PERSONNEL POLICIES, RULES,

REGULATIONS AND PROCEDURES

FOR THE CITY OF NICEVILLE, FLORIDA

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The City of Niceville Personnel Policies, Rules, Regulations and Procedures Manual does not constitute a written or implied contract of employment. The City reserves the right to amend this manual from time to time.

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I. GENERAL PROVISIONS

1.01 Authority

The City Council of the City of Niceville, Florida, as a board of elected public officials, derive authority and responsibility from the Constitution of the State of Florida and the Charter of the City of Niceville. The elected City Council is ultimately responsible for all that transpires under the City's authority.

The volume of work required to deliver municipal services necessitates a large and complex organization of employees who carry out the functions of the City under the direction of the City Manager. Within bounds defined by the Charter and subject to ultimate review by the Council, the City Manager is delegated responsibility for the appointive, fiscal, administrative (and corrective) authority for all personnel matters within the City.

Consequently, the authority for the formulation and proposal of personnel policies, rules, regulations, and procedures derives as an extension of the other delegated appointive and administrative powers of the City Manager.

1.02 Purpose and Scope

The successful fulfillment of the responsibilities of the City requires the total dedication of each and every employee. Conscientious employees are best supported by an equitable and efficient personnel system. To attract, hold, make maximum utilization of and properly reward the best public employees is the objective of the Personnel System of the City of Niceville.

The purpose of this statement of policies, rules, regulations, and procedures is to promote effective execution of the duties of the City, increase efficiency and economy, reward merit, increase employee satisfaction, resolve the sources of dissatisfaction, and establish equitable standards for the administration and compensation of all employees of the City.

This manual contains the major personnel policies, rules, regulations, and procedures by which the Personnel System of the City shall be conducted. This manual is intended to serve as a statement of policy for existing and new employees and their administrative staff. The content includes the general standards by which all employees will conduct themselves, the system by which employees will be classified and compensated, the rules covering pay and benefits, the understandings by which employees may advance, the arrangements provided by the City for maintaining good communications with all employees, the procedures for recruitment and employment of new employees, and the guidelines for the various personnel actions which may affect the status and progress of all employees.

1.03 Applicability

Unless specifically noted to the contrary, this description of City policies, rules, regulations, and procedures applies to all City employees: regular full-time (40 hr. week); part-time; probationary and temporary; administrative, supervisory, and non-supervisory; uniformed and non-uniformed; certified, deputized, or not; as a basic condition of employment.

1.04 Administration

These personnel policies, rules, regulations, and procedures shall be administered by the City Manager and those administrative staff to whom authority and responsibility for the conduct of the business of the City may be delegated: such as administrative personnel, department heads, and supervisors. Under the direction of the City Manager, designated personnel shall provide technical and administrative assistance to the administrative staff and to employees to support the proper and effective administration of these policies, rules, regulations, and procedures.

1.05 Amendment

The City Manager reserves the right to propose additions, deletions, modifications, or suspension of any policy, rule, regulation, or procedure included herein which is deemed to be necessary to serve the best interest of the responsibilities of the City.

II. STANDARDS OF CONDUCT

2.01 General Policy

All standards of conduct for employees of the City of Niceville are derived from four basic premises:

1. Each employee is a representative of the City. In a very real sense, each elected incumbent of the Council and, therefore, every employee, is always visible and accountable to the public. Consequently, each employee's conduct should meet the standard which the public should be able to expect from those they elect and from those they pay for.

2. Each employee's position exists only because it contributes to the execution of the duties of the City Manager.

3. Each employee has value to the City Manager to the degree that he/she contributes the most to the position he/she fills.

4. The administrative staff is responsible for ensuring that the duties of the City and its several functional divisions are maintained.

2.02 City's Rights and Powers

Nothing contained in these personnel policies, rules, regulations, and procedures shall be construed to affect or diminish the City's powers in accordance with applicable laws. Additionally, the powers of the City include, but are not limited to, all of the following normal and inherent rights of managing the various City functions:

1. Determining the organization of the City.

2. Determining the purpose of each of its units and departments.

3. Exercising the control and discretion over the organization and efficiency of operations of the City.

4. Setting standards for services to be offered to the public.

5. Managing and directing employees of the City.

6. Hiring, examining, classifying, promoting, training, transferring, assigning, scheduling, and retaining employees in positions with the City.

7. Suspending, demoting, discharging, or taking other disciplinary action against employees as necessary.

8. Increasing, reducing, changing, modifying, or altering the composition and size of the work force, including the right to relieve employees from duty because of lack of work, funds, or for other reasons within the discretion of the City.

9. Determining the location, methods, means and personnel by which operations are to be conducted, including the right to contract and subcontract existing and future work.

10. Determining the number of employees to be employed by the City.

11. Establishing, changing, or modifying the number, types and grades of positions or employees assigned to an organization, unit, department or project.

12. Establishing, changing, or modifying duties, tasks, work assignments, responsibilities or requirements within job descriptions in the interest of economy, efficiency, technological change, operating requirements, or organizational changes.

2.03 Employee Rights and Privileges

Employees are guaranteed certain rights and privileges which are to be safeguarded by the administration of these policies, rules, regulations, and procedures.

1. The right to equitable and fair treatment in the assignment of work and the compensation for work.

2. The right to compete for advancement.

3. The right to work under safe conditions and the privilege to recommend means of creating safer working conditions.

4. The right to communicate with management regarding job-related problems, suggestions, ideas, inquiries, etc.

5. The right to seek redress for a grievance.

6. The right to work freely and unimpeded by political, social or personal influences.

7. The right to expect reasonable standards of work and reasonable resources to accomplish work.

8. The privilege of merit and other fringe benefits as customarily provided by the City.

9. The right to expect constructive criticism and the avoidance of ridicule and embarrassment.

10. The right of nondiscrimination.

11. All employment rights granted or implied by the Constitution of the United States, Florida State Statutes, and applicable federal and state regulations.

2.04 Work Periods

The standard work week is 40 hours in five days, Monday through Friday. The standard work day is 4 hours, followed by a one-hour lunch period, followed by the remaining 4 hours. Due to the variety of work requirements, the beginning and ending times may be different for different departments. Unless otherwise authorized, office hours for the standard work day 8:00 A.M. to 5:00 P.M. (Lunch hours may be staggered by the administration so that an ample work force can be in each department during lunch time.) Work breaks of fifteen (15) minutes each are permitted in the morning and afternoon, also on a staggered basis. The precise timing of breaks will be determined by supervisors depending on work loads each day. Strict observance of these hours and time limits is expected.

Absences and tardiness affect the overall performance of the City. Serious abuses will become subjects of personnel actions. The employee who anticipates an unavoidable absence or tardiness is expected to notify his/her supervisor as far in advance as possible. Specific reporting procedures will be determined by each department head. Supervisor's permission is required in advance for avoidable absence, tardiness or early departure.

2.05 Public Appearance and Conduct

As representatives of the City, all employees are expected to know what is appropriate and acceptable attire, grooming and behavior for their work site and for the individual department or function. If any doubt exists as to what may be appropriate, the employee is encouraged to consult his/her supervisor. Employees are requested to avoid extremes, particularly exotic or bizarre costumes and grooming which are not suited to a business or public service situation.

Supervisors will apply fair, consistent, professional standards in dealing with any problems and quietly discuss with the employees any attire, grooming, or behavior not suitable for the employees of the City.

2.06 Public Relations

Each employee of the City should treat people and handle their matters in such a way as to instill respect for the reputation already earned for courteous and efficient service. Friendliness, cheerfulness, helpfulness, courtesy, informality and sincerity are expected from all employees, especially in service to the public.

2.07 Confidentiality

Employees are expected to remain mindful of the confidential nature of many aspects of the work of some departments of the City. Good judgment should be exercised regarding the release or discussion of official matters or other information which may affect the personal or business affairs of others. Supervisory permission is required for release of sensitive or privileged information.

2.08 General Quality of Work

Each employee is expected to achieve maximum efficiency and accuracy on assigned duties. Errors affect the performance of the employee, the work load of fellow workers and supervisors, the reputation of the department and the City and, most importantly, the lives of members of the public. Error-free work is our goal.

2.09 Economy and Use of City Property

The City provides employees with necessary equipment and materials to carry out their job assignments. These equipment and materials are paid for by the taxpaying residents of Niceville. It is the duty of each employee to respect the value of all supplies, equipment and printed forms, regardless of their cost. It is important to handle with care the machines and equipment that are used in the work of this office. It is also important that pencils, stationery, forms, etc., be conserved. The taxpaying public is entitled to these considerations on everyone's part. Personal use of public equipment, materials or supplies is not permitted. This applies particularly to the unauthorized use of the City's stationery.

In order to ensure efficient and proper accountability, all employees are expected to adhere to required procedures regarding purchase orders, inventory, use of city vehicles, and checking in and out for use of the equipment.

2.10 Use of City Vehicles

When you are assigned a City-owned vehicle or any equipment for your work, you are responsible for its proper use and maintenance. Any defects that you note should be reported to the appropriate personnel for repair.

All City vehicles must be operated according to the traffic laws of the City of Niceville and State of Florida.

At no time should a City vehicle be used for purposes other than the transaction of City business. No unauthorized persons are allowed to ride in City vehicles.

Smoking in City vehicles is prohibited.

2.11 Personal Communications

Telephones, cellular phones, voice mail systems, and fax machines are provided for City business use.

Personal use, incoming or outgoing, should be restricted as much as possible. If use during office hours becomes necessary, it should be brief.

