



**HERNANDO COUNTY
BOARD OF COUNTY COMMISSIONERS**

Employee Handbook Policies and Procedures Manual

Effective June 13, 2023

*Replaces previous versions of human resources policies and procedures documents.

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WELCOME AND INTRODUCTION

Welcome to the Hernando County Team!

Our goal at Hernando County is to provide exceptional public service. Excellence in public service is attained, in part, through human resources systems that provides expectations for employees while working for Hernando County. It is the intent of Hernando County's Board of County Commissioners that its Employee Handbook, Policies, and Procedures provides sound and clear guidance to its employees.

Furthermore, it is the intent of Hernando County of County Commissioners that no unlawful discrimination exists in the application and administration of Hernando County Board of County Commissioners' policies, practices, or procedures. The Employee Handbook, Policies and Procedures will be made accessible and distributed to the employees of Hernando County Government.

The Employee Handbook, Policies and Procedures shall not be construed to create an employment contract with any person, unless otherwise designated. Nothing herein is intended to create an employment contract between the County and any person for the purposes of employment, promotions, or for the continuation of providing of any benefit.

The provisions contained within their document shall be considered as part of the terms and conditions of employment of all regular employees with Hernando County and should thus be adhered to by all regular County employees.

Hernando County reserves the right to establish, modify, update, or make exceptions to these rules when necessary. The County Administrator, Deputy County Administrator, Human Resources Director, or department head may also issue additional guidelines so long as such additional rules do not conflict with the provisions in their document. Any question concerning the interpretation or application of these policies shall be referred to the Human Resources Director for resolution.

Hernando County may, from time to time, designate certain positions, such as part time, temporary, initial probationary, managers or directors, as serving at the will of the County Administrator and exempt from regular employee status. In such cases, the provisions within this document regarding regular employees, including just cause and disciplinary appeals, are inapplicable.

Hernando County Board of County Commissioners may amend policies and procedures from time to time. Departments may also administer internal standard operating procedures so long as such additional rules do not conflict with the provisions in their handbook. Additional policies and procedures shall also constitute terms of employment. Violations of any such additional standards may subject an employee to discipline, up to and including termination.

If a direct conflict exists between policies and procedures included in these rules and a current labor agreement to which the County is a party, the terms and conditions of the labor agreement may take precedence for employees in classifications represented by a bargaining agent, whether the rights and benefits are greater or less than those provided in these rules.

SECTION 1. SCOPE AND OBJECTIVES

1.010 SCOPE AND INTENT

Hernando County Employee Handbook Policies and Procedures shall not be construed as creating a contract, implied or otherwise. Hernando County reserves the right to amend, delete, supplement, or rescind any provisions of the handbook as it deems necessary and appropriate, with or without notice. Hernando County also reserves the right to deviate from the document in emergency situations in order to achieve the primary mission of providing essential services. If a direct conflict exists between policies and procedures included in these rules and current labor agreement to which the County is a party, the terms and conditions of the labor agreement may take precedence for employees in classifications represented by the bargaining unit, whether the rights and benefits are greater or less than provided in these policies. Employees found to be in violation of Hernando County Employee Handbook Policies and Procedures document may be subject to disciplinary action, up to and including termination.

1.020 CORE VALUES AND MISSION OF HERNANDO COUNTY

Hernando County Government focuses on the needs of our community striving to create a great place to live and work. We effectively use available resources and provide exceptional service.

We accomplish this through our Core Values by being:

- Innovative: Continuously adapting to address the present and future needs of our community.
- Community Focused: Dedication to quality service and support to our community, doing our best to exceed expectations.
- Responsible Stewards: Serving Hernando County with integrity and accountability, as trusted stewards we work to exhibit fiscal responsibility.
- Collaborative: Engaging citizens and employees to lead our community with shared vision.

1.030 INTENT AND OBJECTIVES

Objectives of Hernando County Human Resources Department are:

1. Provide excellent service to internal and external partners.
2. To recruit, select, and develop employees on the basis of their ability, knowledge, skill, and demonstrated performance.
3. To provide a fair and equitable employee compensation and benefits plan.
4. To train and develop employees to assure successful performance and to provide for personal growth.
5. To retain and advance employees on the basis of their ability to successfully perform and complete the essential functions of their jobs.
6. To ensure fair treatment of applicants and employees in all aspects of human resources administration without regard to race, color, national origin, sex, age, disability, religion, political affiliation, gender, orientation, ancestry, marital status, familial status, gender, or any other protected characteristic as defined by law.

