance. The decision of the County Manager shall be final and binding.

SECTION 31

DRESS CODE

PURPOSE: To establish criteria for employees regarding appropriate work clothing.

POLICY: Lake County has set criteria for wearing apparel of its employees.

GENERAL ADMINISTRATION:

1. Employees should check with their supervisor for department policy. If uniforms are provided, they must be worn at all times.
2. Safety equipment, where needed and provided, must be worn, as appropriate.
3. Upon an employee's termination, the employee is responsible for the surrender of all uniform/safety equipment articles.
4. The County expects all employees to dress in a manner which is appropriate to the type of work performed and have a neat and orderly appearance.

SECTION 32

USE OF COUNTY VEHICLES/PROPERTY

PURPOSE: To insure appropriate use of all County vehicles, equipment and property.

POLICY: The use of County owned vehicles, equipment and property for private or personal business is strictly prohibited.

GENERAL ADMINISTRATION:

1. Vehicles and property will be used for official County business only and must be operated within the limits of the law adhering to all safety regulations. Operators may be held responsible for fines and for damages resulting from their own negligence. Negligence or violations of this policy may result in corrective action, including termination. Employees who are assigned a County vehicle and operate the vehicle to and from work will be responsible for the tax liability for the value of this benefit.
2. Employees assigned a County vehicle are responsible for insuring that the vehicle is clean. Employees are expected to follow a maintenance schedule and insure pre-trip inspections on their assigned vehicles.
3. Passengers who are not County employees may only be allowed in County vehicles for the purpose of conducting County business.
4. The Board of County Commissioners may by agreement waive this policy.

SECTION 33

EMPLOYEE IDENTIFICATION CARDS

PURPOSE: To establish procedures to ensure issuance and accountability of employee identification cards.

POLICY: Lake County will issue identification cards to those employees who may be required to show identification in the performance of their duties.

GENERAL ADMINISTRATION:

1. Employees may not alter any data contained on the cards. Cards shall be worn when required.
2. Identification cards shall only be used for County business and must be returned to the Human Resources Director prior to leaving County service. Any questions as to who shall, or shall not, be issued an identification card will be resolved by the County Manager.

SECTION 34

POLITICAL ACTIVITY

PURPOSE: To outline the policy for employees relating to political activity.

POLICY: To promote more efficient public service by relieving employees of political pressure and to regulate the political activities of its employees during regularly scheduled work hours or while performing duties for the County.

GENERAL ADMINISTRATION:

County employees are encouraged to vote in elections. However, to avoid conflicts of interest or public misunderstanding, employees are prohibited from playing an active role in partisan political affairs during work hours.

No employee may take part in political management or political campaigns during duty or when functioning in an official capacity.

No employee or official shall solicit - orally or by letter - or be in any other manner concerned in obtaining any assessments, contributions or services for any political party from any employee or the public during duty hours or when functioning in an official capacity.

Political candidates may be greeted and political campaign material accepted for your personal information, but should be removed from public viewing immediately. No campaign material will be displayed on counters or desks at any time.

Nothing herein contained shall be construed to restrict the right of employees to hold membership in and support a political party, to vote as they choose, to express their opinions on all political subjects and candidates, to maintain political neutrality and to attend political meetings after working hours or to campaign actively during off-duty hours in all areas of political activity.

No employee may be a candidate for or hold the office of Lake County Commissioner. No employee shall hold or be a candidate for any other public office while in the employment of the County unless approval is obtained from their Department Director and the County Manager as involving no interest which conflicts with or interferes with county employment.

An employee who has been granted approval to become a candidate for public office pursuant to this section, may at the discretion of the employee's Department Director, be granted a leave of absence without pay to campaign for the office, or may be allowed to use accrued annual leave.

SECTION 35

EDUCATIONAL ASSISTANCE

PURPOSE: To provide financial assistance for educational courses to County employees.

POLICY: To establish criteria for employees to obtain educational assistance applicable to the employee's field of work or of such nature and quality to directly contribute to the employee's value and potential growth.

GENERAL ADMINISTRATION:

1. An employee will be considered for participation in the Educational Assistance Program if they have been a full-time employee of the Board for one (1) year or more and are recommended by their Supervisor.
2. An employee may request participation in the plan by submitting an application to their supervisor, stating the title and description of the course, the teaching institution, the duration of the course and the cost of tuition and lab fees.

The Department will review the application for employee eligibility and availability of funds, and approve/disapprove the application.

3. Qualified employees will be permitted time off from work with pay to attend required classes which are not available during non- working hours, if approved by the Supervisor and Department Director.
4. Tuition reimbursement shall be limited to a maximum dollar value of ten (10) credit hours per fiscal year, at the cost per undergraduate semester hour at the University of Central Florida at the time the employee registers and pays for the class(es).
5. Upon successful completion of approved course(s), with a grade of "C" or better, the employee may be eligible for reimbursement of tuition. The employee must present a copy of their grades or certification of successful course completion to receive reimbursement. If the course is completed with a grade of "A", the employee may be eligible for reimbursement of books. To receive reimbursement for books, a receipt showing cost must be included.

Reimbursement for tuition, lab fees and books will be made only to employees who are on the active payroll at the time of successful completion of the course.

6. The County will require the employee to sign an agreement to work for LCBCC for a minimum of twelve (12) months after the completion of the course (s). If the employee elects not to fulfill the agreement, cost of the educational assistance may be deducted from any monies due the employee.

SECTION 36

PARKING POLICY

PURPOSE: To maximize the effective use of area parking available for employees and afford the public with convenient and appropriate access to County buildings.

POLICY: County employees will use parking spaces designated for employees. The use of parking spaces, by employees, designated for public use is strictly prohibited during the normal working hours of 8:00 AM to 5:00 PM, Monday-Friday.

GENERAL ADMINISTRATION:

1. Employee parking spaces have been designated, as indicated in the parking plan. Accessible parking spaces have been designated for use by persons with physical disabilities, either temporary or permanent, requiring special consideration*.
2. Public parking spaces have been designated, as indicated in the parking plan. Accessible parking spaces have been designated for use by persons with physical disabilities, either temporary or permanent, requiring special consideration.*
3. Employees are issued County permits, in conjunction with new employee processing, through the Human Resources Department, in accordance with established procedures. Permits must be displayed, as directed, on any employee vehicle parked in or around the courthouse in the designated employee and/or visitor parking. Failure to display permit, as directed, will result in corrective action, up to and including termination.
4. All designated employee parking lots and public parking spaces, as indicated on the parking plan, are monitored on a daily basis. Employees who park in designated public spaces, in violation of this policy, will be issued a violation notice.
5. Each Department Director (or designee), will receive a copy of the employee violation notice and take appropriate corrective action. Employees who violate this policy are subject to corrective action up to and including termination.
6. This policy will be enforced by the Department of Facilities and Capital Improvements.

*Disabled Parking Permits are issued by the Florida Department of Highway Safety and Motor Vehicles in accordance with Section 320.0848, Florida Statutes to those persons with certified mobility problems.