Similarly, employees should not receive personal mail or other deliveries at their place of work at the City. Such deliveries may be refused or opened in the course of the City's business. Personal visits by friends, relatives or other contacts should be restricted during work hours, and not within the working areas of the City.

2.12 Workplace Computer, E-Mail and Internet Use

Electronic mail, Internet access and other electronic media and equipment are business tools that are provided by the City of Niceville ("The City") to its employees to facilitate timely and efficient conduct of business. To help ensure that these tools are used appropriately, the City has developed the following acceptable use policy. This policy addresses access, use and disclosure of data, electronic mail, and Internet messages and material created, sent, or received by the City's employees using the City's workplace computers, e-mail, and internet system ("The System"). The City intends to honor the policies set forth below, but reserves the right to change and add to them at any time as may be required under the circumstances.

- The system is primarily for business use, but limited personal use shall be permitted, so long as such use is not excessive and does not interfere with business needs or operations;
- The e-mail system is the property of the City and all e-mail messages composed, sent, or received are the property of the City. The mere deletion of a message or file by an employee may not eliminate it from the system;
- Incoming and outgoing messages and attachments are subject to monitoring at the sole discretion of the City, at any time, with or without notice, and notwithstanding any password;
- The City reserves the right to track and monitor employee use of the Internet, including web sites visited and files downloaded by the employee;
- Employees must not consider any information on the system including e-mail messages and web sites visited to be private;
- The system must not be used to communicate improper messages or material (such as those that are defamatory, derogatory, obscene or otherwise inappropriate, including sexually harassing or other offensive messages);
- The system must not be used to visit offensive or inappropriate websites;
- The system must not be used to violate any law, regulation, or City policy;
- The system must not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior management authorization;
- Employee passwords are confidential and employees shall be held accountable for all usage under their password on the City's computer system;
- Confidential or privileged information should not be sent over the Internet unless they are sent with appropriate warnings, safeguards or encryption;
- Encrypted messages shall be read only by authorized employees using City approved encryption methods;
- Employees with Internet access must take particular care to comply with and understand the copyright, trademark, libel, slander and public speech control laws of other government and non-government agencies with which our City maintains business relationships;
- Executable files may not be downloaded without prior authorization; these include, but are not limited to, .exe, .vbs, .scr, and .dll file extensions;

- Employees should make clear when they are or are not representing the City in their e-mail or Internet communications;
- Employees must not send or forward "chain letter" e-mails;
- Employees should not open e-mail or attachments unless they are confident of the identity of the sender;
- Employees must not access other employee's e-mail without prior management authorization;
- Employees may not install or modify any software, including MS Windows settings and drivers, without prior authorization from the Information Systems Department;
- Care must be taken to insure that all software licensing laws are complied with;
- Each employee is responsible for storing and retaining all documents and correspondence, including e-mail and other electronic documents, as required by law.

A violation of the City's Workplace Computer, E-mail, and Internet Use policies may result in disciplinary action ranging from a verbal warning up to discharge from employment.

2.13 Work Space Conditions

The office, shop, or site is a work space shared by all employees and a public space under public scrutiny. All work areas shall be kept orderly, clean, safe and well secured. Carelessness, horseplay, practical jokes, vandalism, and neglect will not be tolerated.

2.14 Safety and Health

Effective February 7, 2012, the City of Niceville will not hire individuals who smoke and/or use tobacco products. Our reasons for moving to a practice of hiring non-smokers are simple:

1. Economics – health issues and medical costs
• Employers spend an average of $753 per year more in medical costs for a smoker than for a non-smoker.
2. Productivity
• Smokers miss an average of two more workdays per year than their non-smoking colleagues do.
3. Prevention
• Our former US Surgeon General, David Satcher, stated that "Tobacco use will remain the leading cause of preventable illness and death in this Nation. . . . until tobacco prevention and control efforts are commensurate with the harm caused by tobacco use."

As an employee of the agency I will be expected to demonstrate healthy behaviors by my actions and by my compliance with departmental policies. Hence, I will be expected as a condition of my employment to be tobacco-free upon hire and to remain tobacco-free during my employment with the City of Niceville. I understand that employees hired before February 7, 2012, who use tobacco are 'grandfathered' in to the tobacco-free lifestyle and that they will be encouraged to quit using tobacco. In addition, they are provided educational materials on the effects of tobacco and resources to help them quit.

All employees are expected to strive for safe and healthful working conditions. Employees are encouraged to report all correctable working conditions which are felt to be harmful to employee's health and safety. Employees are required to use all appropriate medical or health needs; e.g., eyeglasses, hearing aids, orthopedic shoes, braces, etc., in the interest of safety; however, use of prescribed medications on the job, unless specifically directed by the physician

as appropriate for the employee's work situation, is prohibited. The City may require a physical and psychological examination of an employee at any time to determine his/her continuing fitness for his/her duties.

All employees are advised of their responsibility to immediately report to their supervisor all injuries, equipment damage or accidents that occur on the job. Delay in reporting injury can cause complication of the injury and may delay recovery.

For on-the-job injuries, the immediate supervisor will make an on-the-spot determination as to the seriousness of the injury, and direct the employee either to medical facilities or to the Safety Office for completing a "First Report of Injury" form when the injury is slight. In all cases, regardless of how slight or how major the injury, the first concern will be for the employee's health, and a "First Report of Injury" form must be filed and the accident immediately reported to the Safety Office.

In addition to accident prevention, safety and health consciousness is expected from all employees with regard to communicable diseases. Consider others as well as yourself. Stay home if sick, seek medical attention, and report serious diseases to the appropriate health officials.

2.15 Equal Employment Opportunity

The City of Niceville is an Equal Opportunity Employer. People who are selected for employment in the City are hired on the basis of qualifications. No discrimination will be made concerning employment, compensation, promotion and other conditions of employment for reasons of race, color, religion, gender, national origin, handicap, age, or marital status.

2.16 Employment of Relatives (Nepotism)

Under no circumstances will a member of a family be hired, transferred, promoted or assigned to a position within the employ of the City where that person has supervisory, training, or coordination, or responsibility for another relative. Nor shall a person be hired, transferred, promoted or assigned to a position in which a relative would then have such responsibility. A relative is defined as a father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandmother, grandfather, grandson, granddaughter. The creation of any of the defined relationships between any two existing employees, one of which already having such responsibility for the other (such as by adoption or by marriage) shall call for resolution by transfer, reassignment or termination (in good standing) of one of the persons. Existing situations may be temporarily continued until satisfactory resolution can be achieved.

2.17 Outside Employment

Full-time employment by the City shall be considered primary employment for regular full-time (40 hr. wk.) employees. If an employee must engage in outside employment during off-duty hours, such outside employment should not interfere with the general work quality or demeanor of the employee while on City duty. (The fact of outside employment shall not constitute a

justification or excuse for an employee's failure to comply with personnel policies, standards of conduct or guidelines for disciplinary action.)

2.18 Conflict of Interest

To avoid misunderstandings and conflict of interests which could arise, the following policy will be adhered to by all employees of the City. (This policy is in accordance with Florida Statutes, entitled "Code of Ethics for Public Officers and Employees."):

A. Employees shall not accept any gifts, including Christmas gifts, favors or services that may reasonably tend to improperly influence them in the discharge of their official duties.

B. Employees shall not use or attempt to use their position to secure special privileges or exemptions for themselves or others, except as may be provided by policy and/or law.

C. Employees shall not accept employment or engage in any business or professional activity which they may reasonably expect would require or induce them to disclose confidential information acquired by them by reason of their official position.

D. Employees shall not disclose confidential information gained by reason of their official position, nor shall they otherwise use such information for their personal gain or benefit.

E. If an employee of the City is an officer, director, agent or member of, or owns controlling interest in, any corporation, firm, partnership or other business entity which is subject to current proceedings of the City, they shall file a sworn statement to this effect with the City Manager.

F. Employees shall not transact any business in their official City capacity with any business entity of which he or she is an officer, director, agent, or member, or in which he or she owns a controlling interest, excluding civic, charitable or religious organizations.

G. Employees shall not have personal investments in any enterprise which will create a substantial conflict between their private interest and the public interest.

2.19 Employee Debts

An employee's financial transactions are the employee's personal affair. The City will not act as a collection agency against an employee unless so ordered to carry out a garnishment by a court of competent jurisdiction.

Employee indebtedness which creates a potential conflict of interest will be subject to personnel actions appropriate to same.

2.20 Solicitation and Distribution

A. Employee membership or contributions to recognized organizations are purely voluntary. No coercion of an employee to become a member or to make contributions shall be permitted.

B. Solicitation on City premises during working hours, however worthy, is not permitted without express authority from the City Manager. Unless authorized, salespersons or other calling upon employees during working hours should be informed in a courteous manner that solicitation is not permitted.

2.21 Elections and Political Activities

No employee shall use their official authority or influence for the purpose of interfering with an election or a nomination of office or coercing or influencing another person's vote or affecting the result thereof.

No employee shall directly or indirectly coerce or attempt to coerce, command or advise any other officer or employee to pay, lend or contribute any part of his or her salary, kick back any sum of money, or anything else of value to any party, committee, or organization, agency or person for political purposes.

No employee shall participate in political activities of any kind during office hours, nor engage in unauthorized use of any City equipment or supplies for political purposes.

No employee shall engage in activities which bring discredit upon the City.

Notwithstanding the above, all employees shall retain the right to vote as they choose and to express their opinion on all political subjects and candidates. They shall also have the right to participate in any political campaign during off-duty hours so long as such activities are not in conflict with any provision of Florida law.