1.040 RIGHTS OF HERNANDO COUNTY

Hernando County reserves all rights commonly associated with the employer in the employment relationship inclusive of the following:

- a. To direct all operations of the County;
- b. To establish reasonable work rules and schedules of work;
- c. To hire, promote, transfer, schedule and assign employees to positions within the County;
- d. To suspend, demote, terminate, and take other disciplinary action against employees for cause;
- e. To relieve employees from their duties due to lack of work or any other legitimate reason;
- f. To maintain efficiency of County operations;
- g. To take whatever action is necessary to comply with state or federal law;
- h. To introduce new or improved methods of operation;
- i. To change existing methods of operation;
- j. To determine the kinds and amounts of services to be performed;
- k. To contract out for goods and services;
- l. To determine the methods, means, and personnel by which County operations are to be conducted;
- m. To take whatever means necessary to sustain financial operations of the County.
- n. To take whatever measures are reasonable to comply with mandated obligations of the County.

1.050 CHAIN OF COMMAND

Operation of any government agency depends on an effective chain of command. The ultimate decision concerning policy in the County resides by law with the Board of County Commissioners under the leadership of the County Administrator. The County Administrator, as the chief administrative officer of the County, is the primary professional advisor to the BOCC and head of the management team. The Directors of Departments of the County are part of the management team, and the Directors of Departments report to the Deputy County Administrator or County Administrator. Supervisors subordinate to the Directors are also members of the management team. This management team concept represents a means of establishing orderly lines of organization and communication as employees unite with the BOCC to promote effective services for the community. Internal organizational charts may be referred to for questions regarding the chain of command within each department/division.

The County Administrator is responsible for the development, supervision, and operation of the County and its personnel and facilities. The County Administrator is given the latitude to determine the best method of implementing the policy decisions of the County Board.

Any employee who receives non-routine directives or requests from any individual citizen, business representative, or elected or appointed official is to immediately report such directive or request to the employee's supervisor. No specific directives or request from such persons are to be fulfilled unless permission to do so is given by the employee's supervisor.

Generally, if an employee has a problem with an individual, then the employee is encouraged to approach that person first and attempt to resolve the conflict. If that does not resolve the problem, then the employee is encouraged to address the problem through the employee's immediate supervisor and onward through the chain of command. In some cases, the

employee's supervisor may decide to refer the problem through the chain of command where it can be addressed by another member of the department. If an employee feels harassed or discriminated against by another person, then the employee is directed to follow the harassment/discrimination reporting policies in this manual.

1.060 SUPERVISORY RESPONSIBILITY

It is the responsibility of every employee holding a supervisory position to administer these policies in a fair, equitable, and impartial manner.

SECTION 2 GENERAL PROVISIONS

2.010 EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

Policy Statement

Hernando County provides equal employment opportunities in employment and prohibits discrimination and harassment of protected classes and affords equal employment opportunities for employees and applicants. Hernando County employs, retains, promotes, terminates, and otherwise treats all employees and job applicants based on merit, qualifications, and competence. This policy shall be applied without regard to any individual's sex, race, color, religion, gender, orientation, national origin, age, marital status, veteran status, genetic information, pregnancy, disability, or any other protected characteristic as defined by law.

2.020 WORKPLACE VIOLENCE

Policy Statement

The safety and security of Hernando County's employees, volunteers, customers, and members of the public is very important. Threats, threatening behavior, acts of violence, or any related conduct, which disrupts another's work performance or the organization's ability to execute its intended purpose, will not be tolerated. Hernando County has adopted zero-tolerance policy for workplace violence. Consistent with this policy, acts, or threats of physical violence, including intimidation, harassment, and/or coercion which involve or affect Hernando County, or which occur on Board property will not be tolerated.

A. Policy Definitions

Acts or Threats of Violence - According to the National Institute for Occupational Safety & Health (NIOSH) "Workplace Violence" is any physical assault, threatening behavior or verbal abuse occurring in the work setting. It includes, but is not limited to, expression to cause harm, threatening body language, physical or aggravated assault, phone calls, an intimidating presence, and harassment of any nature.

Workplace – The workplace may be any location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, the buildings and the surrounding perimeters, including the parking lots, field locations, customer, or client facilities, and traveling to and from work assignments.

B. Categories of Workplace Violence

Workplace Violence incidents can be divided into categories depending on the relationship between the aggressor and the employee or workplace. These categories are:

1. Violence to Strangers
2. Violence by Customers/Clients
3. Violence by Coworkers
4. Violence by Personal Relations

C. Examples of Prohibited Conduct

Examples of conduct that may be considered “threats or acts of violence” prohibited under policy includes, but are not limited to, the following:

1. Hitting or shoving an individual.
2. Threatening to harm an individual or their family, friends, associates, or their property.
3. The intentional destruction or threat of destruction of property owned, operated, or controlled by Hernando County.
4. Making harassing or threatening telephone calls, letters, or other forms of written or electronic communications.
5. Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of Hernando County.
6. The willful, malicious, and repeated following of another person, making a credible threat with intent to place the other person in reasonable fear of their safety, also known as harassing surveillance or stalking.
7. Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress.
8. Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on Board property.