As responsible public employees, City employees are encouraged to be well-informed, registered voters (if eligible) in all elections.

2.22 Driver's License

Those employees whose job description requires a valid Florida driver's license, Florida's chauffeur's license or a valid Florida CDL license are expected to keep that license current and free from jeopardy. Any change in the status of a required license must be reported to the employee's supervisor, and may affect the employee's job classification and possible employment.

2.23 Sexual Harassment

The City of Niceville strongly opposes any act of sexual harassment. It is illegal and against policy for any person connected with this Administration to make unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature when:

(1) The employee's submission to the conduct is made a condition of employment;

(2) The employee's submission to or rejection of such conduct is used as the basis of an employment decision affecting the employee; or

(3) Such conduct interferes with an employee's job performance or creates an intimidating, hostile, or offensive environment.

All such conduct is forbidden.

The City of Niceville's intent is not to interfere in the relationships that people may enter into freely away from the workplace. However, such situations are often subject to misperceptions.

This Administration encourages employees to raise questions or seek clarification or advice regarding sexual harassment from the personnel office whenever necessary. All employees have the right to make a complaint if they feel they have been, or may have been, sexually harassed, or for any other employment related reason.

Sexual Harassment Complaint Procedure

The Administration will investigate every incident of claimed sexual harassment. This investigation will be conducted in a professional and confidential manner that, as much as possible, protects the identity of both the person lodging the complaint and the person accused. Pursuant to this, the City complaint procedure, which is available to every employee, should be followed.

Step 1. Talk with your supervisor

If you have a complaint, present the situation to your supervisor. Most complaints can be settled by a frank discussion of the facts. Your supervisor will contact the City Personnel Department to inform him/her of the situation. If the supervisor is personally involved, you may begin with Step 2. Or should the matter fail to be resolved, you may go to Step 2.

Step 2. Talk with your supervisor's immediate superior

Should the matter fail to be resolved in the first step, or if the complaint involves your supervisor, bring the matter to the attention of the City Manager directly, who will thoroughly investigate the complaint and make a determination as to the appropriate action required. All discussions will be confidential. The employee lodging the complaint will be advised as to the Administration's determination.

If the Administration determines that the actions do constitute sexual harassment, the guilty party will be subject to appropriate disciplinary sanctions, up to and including termination of employment.

Each alleged incident will be treated on a case-by-case basis, and therefore the outcome of each case will depend on its precise facts and individual circumstances.

III. PERSONNEL PLAN

3.01 Purpose

The Personnel Plan shall provide an arrangement of positions for the personnel necessary to fill the organizational structure for fulfilling the service and facility responsibilities of the City.

3.02 Contents of the Personnel Plan

The Personnel Plan shall contain the following:

A. A complete inventory of all positions.

B. An appropriate job title for each position which shall be indicative of the work performed by the position.

C. A detailed job description for each position or class of positions, specifying prerequisites, duties, sample assignments, and classification.

D. A position classification plan covering all positions in the inventory, which describes groupings of all positions which require basically the same training, experience and education, which can be filled by substantially the same methods of selection and which can be compensated equitably from within the same pay range. The position classification plan shall serve as the guide from which fair and equitable salary schedules can be developed to compensate equally for equal work.

E. A pay plan providing a fair and equitable level and range of wages and salaries for each classification of positions.

3.03 Pay Plan

A. Purpose and Contents

1. The pay plan shall provide a fair and equitable method for payment of City employees. It shall be directly linked to the position classification plan and shall be intermediate steps of pay. The pay plan shall be constructed with regard to the following:

   a. Relative difficulty and responsibility existing between the various classes of work.

   b. Prevailing rates of pay for similar types of work in private and public employment.

   c. Availability of candidates for recruitment to the various classes of work.

   d. Economic conditions of the area.

   e. Financial policies and budgetary considerations of the City.

2. The pay plan shall also contain all necessary rules and procedures so that it can be administered uniformly throughout the Personnel System.

B. Salary Rates for Employees

New employees shall generally be paid the minimum rate of pay for the position. In the event that a new employee more than meets the minimum qualifications for the position, he/she may be appointed above the minimum rate upon the approval of the City Manager.

C. Merit Increases

1. A merit increase is an increase in an employee's salary to a higher step as a reward for meritorious service. It shall not be automatic, but shall be based on a positive recommendation on the employee's performance and made only if the employee is not at the maximum step of the salary range.

2. Employees shall be eligible for a merit increase one year from the date of their last merit increase except that new employees shall be eligible after satisfactorily completing 90 days of employment.

3. Special increases may be granted upon specific approval of the City Manager provided budgetary money is available and the employee is not at the maximum step of the salary range. Such increases will be accompanied by a written statement from the employee's supervisor specifying the employee's exceptional performance or the unusual employment conditions which make such action necessary.

4. Merit increases shall be budgeted and paid on the basis of "salary base, plus any across the board 'cost of living' percentage increase, plus the merit increase, plus any special increase."

D. Amendment to the Pay Plan

Amendments to the pay plan shall be considered by the City Manager when changes of responsibilities of work or classes, living costs, availability of labor supply, prevailing rates of pay, the City's financial or budgetary policies or other pertinent economic considerations warrant such action. Administrative staff in personnel may study and recommend amendments of the pay plan to the City Manager.

3.04 Maintenance of the Plan

A. The Personnel Office shall be responsible for maintaining an official copy of the position classification plan so that it will reflect on a current basis the range of duties being performed by each position in the Personnel System. Any revisions to the position classification plan must be approved by the City Manager.

B. The Personnel Office shall be responsible for maintaining an official copy of the position classification plan and shall make the copy available for inspection during regular business hours.

C. Changes within the approved position classification plan shall be made as follows:

1. Changes in the duties and responsibilities of a position involving either the addition, subtraction, or modification of assignments shall be reported to the Personnel Office by department heads or supervisors. If, after investigation, the Personnel Office determines the changes to be permanent and significant, a

recommendation will be made to the City Manager to reassign the position to another pay range.

2. The Personnel Office shall periodically review the classification of positions and/or request position descriptions to be submitted. Upon the basis of this review, the Personnel Office shall make appropriate changes to the position classification plan, upon approval of the City Manager.

D. When a new position is established, it will be incorporated into the existing position classification plan. The position title shall be added to the list of other position titles. Likewise, an abolished job and job title shall be deleted from the position classification plan.

IV. PAY AND BENEFITS ADMINISTRATION

4.01 Policy and Intent

It is the policy of the City that wages, salaries, conditions, and benefits offered by the City make employment attractive and competitive, encourage career service and contribute to the security and motivation of employees. The employee pay and benefits program shall be administered in accordance with Equal Opportunity provisions.

4.02 Wages and Salaries

The City budget adopted by the Council each year establishes the framework within which wages and salaries are maintained. The position classification plan and the pay plan further define the level and range of compensations permissible for each position.

Increases in wage/salary within the range for the employee's position will be based on performance. Increases beyond the range established for the position will require consideration of the need to either reclassify the position or transfer/promote the individual employee to a different position.

4.03 Pay Periods

Wage/salary payments are made based on the regular one-week pay period of 40 working hours beginning Friday morning and ending Thursday evening.

4.04 Payroll Check and Deductions

Payroll checks are issued on the Friday following the close of the preceding pay period. (New employees thus receive their first check-at the latest-on their 11th work day; terminating employees thus receive their last check week after the close of their final pay period; provided they have processed a clearance through all departments.) Pay checks are distributed by the department head during the work day. If an employee cannot personally receive his/her check, other arrangements should be made with one's department head.

Deductions (e.g., for Social Security and Withholding Tax) are made from the employee's payment. A list of the amounts for each of these deductions is shown on the paycheck stub. Employees are advised to promptly report any changes which may affect payroll deductions to

the Personnel Office. Errors in an employee's check should be reported immediately to the appropriate supervisor.

4.05 Salary Advances

In extreme emergency cases, advance payment of wages/salary may be made to an employee up to the number of days already worked but not paid in the present pay period. Salary advances require written authorization by the City Manager.

4.06 Overtime

It shall be the general policy of the City for each employee to be assigned regular work duties and responsibilities which can normally be accomplished within the established work day and work week. However, the appropriate supervisor may request an employee to work overtime when necessary in order to meet emergency situations or operating needs. The acceptance of overtime work by the employee shall be voluntary.

Each Department shall maintain records of all overtime worked by its employees. No overtime pay or authorized time off shall be granted except on the basis of such records, and all such records shall be available at all times for review by the Personnel Office.

A. Overtime will be paid to regular employees for work required in excess of 40 hours per week. It will not be the policy of the City to consistently grant overtime, but, when necessary, employees working more than 40 hours during the regular work week will be compensated at time and one-half of their normal hourly rate for each additional hour worked.

B. Employees (except for the ones considered exempt) cannot work hours over 40 per week at regular rate of pay unless time is given off within the work week, compensable at time and one-half with the exception of the Police Department and Fire Department which FLSA offers special regulations. If complied with, this will exempt them from overtime pay based on 40 hour work week.

C. Otherwise, no compensatory time off will be given in lieu of overtime except for those in the following categories who are exempt from overtime status: Executive, Administrative, and Professional employees. All other employees who work overtime will be paid at the rate of time and one-half (unless allowed to take off during the work week compensated at time and one-half.) Compensatory time may only be accumulated (by employees in an exempt status) to a maximum of 240 hours per year. Anything over this amount at the end of the year would be forfeited.