D. Application of Policy

Hernando County’s prohibition against threats and acts of violence applies to all persons involved in Hernando County operations, including but not limited to employees, contract employees, and anyone else on Hernando County property. Violations of this policy by any individual on property, by any individual acting as a representative of Hernando County while not on Board property, or by any individual acting off Board property when their actions affect the public interest or Hernando County’s business interest will be followed by legal action. Violation by an employee of any provision of the policy may lead to disciplinary action up to and including termination.

E. Employee Obligations

All employees are encouraged to be alert to the possibility of violence on the part of employees, former employees, customers, and strangers. Employees shall place safety as their highest concern and shall report all acts of violence and threats of violence. Supervisory employees will handle all reports of violence in a sensitive and responsive manner. In cases where the reporting individual is not an employee, the report should be made to the appropriate law enforcement agency and County Administration. In cases

where the reporting individual is an employee, the report should be made to the reporting individual's immediate supervisor, a management level supervisory employee if the immediate supervisor is not available, or to the Human Resources Department. Supervisors and Human Resources Department shall report the incidents of threats or acts of physical violence to the appropriate law enforcement agency.

F. Retaliation

Hernando County policy prohibits retaliation against any employee who, in good faith, reports a violation of this policy. Every effort will be made to protect the safety of anyone who comes forward with concerns about a threat or act of violence.

Florida Statutes In keeping with the protections granted by the 2nd Amendment to the United States Constitution and Florida law, employees may carry concealed firearms on duty if properly licensed by the State of Florida, or a Florida approved reciprocal state, and in strict compliance with provisions and restrictions set out in Chapter 790, Florida Workplace Violence 3 Statutes, reciprocal states' license regulations and any federal law or rule. Possession of any weapon, including a firearm, while on county property, in a county owned, leased, or rented vehicle while performing county business is prohibited unless the employee possesses a valid license to carry a concealed weapon issued under section 790.06, Florida Statutes or Florida approved reciprocal state. This prohibition shall not apply to anyone legally certified to carry weapons in the performance of their lawful duty or those employees who meet the private vehicle storage requirements of Section 790.251, Florida Statutes.

Training

Hernando County will provide periodic training opportunities for employees to be aware of the risk factors associated with workplace violence and the proper handling of emergency situations in order to minimize the risks of violent incidents occurring in the workplace.

2.030 AMERICANS WITH DISABILITIES ACT

Policy Statement

Hernando County complies with the established mandates of the Americans with Disabilities Act (ADA) as amended in 2008. An employee who is a qualified individual with a disability as covered by the Americans with Disabilities Act, as amended (ADAAA), or applicable disability law is eligible for upon request, reasonable accommodation as defined by the law. Hernando County in its sole discretion may make reasonable and necessary accommodations which do not impose an undue hardship as defined by the ADA or other applicable disability law, including, but not limited to, modified work schedules, reassignment to a vacant position within the workforce, including the various bargaining units, with the appropriate adjustment in wage rates, restructuring of existing job duties, use of adaptive devices and making facilities accessible, provided the employee is otherwise qualified and can perform the essential functions/job-related responsibilities of the job. No accommodation made under this paragraph shall be deemed an amendment or breach of other existing policies or any bargaining agreement or otherwise be treated as precedential. Requests must be made to Human Resources Department, or designee. The employer will communicate with the employee to determine reasonable accommodations and engage in the interactive process. If the employee cannot perform the essential functions of the job with or without reasonable accommodations, the employee may be terminated.

2.040 PROHIBITED HARASSMENT

Policy Statement

Hernando County is committed to providing employees with a workplace free of harassment. Hernando County prohibits discrimination or harassment on the basis of race, national origin, color, religion, sex, physical or mental disability, gender, orientation, genetic information, age, marital status, political affiliation, or any other protected characteristic as defined by law.

This prohibition applies to all employees, vendors, and customers of Hernando County.

Prohibition Against Harassment

Hernando County prohibits discrimination or harassment on the basis of actual or perceived race, national origin, color, religion, sex, physical or mental disability, orientation, gender, genetic information, age, marital status, political affiliation, or protected activity. Prohibited harassment includes, but is not limited to, the following examples of offensive conduct:

- A. Unwelcome physical contact such as assault, touching, or blocking normal movement;
- B. Retaliation for making, or threatening to make harassment reports to the County, or for participating in an investigation into harassment allegations;
- C. Unwelcome verbal conduct such as threats, epithets, derogatory comments, or slurs;
- D. Visual images such as derogatory posters, photographs, drawings, or gestures;
- E. Written communication containing statements that may be offensive to individuals of a particular protected class.