D. Only full-time employees (excluding the ones mentioned above) will be eligible for overtime payment.

4.07 Stand-By Pay

All employees, except Police and Fire Department employees who will be eligible for standby pay only on holidays, shall be paid for unworked time in which they remain eligible for work at the request of the supervisor. Such standby pay shall be determined by the department head and City Manager.

4.08 Call-In Pay

Employees summoned to work at times other than their regularly scheduled hours may be eligible for call-in pay. Hours worked in excess of the regular work week will be compensated in accordance with overtime provisions, with a minimum of two (2) hours pay or compensatory time off guaranteed for all call-ins. Call-in pay may not apply in instances whereby the employee works a scheduled standby shift.

4.09 Out-of-Title Pay and Promotion

Employees may be temporarily assigned on occasion to perform duties in a higher classification on account of a vacancy in that higher classification, or because of the incumbent's illness or absence due to an authorized leave. In cases where such assignments exceed 80 continuous hours, the assigned employee will receive additional pay for the actual time exceeding 80 hours work in that higher classification. A record of accumulated "out of title" time will be maintained until the end of the fiscal year, after which time payment will be made to the employee for the accumulated time.

Promoted employees will receive pay at the higher classification commencing with the date that the duties of the assigned higher position were actually assumed (i.e., no 80 hour deductible).

4.10 Travel

Employees authorized and ordered to travel on official City business shall account for overtime legitimately worked according to overtime rules, except that a one hour deductible shall apply to both morning (one hour prior to normal start of work) and/or evening (one hour following normal end of work) travel.

Travel expenses shall be authorized by the department head and City Manager in advance and reimbursed to the employee.

4.11 Uniforms

City positions which require special uniforms shall be either provided such uniforms or paid a uniform allowance, according to the applicable policy of the department.

4.12 Holidays

A. The following days shall be observed as paid holidays by regular and probationary full-time (40 hr. wk.) employees:

   a. New Year's Day

   b. Dr. Martin Luther King, Jr. Day

   c. Memorial Day

d. Independence Day

e. Labor Day

f. Veterans' Day

g. Thanksgiving Day

h. Day After Thanksgiving

i. Christmas Eve; and

j. Christmas Day

In addition, full-time employees can take, if they choose, a day off for their birthday. The actual day they take off should be at their option, as long as scheduling conflicts do not occur.

B. When a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday. If the holiday falls on a Sunday, the following Monday shall be observed.

C. Work on holidays shall be held to an absolute minimum, subject to work-load requirements.

D. If an employee is eligible for holiday pay and also works on the holiday, they are to be compensated at the rate of time and a half for those hours worked on the holiday. This is in addition to the normal pay for the holiday.

E. If an employee works more than eight (8) hours during a normal work day or is required to work on his or her normal day off, they shall receive an equal amount of time off as determined by the supervisor and approved by the City Manager.

F. To be eligible for holiday pay, employees shall have worked their last scheduled work day before the holiday and their first scheduled work day after the holiday, unless absence on either or both of these work days has been approved in advance by the appropriate supervisor. Holidays with pay will not be given to an employee if he/she is on leave of absence without pay, on suspension, or on any other non-paid status on the day before or after the holiday. Employees receiving Workers' Compensation benefits will not be entitled to additional holiday pay.

G. Temporary employees and part-time employees will not be entitled to paid holidays.

4.13 Annual Leave

A. Regular employees (i.e., other than part-time, temporary and probationary employees) will be allowed to take annual leave (vacation leave) with pay. Annual leave will be accrued for regular employees in the following manner:

1. Police Officers

Each full-time, sworn police officer, upon completion of twelve (12) months continuous service with the city, shall be entitled to 144 hours vacation pay. Thereafter, each regular full-time (40 hr. wk.) sworn police officer shall accrue and be entitled to twelve (12) hours of paid vacation for each month of work with the City.

2. All Other Employees

Each full-time (40 hr. wk.) employee, upon completion of twelve (12) months continuous service with the City shall be entitled to 96 hours vacation leave with pay. Thereafter, each regular employee shall accrue and be entitled to eight (8) hours of paid vacation for each month of work with the City.

B. Upon completion of seven (7) years continuous employment, each full-time employee's annual leave shall increase by four (4) hours per month (except for full-time, sworn police officer's who get 144 hours per year from date of employment).

C. No annual leave will accrue to an employee during any period of work for which unpaid or uncompensated absence occurs. But, employees shall continue to accrue leave time while on vacation.

D. It is the City's policy to have employees take their annual leave yearly after the period for which it was earned. It is generally encouraged that annual leave be used in minimum increments of one week. With special permission of the supervisor, non-paid leave may be added to accrued leave to round out leave to whole weeks.

E. The maximum number of annual leave days which may be accumulated and paid for on termination is based on years of service. Upon termination, employees with less than seven years will be paid for 240 hours; those with 7 - 15 years will be paid for 360 hours; those with over 15 years will be paid for 480 hours. NOTE: Failure to provide a minimum of 14 days notice prior to termination will result in denial of payment of any accrued annual leave.

F. Each department head or supervisor will present, on request to the Personnel Office a schedule detailing the planned vacation leaves of the department employees. Seniority will generally be the deciding factor in scheduling preferred leaves among employees, and the employee's preferences will be followed as far as practical.

G. Employees will not be allowed to work for the City during his/her annual leave (and receive both regular and annual leave pay) unless exceptional circumstances exist, as determined by appropriate supervisor and the City Manager.

H. Holidays occurring while an employee is on annual leave shall not be charged against annual leave.

I. Any absences from work not covered by sick leave, military leave or any other defined leave with pay shall be charged to annual leave.

J. Leave taken in excess of the amount of annual leave earned as of that date shall be without pay. Sick leave will not be "converted" to annual leave.

K. An employee who has resigned or has been terminated shall be paid only the maximum amount allowed to accrue for the years of service. (See (E) in this section.) All allowable leave will be paid to the employee in full in their last check the pay week after the effective date of termination or the date terminated, if deemed necessary.

L. Request for vacation leave:

1. Employees shall submit a request for vacation leave not less than one week (5 working days) prior to date of beginning of the requested leave period.

2. Vacation leave requests shall be honored in accordance with work load and manpower requirements as determined by the employee's supervisor.

3. If a request for leave is rejected, the employee's supervisor will notify and explain reason to employee, who may then select another date for leave.

4. Leave time shall not be so restricted to the extent that personnel are forced to forfeit earned leave time.

5. No paid leave in excess of the amount which could be earned in a five (5) month period shall be granted, except under special and/or emergency circumstances, as approved by the City Manager.

4.14 Sick Leave

A. Each full-time (40 hrs. wk.) employee, upon completion of twelve (12) months continuous service with the City shall be permitted 96 hours sick leave with pay. Thereafter, each regular employee shall accrue eight (8) hours of paid sick leave for each month of work with the City, with the unused portion to be continuously accumulated to an unlimited number of hours. However, upon termination no pay would be received for unused hours. In the event of the death of an employee, unused sick leave will be paid to their beneficiary. Probationary employees will not be eligible to use sick leave benefits until their status as a regular employee is confirmed except under special and/or emergency circumstances, as approved by the City Manager.

B. Additional sick leave may be granted at the discretion of the City Manager.

C. Sick leave may be used for the following purposes:

1. Employee's health.

2. Medical, dental, or optical treatment or examination which is necessary during working hours.

3. Quarantine due to exposure to a contagious disease.

4. Maternity leave.

5. As emergency leave (with supervisor's permission) in the event of serious injury or serious or contagious illness in an employee's immediate family.

D. Sick leave may not be used for annual leave.

E. For prearranged medical, dental, or optical examinations or treatments, employees will (if possible) make request for leave in advance of appointment. Employees will also attempt to secure these appointments at times other than duty hours.

F. Request for sick leave due to illness or injury shall be submitted before or as soon as possible after the beginning of the regular shift of the employee's first work day of his absence and no later than four (4) hours (except for emergencies) after the start of absence.

An employee incapacitated and unable to work shall notify his/her immediate supervisor before the scheduled reporting time, stating the nature of the illness and the expected period of absence. Reporting procedure for employees unable to work and for the usage of sick leave time shall be determined by the operational procedures and directives of the department concerned. This procedure shall be followed for each day the employee is unable to work, unless prior approval is given by the department.

G. If and whenever the use of sick leave may appear to be abused, or where an employee consistently uses sick leave as it is earned, the employee claiming/requesting such sick leave may be required to furnish acceptable proof of the necessity for such absence. The City Manager or the appropriate department head may, in all cases of illness, injury, or reported illness/injury in excess of three (3) working days, require the employee to furnish a doctor's certificate.

<u>CAUTION: Use of sick leave on false claims of illness, injury or exposure to contagious disease, or falsification of proof to justify such sick leave will result in immediate dismissal!</u>

H. Employees may not use sick leave for sickness or injury sustained while engaged in outside employment, or for any other reason than those listed above.

I. It is the City's policy that sick leave is intended as a protection benefit to safeguard employee's and their coworkers' well-being. Employees are advised to exercise the use of sick leave benefits wisely, as serious illnesses or injuries requiring lengthy absences from work may be unpredictable. The City must stress that, although adequate sick leave benefits are provided to all employees in a fair manner, they are limited and it is the personal responsibility of the employees to provide for personal illnesses.

J. Employees who become sick or injured during an authorized annual leave must notify the Personnel Office and the appropriate supervisor immediately of the expected

period of illness; a doctor's slip may be required to verify the actual period of illness during annual leave. If approved by the City Manager, the period of illness during annual leave will be charged to sick leave. In these circumstances, the extension of annual leave beyond the period of time originally scheduled for the employee is subject to the approval of the appropriate supervisor.

4.15 Injury Leave

Leave for recuperation following injury or surgery shall be treated as sick leave except as Workers' Compensation rules may apply. If sick leave is exhausted, the employee may opt to use annual leave and/or leave without pay until the employee is able to return to work.

4.16 Maternity Leave

Leave for maternity shall be treated as sick leave. If sick leave is exhausted, the employee may opt to use annual leave and/or leave without pay until the employee is able to return to work.

4.17 Bereavement Leave

Bereavement leave with pay of up to three (3) consecutive working days (for each occurrence of death to a member of the employee's immediate family) will be granted for absence from duty of an employee in order to arrange and attend the funeral on account of a death in his/her immediate family. Any absence in excess of this amount shall be charged to annual leave or to leave without pay if the employee has no annual leave accumulated. The employee's immediate family shall be defined as the employee's spouse, father, mother, son, daughter, brother, sister, grandfather, grandmother, uncle, aunt, father-in-law, mother-in-law, or any relative who is living in the employee's immediate household. Bereavement leave shall not be charged to sick leave.

4.18 Military Leave

A. Regular employees who are commissioned reserve officers or reserve enlisted personnel in the Armed Forces Reserves or members of the Florida National Guard shall be entitled to leave of absence from their respective duties for such time as they shall be ordered to military service or field training in an active duty or active/inactive duty for training status, in accordance with Federal and State laws.

B. Requests for such absences from work can be made by the employee either verbally or in writing. The submission of the applicable Reserve or National Guard training schedule will satisfy this requirement.

4.19 Leave of Absence

A. The City's policy is subject to any and all state rules and regulations set forth by the Family and Medical Leave Act. Listed below are only some of the basic portions of the Act. Unpaid leave must be granted for any of the following reasons:

1. To care for the employee's child after birth, or placement for adoption or foster care.

2. To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or

3. For a serious health condition that makes the employee unable to perform the employee's job.

B. Employees are eligible for up to 12 weeks of unpaid job protected leave if they have worked for the City at least one year, and for 1,250 hours.

C. The employee may be required to provide advance leave notice and medical certification.

D. No sick leave or annual leave will be earned or accrued by an employee for the time that the employee is on unpaid leave of absence.

E. Under the provisions of the FMLA, the City must maintain the employee's health coverage. The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of the employee's leave. The employee will be liable for any and/or all premiums which may be due on all other insurances for themselves and their dependents. Arrangements should be made to take care of these premium payments to prevent cancellation.

4.20 Court Leave and Jury Duty

A. All regular employees subpoenaed as ordinary citizens (not in connection with their job duties as City employees) to attend court during scheduled work hours are eligible for leave with pay. Those employees who become parties to litigation are not eligible for leave with pay, unless they become such parties in the course of their employment with the City.

B. Employees who attend court for only a portion of their regular scheduled work day are expected to report to their supervisor when excused or released by the court.

C. Employees required to attend court as stated above, while on scheduled vacation, may be allowed to take additional leave with pay for that court time.

D. Unless otherwise released by the Finance Office, all fees and subpoena allowances, except for travel pay, must be turned in to the Finance Office in order to receive compensation from the City for eligible court time. If not turned in, jury duty pay will be deducted from the employee's normal City pay. This does not apply in instances where the employee is called to court on designated time off.

Employees who appear in court on behalf of the City as part of their normal City duties will receive only their regular pay for court appearances made during their scheduled work hours.

4.21 Workers' Compensation and Disability Leave

1. Workers' Compensation:

A. All employees are protected by Workers' Compensation Insurance in accordance with the laws of the State of Florida. It is incumbent upon each employee to properly report Workers' Compensation claims in order to be eligible for benefits.

B. A regular, probationary employee (does not include part-time or temporary employees) who is disabled because of an injury arising out of, and in the course of performing his or her job duties with the City, may be eligible to receive additional benefits from the City to assist the injured employee prior to Workers' Compensation taking effect.

C. The employer may (but is not required to) consider full pay without charge to sick or annual leave. To prevent any charge against sick or annual leave, or loss of wages prior to Workers' Compensation taking effect, an injured employee will be required to furnish a doctor's certificate confirming the seriousness of the injury and the amount of time necessary for recuperation from injury.

D. In order for an injured employee to remain eligible for supplemental payments, he or she must contact his or her department head at least once in each work week while the employee is on disability leave and report as to his or her medical condition and prognosis.

E. If the disability or inability to work or earn a wage lasts longer than 14 days, compensation from Workers' Compensation, payable at 66 2/3% of his or her wage, is retroactive to the first day of disability.

F. An employee receiving Workers' Compensation payments shall be required to endorse such payments over to the City or have an equivalent deduction made from his or her regular rate of pay whichever option is preferred by the City Manager. When added to Workers' Compensation payments, this supplemental payment would equal his or her full pay for a specified period of time without charge against annual or sick leave.

G. Any supplemental payments authorized as a result of such leave shall be limited to a period of ninety (90) days. After such a period, the employee may request an extension of the supplement for an additional sixty (60) day period. Such a request may be granted at the discretion of the City Manager.

H. If at any time Workers' Compensation Benefits are discontinued or suspended under the provisions of the Florida Workers' Compensation act, any City supplemental payments made pursuant thereto, shall be discontinued.

I. The disability must be of an immediate incapacitating nature, not one alleged to have occurred at some time in the past and where no misconduct, breach of discipline, or violation of safety or personnel rules and regulations can be imputed to the employee. If an injury occurs as a result of the employee's failure to comply with established safety rules and procedure; failure to use provided personnel protective safety equipment, or having previously had two

avoidable accidents as determined by the Safety Officer during the preceding twelve month period he or she may be denied supplemental disability pay.

J. If an employee is unable to perform his or her regularly assigned duties as a result of an injury, but is still able to perform some type of work, then and in that event the employee may be assigned other work or duties during the period of his or her recuperation. Any employee physically able, but unwilling to accept such an assignment as directed by his or her department head or the City Manager shall be ineligible for disability leave and shall not receive any supplemental payments from the City.

K. The City Manager shall have the power and authority to order any employee on disability leave due to a work related injury to be examined by a physician who is selected and approved by the City. If the employee refuses to be examined, then that employee shall be immediately removed from disability leave and shall be ineligible to receive any supplemental payments from the City.

4.22 Unemployment Compensation

The City of Niceville is registered with the State of Florida Bureau of Unemployment Compensation. Employees who are involuntarily separated from employment and who file a claim and meet certain qualifications may be eligible to receive unemployment compensation benefits.

4.23 Social Security

Social Security deductions are made from all employees' pay and an equal amount is added to it by the City for all employees covered by the Federal Old Age Survivors Insurance Program (Social Security). The Finance Office will maintain information as to Social Security benefits and will assist employees with any questions pertaining to Social Security. Quotations of benefits, however, must be requested by the employee at the local Social Security Office.

4.24 Group Health Insurance

The City provides a limited group health insurance plan to all regular employees. This program will be administered under Equal Opportunity provisions. The City will provide basic coverage under the plan for all employees and make available coverage to their dependents as a fringe benefit as long as budgetarily feasible.

It is the employee's responsibility to use available coverages in a wise and conscientious manner in order to keep plan costs to a minimum, and to obtain all information pertinent to the group health insurance plan which may be in effect. The Personnel Office maintains up-to-date information on group health insurance and its benefits.

Subsequent to August 23, 2001, those employees with 20 or more years of continuous full-time service with the City are entitled to remain on the City Group Health Insurance Plan. Responsibility for Employee premiums are as follows: 20-25 years, Employee pays entire premium; 25-30 years, Employee pays ½ premium, City pays ½ premium; Over 30 years, City pays entire premium. Employee is responsible for entire premium for eligible dependents.

4.25 Deferred Compensation

The City of Niceville presently participates in a deferred compensation plan with The Hartford. The City will contribute a matching portion according to years of service as provided in the plan document for those employees electing this plan instead of the Florida Retirement System prior to October 1, 2004, for police officers; and October 1, 2005, for all other full-time employees. Those eligible employees hired or rehired subsequent to October 1, 2004, for police officers; and October 1, 2005, for all other employees are not eligible to participate.

4.26 Florida Retirement System

The City of Niceville presently participates in the Florida Retirement System. This plan is compulsory for those eligible employees hired or rehired after October 1, 2004, for police officers; and October 1, 2005, for all other employees. The Personnel Office maintains up-to-date information on the Florida Retirement System.

4.27 Credit Unions

The City of Niceville presently participates in the Central Credit Union of Florida, and Eglin Federal Credit Union.

4.28 Training and Education

When available, training may be authorized for employees which need not be limited to specific jobs, but may include training for advancement and general fitness for jobs. One-half of such training may be conducted during regular duty hours.

V. PERSONNEL RELATIONS

5.01 Policy

It shall be the policy of the City to establish and maintain the best possible relations between the City Council, City Manager, and all employees, between administrative staff and other employees, and among all individual employees. To ensure optimum personnel relations, the City has instituted three important types of mechanisms: (1) those providing administrative and technical support to employees and their personnel matters (by means of a Personnel Office); (2) those providing two-way channels of communication for personnel information; and (3) those providing ways to prevent and solve personnel-related problems (by means of grievance procedures).

Due to the ultimate responsibility of the incumbents of the City Council and the City Manager, and due to the delegated authority shared by the administrative staff for their respective departments of the City, each administrative staff person also functions as an extension of the City Manager in his/her personnel responsibilities. Therefore, every administrative staff person shall support the personnel relations mechanisms described herein, and shall provide to each employee under his/her respective authority a first point of contact for support, communication and problem-solving on personnel matters.

Having provided the mechanisms for personnel support, communication and problem solving, the City expects all employees to make full and appropriate use of these arrangements to ensure continuing optimum personnel relations.

5.02 The Personnel Office

The Personnel Office functions as a clearinghouse of personnel information for the City Manager, for administrative staff, for the finance function and for all employees. Information to be retained and made available upon request includes the Personnel Policies, Rules, Regulations, and Procedures, including any amendments, copies of any applicable laws or regulations affecting personnel, special directives from the City Manager, and other reference material. The Personnel Office will be responsible for dissemination to employees of pertinent personnel information, changes of policy and procedure, and other matters of interest to the City and its employees. The Personnel Office will conduct an "exit interview" with all employees separating from the City to obtain information on how to improve employment conditions in the City.

5.03 Personnel Records

The Personnel Office will maintain employee files containing employment and work history, records of personnel actions, and a current correct address, phone number, marital and dependent statuses. Employees must notify the Personnel Office of any change of address, phone number, or personnel status. Access to employee personnel files shall be in accordance with Florida State Statute.

The Personnel Office will monitor, coordinate, provide, support and maintain appropriate records data, analysis and reports on recruitment, selection, placement and all other personnel actions.

5.04 Employee Information

The Personnel Office shall assist the communication process from the City Manager to all employees. The Personnel Office will convey new information, changes in policies and procedures, notice of opening positions, news on awards, promotions and transfers, new employees, benefits, and other items of general interest. One or more bulletin boards will be maintained by the Personnel Office near the various separate work areas of the City to post information. Special memoranda may be issued by the City Manager or Personnel Office to more quickly inform employees of a significant and timely matter.

5.05 Employee Communications

Several arrangements are available for employee communications. The first and most valuable is for the employee to discuss matters of mutual interest with the immediate supervisor. Communications needing to proceed further up the administrative staff should observe the appropriate chains-of-authority. The Personnel Office may be contacted at any time for communication of personnel-related information. Constructive suggestions, especially those which may improve the service of the City to the public, are always welcome.

5.06 Grievances

A. Policy:

The Personnel System shall provide regular employees a fair and equitable review of any grievance without fear of discrimination, coercion, restraint or reprisal. Further, it shall insure that every reasonable effort will be made to resolve the matter as efficiently and effectively as possible. It shall be the policy of the City insofar as possible to prevent the occurrence of grievances and to deal promptly with those which occur. It is the intent and desire of the City to adjust complaints or grievances informally, and both administrative staff and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be grievances which will be resolved only after review. This grievance procedure is established to provide full opportunity to employees to bring to the attention of administrative staff or the City Manager complaints, grievances or situations that the employee feels need either adjustment or information.

B. Grievances:

Grievances may grow out of an employee's feeling that he/she has been treated harshly or unfairly by the organization, by fellow employees, or by a supervisor, or to simply ask for information. An employee may file a grievance to register a complaint or to resolve a problem. The grievance process may also be used to request clarifications of existing rules, regulations, and policies and to recommend modifications of same, or to request information relative to respective job situations which is not otherwise privileged or confidential in nature.

C. Grievance Procedure:

In order to assure every regular employee of a method in which he/she can get a particular grievance considered rapidly, fairly, and without reprisal and to preserve an orderly chain of responsibility, the following levels are to be followed:

Level 1 - Whenever a grievance arises, the employee shall, within five (5) working days of the occurrence of the incident, explain and discuss the complaint, grievance, or inquiry orally with his/her supervisor who may call the department head into the discussion, in an effort to achieve a prompt, satisfactory adjustment. Once all relevant circumstances have been discussed with the employee, the cause of the problem will be removed by the supervisor or department head to the extent he/she deems advisable and possesses authority to act. The supervisor will make a decision and notify the employee within three (3) working days after the discussion with the employee. To assure consistent application of policy, the supervisor should consult with his/her department head, the City Manager and the Personnel Office before rendering a decision on the matter.

Level 2 - If the complaint is not resolved within three (3) working days as outlined in Level 1, the aggrieved employee may choose to submit his/her grievance in writing to the next highest level of supervision (usually the City Manager). A written grievance submitted above the level of immediate supervisor and department head will contain the following:

1. The date and place at which the grievance took place, if applicable.

2. A statement of the grievance and the facts upon which it is based.

3. The remedy, adjustment or information requested.

4. The signature of the aggrieved employee. A separate investigation of the grievance will be made by the City Manager and the aggrieved employee informed in writing of the decision within five (5) working days after receipt of the grievance at this level. The decision of the City Manager will be final.

VI. PERSONNEL POLICIES, ACTIONS, AND PROCEDURES

6.01 Purpose

It is the purpose of this phase of the personnel manual to establish uniform centralized rules over the personnel activities and transactions affecting employees. This does not limit the administrative functions of the City Manager and department heads over employees, but rather provides for coordination so that major activities and benefits will be delivered consistently throughout all of the departments of the City.

6.02 Policies

A. Employment of the Aged:

The City of Niceville complies with all State and Federal Laws regarding age in employment.

B. Veteran's Preference:

The City of Niceville complies with all State and Federal Laws regarding veterans in employment.

C. Non-Tobacco Use:

Effective February 7, 2012, the City of Niceville will not hire individuals who smoke and/or use tobacco products. I will be expected as a condition of my employment to be tobacco-free upon hire and to remain tobacco-free during my employment with the City of Niceville. I understand that current employees who use tobacco are ‘grandfathered’ in to the tobacco-free lifestyle.

6.03 Recruitment

A. In accordance with Equal Employment Opportunity (EEO) regulations, recruitment for the City's positions shall be carried out in the manner necessary to obtain well-qualified candidates and shall insure that all segments of the population are given an equal opportunity to apply and be considered for employment.

B. Publicly posted announcements of vacant positions shall specify the job title, the salary range, a description of duties, the qualification requirements, the method of applying, the closing date for applications and the nature of an examination, if any, to be given for the position.

C. All announcements shall indicate that the City is an equal opportunity employer.

D. Effective February 7, 2012, all applicants will be required to execute a non-tobacco use affidavit.

6.04 Applications

A. Applications for positions in the City shall be made on the form prescribed by the Personnel Office. The form shall request details covering training, experience and other pertinent information.

B. Applicants must comply with all requirements stated on the application form and must sign the application and file it within the time limit fixed for such filing.

C. Incomplete or defective applications may be amended by the applicant at any time prior to the closing date for receiving the application.

D. Applications for City positions shall be active for the duration of the vacancy unless otherwise specified, or unless the application becomes void by virtue of some other rule. All applications will be retained as prescribed by the Florida Public Records Law and such information from applications will be derived for Equal Employment Opportunity monitoring purposes as prescribed by State and Federal regulation.

6.05 Eligibility

All applicants who meet the minimum qualification requirements for the position (as specified in the position description) shall be eligible for further consideration for employment and may be tested, interviewed, reference checked or similar selection processes. Effective February 7, 2012, all applicants will be required to execute a non-tobacco use affidavit.

6.06 Selection Process

A. The Personnel Office may screen, conduct preliminary interviews, administer examinations, refer applicants for interview, conduct reference checks and background investigations, and carry out such other functions as may be necessary to determine that applicants meet the job requirements and are otherwise fit for employment with City. Effective February 7, 2012, the City of Niceville will not hire individuals who smoke and/or use tobacco products.

B. References and Background Investigations:

As part of the pre-employment procedure, comments of former supervisors, employers, and other references will be reviewed. Any information so obtained which is used as a basis for rejection of an applicant will be documented and regarded as privileged.

C. Examination and Interviews:

All applicants will be required to submit to whatever standard examination and interviewing procedures that are currently in practice and related to the job in question. Applicants for positions requiring typing skills will be given a typing proficiency test as a part of the examination process. Any written examinations used by the City will be validated for job relevancy if technically feasible to do so. Interview questions used as a basis for making hiring decisions will be uniformly applied to final applicants and will relate to determining the merits and fitness of the applicants for the particular position for which they have applied.

D. Physical Examination:

Applicants for employment may be required to take a physical examination by the City's designated physician.

E. Basis for Employment:

Employment with the City shall be based on merit and ability as evidenced by:

1. Training and experience as reflected by the application form and other documentation of the certification, registration, etc., as requested.

2. Written examination or performance tests when required in the interests of the City.

3. Drug screen, physical exam and psychological exam, if required, after job offer.

4. References and background investigations.

6.07 Processing Applications

A. The application process will commence when an individual requests an application from the Personnel Office.

B. Applicants may be referred at any time for interview by the Personnel Office to an appropriate supervisor, after a preliminary judgment has been made that the applicant meets the minimum job qualifications. Effective February 7, 2012, the City of Niceville will not hire individuals who smoke and/or use tobacco products.

C. The department head or authorized supervisor will apply standard selection criteria when evaluating an applicant's job suitability during the departmental interview.

D. If the department wishes to employ the applicant, and all other qualified applicants have been given consideration, he/she will notify the Personnel Office of his/her decision. All other applicant's files which were given final consideration will be returned to the Personnel Office with documentation stating the reasons in each case why those applicants were unsuccessful for the particular position requested. The Personnel Office may retain these applicant's applications on active status for future consideration.

E. Before final processing, the selected applicant must:

1. Present a Social Security Card;

2. Present proof of any education, certification, or training represented in the application process if it relates to the job in question;

3. When appropriate, present a certificate of separation from the Armed Forces;

4. Present verification of date of birth;

5. Be subject to more detailed background check;

6. Submit to any further necessary processing for the job in question.

F. Any application for employment may be rejected when it has been determined that:

1. The application was not received on or before the specified closing date.

2. The application was not filed on the prescribed form or was improperly completed.

3. The applicant failed to meet all of the specified requirements.

4. The applicant falsified or omitted pertinent information on the application.

5. The applicant has been convicted of a felony or first degree misdemeanor directly related to the position sought and on an individual basis has been determined unfit for the position.

6. The applicant failed to respond to a mail inquiry within ten (10) working days or failed to return telephone inquiries within two (2) working days.

7. The applicant failed to accept an appointment within two (2) working days or failed to report for duty as agreed in the offer of appointment.

8. Any other valid cause dictates the rejection of the application.

G. Each applicant with the City will be advised of the status of his/her application on request. Applicants will also be entitled to inspect their particular applications, and unsuccessful applicants may request an explanation from the Personnel Office as to the reason for the rejection of the application.

6.08 Lists of Eligibles

Where the Personnel Office determines that it is feasible to maintain such lists, employment lists shall be established and maintained detailing the names of all those applicants who have been certified as eligible to be considered for employment in the various classes of positions in the City.

6.09 Appointments

A. Temporary Employment:

Whenever the work load so requires, the City Manager may effect a temporary appointment. Temporary employment refers to those employees engaged to work into the future for a limited period of time. These positions are not subject to competitive examination until such time as their status with the City is considered for a regular appointment. At such time, the incumbent must compete for the regular positions on the basis of qualifications. Due to the temporary nature of their employment, temporary employees are not regularly established positions and will not accrue fringe benefits or holiday or overtime benefits afforded to regular full-time employees except as specifically authorized by the City Manager.

B. Part-Time Employment:

This refers to all those employees who have been appointed for an indefinite period of time but who work for a period less than the regularly-established number of hours per week. Part-time employees may be appointed on a noncompetitive basis. Part-time employees are not regularly established positions and will not be eligible to receive any fringe benefits, holiday pay, overtime benefits, etc., afforded to regular full-time employees except as specifically authorized by the City Manager.

C. Regular Full-Time (40 hr. wk.) Employment:

This refers to employment which is scheduled on a continuing career basis and for the standard number of working hours per week. Employees in this category are regularly established positions and receive all the rights and benefits as provided by the Personnel System.

6.10 Personnel and Payroll Forms

Each new employee must complete a number of personnel records e.g., withholding, Social Security, insurance, and other forms provided by the personnel office. The new employee may not receive a paycheck until all necessary forms are completed and turned in.

6.11 Probationary Period

Each new employee is considered on probation for a period of twelve (12) months following initial employment; and for a period of three (3) months following a promotion, transfer, or reinstatement.

6.12 Training

During probation, each new employee is expected to seek and efficiently utilize on-the-job training from supervisors and coworkers.

6.13 Promotion and Reclassification

A. Promotion of employees (according to the procedures described) shall be on the basis of merit. To be considered as part of merit shall be relevant experience within the department of the open position, relevant experience and meritorious performance in similar job functions elsewhere in the City, and/or reason to expect meritorious performance in similar job functions elsewhere in the City, and/or reason to expect meritorious performance on the basis of selection procedures or trial periods designed to test job-related skills and experience.

B. Whenever practical and in the best interests of the City, vacancies shall be filled promotionally by examining the qualifications of interested employees, provided that the basic requirements of the job will be observed. The Personnel Office will make a determination in each case whether at-large competitive recruitment or promotional recruitment is necessary to fill the vacancy. Additionally, whenever the incumbent of any position develops that position through the assumption of additional responsibilities, the Personnel Office may recommend the placement of that position into a higher class. Such promotions and reclassifications will be made in accordance with uniform rules of pay administration.

C. No employee will be considered for promotion whose performance record is unsatisfactory.

D. Promotions or reclassifications in every case must involve a definite increase in duties and responsibilities and shall not be made merely for the purpose of effecting an increase in compensation.

6.14 Transfer

Employees may be transferred on the following basis:

1. An employee may be transferred by request or assignment to another position in the same job classification or to another job classification within the same pay grade that has substantially similar duties and responsibilities. Such transfer will not affect the employee's pay grade, pay rate, or anniversary date.

2. Upon the transfer of an employee to a job classification for which the maximum pay step in the pay grade is higher, the transfer will also be considered a promotion, and the procedures governing promotions will apply.

3. Upon the transfer of an employee to a job classification for which the maximum pay step in the pay grade is lower, the transfer will also be considered a demotion, and all procedures concerning demotions shall apply.

4. The Personnel Office will consult with the affected department head(s) regarding transfers to determine the job suitability and employment status of the transferring employee.

5. When a transfer is effected by assignment and not at the employee's request, an explanation of the necessity for the transfer will be given to the employee by the departments effecting the transfer. Every attempt will be made to give sufficient prior notice to the employee before the transfer takes place. Temporary transfers for emergency reasons may be made at any time.

6.15 Suspension

Suspension is a temporary separation for disciplinary purposes where the cause is not sufficiently serious to necessitate dismissal. A suspension is generally without pay and should not extend for more than one week.

6.16 Reprimand

In situations where verbal warning or instruction has not resulted in the expected improvement, a written reprimand may be issued defining the nature of the infraction or problem. The written reprimand will be sent to the employee and a copy shall be placed in the employee's personnel file. The employee's immediate supervisor usually initiates a written reprimand.

6.17 Demotion

Whenever an employee is placed in a position in a class lower than the one in which he has been engaged either by transfer, deletion of present duties, or reduction in rank for disciplinary reasons, this shall constitute a demotion. Written notice and the reason therefore will be furnished to the employee by the department head and a copy of same placed in the employee's personnel file.

6.18 Discharge and/or Dismissal

These actions are permanent separations for either serious or repeated violation of the City's standards and policies and/or when such action becomes necessary at the discretion of the City Manager. Department heads or the Personnel Office may recommend the dismissal of an employee to the City Manager.

6.19 Layoffs

A. 1. Temporary employees

2. New probationary employees

3. Part-time employees

4. Full-time regular employees

B. The order of layoff of all employees within a particular status of employment shall be determined by the City Manager after he/she has given due consideration to all relevant factors which shall include, but not be limited to, seniority and the relative efficiency of the employee. Any employee who is laid off will be given a minimum of five (5) working days notice of the pending layoff.

6.20 Resignation

Any employee wishing to leave the City's service in good standing will file with his/her supervisor a written resignation stating the date the employee intends to leave and the reasons for leaving. The resignation should be submitted at least 14 days before leaving so as to allow the Personnel Office to make a proper replacement for the employee's class of work. Failure to comply with this procedure shall be cause for denying such employee future employment with the City; and will result in denial of payment of any accrued annual leave. Unauthorized absences from work for a period of three (3) consecutive working days may be considered as the employee's voluntary resignation, but not in good standing. The effective date of separation from the City shall be at the close of business on the last day an employee reports for duty; the date specified in the written resignation; or the last day of leave granted should the employee fail to report for duty on the first working day following the expiration of the leave.

6.21 Exit Procedures

An employee leaving the employment of the City shall, prior to departure, comply with the following required steps:

1. Notify the department head, Personnel Office, and Finance Office (with due advance notice) of the expected last day of work.

2. Turn in to the department head all equipment, supplies, keys, tools, files, documents, etc., issued to the employee.

3. Participate in an exit interview with the Personnel Office.

4. Leave adequate forwarding addresses and phone numbers.

6.22 Reinstatement

Employees returning from leaves of absence, those who were dismissed because of a reduction in force, or those who have otherwise been terminated in good standing shall be eligible for rehire into the same or comparable position without competitive application should such a position become available within one year of the layoff. Reinstated employees shall be placed in the same pay grade and step they were in at the time of the layoff.

6.23 Reemployment

It shall be the general policy of the City not to rehire any employee who resigns for the sole purpose of seeking other employment. However, upon review of extenuating circumstances by the City Manager, a former employee of the City who is in good standing may be reemployed. Except for the special rules which apply to layoff reinstatement, a former employee cannot be hired noncompetitively. The determination concerning seniority, pension benefits, and the like for a reemployed employee will be made by the City Manager and the Personnel Office at the time of the reemployment, taking into consideration the most current practices in the personnel program. Any former employee applying for reemployment two or more times, excepting layoffs, may be considered a new applicant and may not enjoy any specific reemployment privileges due to that former employment.

6.24 Disciplinary Actions-Causes and Guidelines

A. Whenever work habits, behavior, production or personal conduct of an employee falls below prescribed standards, supervisors shall inform the employee promptly and specifically of such lapses and give counsel and assistance. If appropriate and justified a reasonable period of time for improvement may be allowed before initiating disciplinary measures.

B. The City recognizes the fact that the seriousness of an offense will often vary with the circumstances prevailing at the time it occurred and the motives which prompted it. The City Manager shall treat each occurrence on an individual basis and without creating a precedent for other cases which may arise in the future. The City Manager may act to suspend any disciplinary action which may be taken during good behavior for a specified term.

C. The City Manager has the authority to execute any kind of personnel action, including disciplinary action up to and including discharge of employees. A department head may act to effect a disciplinary action up to five (5) day suspension with approval of the City Manager. Nothing contained in the personnel rules shall be construed as a limitation upon such authority of the City.

D. For the guidance of all employees, the following are examples of offenses which can result in disciplinary action:

1. Using or possessing power equipment to which the employee has not been assigned.

2. Quitting work, wasting time, loitering, or leaving assigned work area during working hours without permission.

3. Taking more than the specified time for meals or rest breaks.

4. Productivity or workmanship not up to required standards of performance.

5. Discussing, directly or indirectly, or the disclosure without authorization of any privileged information concerning a City matter learned in the course of working for the City.

6. Discourtesy to persons with whom the employee comes in contact while in the performance of duties. (Substantiated)

7. Excessive tardiness (e.g.: three (3) times in a thirty (30) day period.)

8. Chronic absenteeism (e.g.: three (3) separate times in a thirty (30) day period.)

9. Violating a safety rule or safety practice.

10. Creating or contributing to unsafe or unsanitary conditions or poor housekeeping.

11. Threatening, intimidating, coercing, or interfering with fellow employees or supervisors at any time including use of abusive, offensive, or derogatory language; including racial or ethnic slurs, as well as sexually offensive language.

12. Sleeping during duty hours.

13. Publishing or causing to be published, false, vicious or malicious statements concerning any employee, supervisor, the City Manager or the operation of the City.

14. Absent without permission or leave.

15. Reporting for work while under the influence of alcohol or drugs.

16. Mistakes due to negligence which affect the safety of other personnel, equipment or property.

17. Vending, soliciting or collecting contributions for any purpose whatsoever at any time at work unless authorized.

18. Knowingly harboring a serious communicable disease which may endanger other employees.

19. Wanton or willful neglect in the performance of assigned duties.

20. Deliberate misuse, abuse, destruction or damaging of any property of the City or the property of an employee.

21. Receipt from any person, or participation in, any fee, gift, or other valuable thing in the course of work, when such fee, gift or other valuable

thing is given in the hope of or expectation of receiving a favor of better treatment than that accorded other persons in the line of official duty.

22. Falsification of personnel records or any official records of the City.

23. Deliberately making false claims or misrepresentation in an attempt to obtain sickness or accident benefits, or Workers' Compensation.

24. Insubordination or refusal to comply with the written or verbal instructions of a supervisor.

25. Drinking intoxicating liquor while on duty or habitual use or abuse of controlled dangerous substances.

26. Use or attempted use of political influence or bribery to secure an advantage of any manner.

27. Concerted curtailment, restriction of production, or interference with work in or about work stations, including, but not limited to: instigating, leading or participating in any walkout, strike, sit-down, stand-in, slowdown, or refusal to return to work at the scheduled time for the scheduled shift.

28. Conviction of any serious crime which brings disrepute or embarrassment to the City or which would be considered as not conducive to the employee's continuing his/her assigned duties, or which would affect coworker's morale adversely should the employee remain in the City's employment.

29. Engaging in horseplay, running, scuffling, throwing things, or similar types of disorderly conduct.

30. Distributing written or printed matter of any description on City premises unless approved by City Manager.

31. Making of false, vicious, or malicious statements concerning any employee, the City or its methods of operation.

32. Provoking, or instigating a fight, or fighting at any time on City premises.

33. Mistakes due to carelessness.

34. Causing material or parts to be scrapped due to carelessness.

35. Theft or removal from the premises without proper authorization, any City property or property of any employee.

36. Unauthorized possession of firearms or explosives on City premises.

37. Use or possession of another employee's tools without the employee's consent.

38. Engaging in sabotage or espionage.

E. This is not intended to be an inclusive listing, and disciplinary action may result for any other valid cause.

F. In all cases, a memorandum of the disciplinary action shall be placed in the employee's personnel file and a copy thereof furnished to the employee.

6.25 Penalties

City rules have been established for your benefit. These rules and regulations were not intended to restrict or impose on the privileges of anyone, but were designed to insure the rights and safety of all city employees.

Any penalty imposed as a result of infractions of the rules and regulations may be modified by the City Council when extenuating circumstances are found.

6.26 Conclusion

Your privileges, duties and responsibilities are, of course, much more numerous than those outlined in this manual. Should any questions arise about your job; your supervisor, department head, or the Personnel Office will be happy to answer them. Each supervisor or department head will issue policies at various times governing his or her department. Remember, as a public employee you are a public servant. Citizens, no matter who they are, should be treated with courtesy and consideration. You may be the only contact a citizen has with the City. The impression you make, whether good or bad, will be the one that the citizen will remember. He will assume your attitude toward him and his problem is the attitude of the entire City government. It is particularly important that a full, courteous explanation be given a citizen when it is necessary to refuse his request, or when the action requested lies outside the jurisdiction of the City.

"The employee of the City of Niceville should not presume that the City of Niceville Personnel Policies, Rules, Regulations and Procedures Manual is an employment contract. The City reserves the right to amend rules and policies from time to time."

02/12

OFFENSE DESCRIPTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
1. Using or possessing power equipment to which the employee has not been assigned.	Warning	Three Days Off	Discharge	
2. Quitting work, wasting time, loitering, or leaving assigned work area during working hours without permission.	Warning	Three Days Off	Discharge	
3. Taking more than the specified time for meals or rest breaks.	Warning	Three Days Off	Discharge	
4. Productivity or workmanship not up to required standards of performance.	Warning	One Day Off	Three Days Off	Discharge
5. Discussing, directly or indirectly, or the disclosure without authorization of any privileged information concerning a City matter learned in the course of working for the City.	Warning	One Day Off	Three Days Off	Discharge
6. Discourtesy to persons with whom the employee comes in contact while in the performance of duties (Substantiated).	Warning	One Day Off	Three Days Off	Discharge

OFFENSE DESCRIPTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
7. Excessive tardiness (e.g., three times in a 30 day period).	Warning	Three Days Off	Discharge	
8. Chronic absenteeism (e.g., three separate times in a 30 day period).	Three Days Off	Discharge		
9. Violating a safety rule or safety practice.	Warning	Three Days Off	One Week Off	Discharge
10. Creating or contributing to unsafe or unsanitary conditions or poor housekeeping.	Warning	One Day Off	Three Days Off	One Week Off FIFTH OFFENSE - Discharge
11. Threatening, intimidating, coercing, or interfering with fellow employees or supervisors at any time, including use of abusive, offensive, or derogatory language; including racial or ethnic slurs, a well as sexually offensive language.	Warning	Three Days Off	Discharge	
12. Sleeping during duty hours.	Three Days Off	Discharge		

OFFENSE DESCRIPTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
13. Publishing or causing to be published, false, vicious or malicious statements concerning any employee, supervisor, the City Manager or the operation of the City.	Discharge			
14. Absent without permission or leave.	Warning or Three Days Off	Discharge		
15. Reporting for work while under the influence of alcohol or drugs.	Subject to DFWP Policy			
16. Mistakes due to negligence which affect the safety of other personnel, equipment or property.	One Week Off or Discharge	Discharge		
17. Vending, soliciting or collecting contributions for any purpose whatsoever at any time at work unless authorized.	Three Days Off	Discharge		
18. Knowingly harboring a serious communicable disease which may endanger other employees.	Warning - Possibly Leave without Pay			
19. Wanton or willful neglect in the performance of assigned duties.	One Day Off	One Week Off	Discharge	

OFFENSE DESCRIPTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
20. Deliberate misuse, abuse, destruction or damaging of any property of the City or the property of an employee.	Discharge			
21. Receipt from any person, or participation in, any fee, gift, or other valuable thing in the course of work, when such fee, gift or other valuable thing is given in the hope of or expectation of receiving a favor of better treatment than that accorded other persons in the line of official duty.	Subject to Penalties of F.S.S.			
22. Falsification of personnel records or any official records of the City.	Discharge			
23. Deliberately making false claims or misrepresentation in an attempt to obtain sickness or accident benefits, or Worker's Compensation.	One Week Off	Discharge		

OFFENSE DESCRIPTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
24. Insubordination or refusal to comply with the written or verbal instructions of a supervisor.	One Week Off or Discharge	Discharge		
25. Drinking intoxicating liquor while on duty or habitual use or abuse of controlled dangerous substances.	Subject to the DFWP Policy			
26. Use or attempted use of political influence or bribery to secure an advantage of any manner.	Discharge Subject to F.S.S.			
27. Concerted curtailment, restriction of production, or interference with work in or about work stations, including, but not limited to: instigating, leading or participating in any walkout, strike, sit-down, stand-in, slowdown, or refusal to return to work at the scheduled time for the scheduled shift.	Discharge			

OFFENSE DESCRIPTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
28. Conviction of any serious crime which brings disrepute or embarrassment to the City or which would be considered as not conducive to the employee's continuing his/her assigned duties, or which would affect coworker's morale adversely should the employee remain in the City's employment.	Discharge			
29. Engaging in horseplay, running, scuffling, throwing things, or similar types of disorderly conduct.	Warning	Three Days Off	One Week Off	Discharge
30. Distributing written or printed matter of any description on City premises unless approved by City Manager.	Warning or Discharge			
31. Making of false, vicious, or malicious statements concerning any employee, the City or its methods of operation.	Three Days Off or Discharge	Discharge		

OFFENSE DESCRIPTION	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE	FOURTH OFFENSE
32. Provoking, or instigating a fight, or fighting at any time on City premises.	Warning	One Week Off or Discharge		
33. Mistakes due to carelessness.	Warning	Three Days Off	One Week Off	Discharge
34. Causing material or parts to be scrapped due to carelessness.	Three Days Off			
35. Theft or removal from the premises without proper authorization, any City property or property of any employee.	Discharge			
36. Unauthorized possession of firearms or explosives on City premises.	Discharge			
37. Use or possession of another employee's tools without the employee's consent.	Warning	Three Days Off	Discharge	
38. Engaging in sabotage or espionage.	Discharge			