Prohibition Against Sexual Harassment

Hernando County will not tolerate sexual harassment in the workplace. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual;
- C. Such conduct has the purpose of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment includes but is not limited to the following examples of prohibited offensive conduct:

- A. Unwelcome sexual advances;
- B. Offering employment benefits in exchange for sexual favors;

- C. Making or threatening retaliation after a negative response to sexual advances;
- D. Visual conduct such as leering, making indecent or sexual gestures, and displaying sexually suggestive objects, pictures, cartoons, calendars, or posters;
- E. Unwelcome verbal conduct such as making or using derogatory comments, using demeaning or inappropriate terms, telling sexually explicit jokes, and making comments about an employee's body or dress;
- F. Written communication of a sexual nature, suggestive or obscene letters, notes, or invitations, whether in hard copy or via a computer;
- G. Verbal sexual advances or propositions.
- H. Physical conduct such as unwanted touching, assault, impeding, or blocking movements;
 - i Sabotaging work;
 - ii Retaliation for making harassment reports or threatening to report harassment.

Supervisors and employees are obligated to report incidents of sexual harassment. Unlawful sexual harassment can occur between individuals of the same sex. Complaints of sexual or other types of harassment should be reported to a member of management, or the Human Resources Department, or other designee.

Prohibition Against Retaliation

Hernando County strictly prohibits retaliation against any employee by another employee or by the County through the actions of its supervisors and managers. Employees are protected against retaliation for:

- A. Using the County's Complaint Process;
- B. Confronting the employee or individual for purposes of stopping the behavior;
- C. Reporting harassment;
- D. Filing, testifying, assisting, or participating in any manner in any investigation, proceeding or hearing conducted by the County or a government enforcement agency.

Supervisor Responsibilities

Managers and supervisors must deal expeditiously and fairly when they have knowledge of harassment, whether or not there has been a formal complaint. All complaints of possible harassment are taken very seriously. Report all incidents to Human Resources or designee immediately for purposes of a prompt investigatory process. Take action to prevent retaliation or prohibited conduct from recurring during the investigatory process.

Complaint Resolution Procedures for Unlawful Harassment or Discrimination

Hernando County establishes the following process for investigating and resolving claims of harassment or other types of equal opportunity claims or problems.

Procedures

Employees who believe they have been unlawfully harassed or discriminated against, including sexual harassment, may file a complaint with their supervisor, or file it directly with their department director, Human Resources Director, or designee.

Individuals who believe they have been unfairly treated or harassed due to their actual or perceived race, national origin, color, religion, sex, physical or mental disability, sexual orientation, gender, genetic information, age, marital status, political affiliation, or protected activity may file a complaint. Hernando County will take timely and appropriate corrective action, including discipline, whenever it determines that unlawful harassment has occurred in violation of this policy. The goal of such corrective action will be to stop the unlawful harassment, correct its effects if possible, and ensure that it does not recur.

This policy applies to every person in county employ and to applicants for county employment.

Complaint Resolution Procedure

1. An employee who believes they have been subjected to harassment prohibited by this policy should immediately tell the harasser to stop the unwanted behavior. The employee is strongly encouraged to then report the behavior, preferably in writing, to the Human Resources Director, or any suitable member of management.
2. An employee who wishes to make a complaint under this procedure should contact the Human Resources Director or any suitable member of management. Any complaint may be made verbally, however the Human Resources Department will request the complaint be reduced to writing.
3. Any member of management who receives a report of prohibited harassment must immediately report the behavior the Human Resources Director or designee. Complaints of unlawful harassment will be investigated as promptly and as thoroughly as possible by the Human Resources Director or designee. To investigate the complaint, the Human Resources Director or designee may interview witnesses, research files and/or take such action deemed necessary. Files opened for each complaint will be maintained separately from the human resources files of the individuals involved. Disciplinary actions taken as a result of complaint investigation will be placed in the recipient employee's file.
4. The Human Resources Director may recommend to any remedial relief considered appropriate including back pay, transfer, promotion, etc. The type of discipline administered will depend on the severity of the conduct, as well as any other factors presented in the circumstances. If disciplinary action is appropriate, the department director will take such action. If the claim is against a department director, such disciplinary action will be taken by the County Administrator. However, nothing contained herein shall prevent the County Administrator from taking actions against department directors at any time.
5. The employee who made the complaint and all other persons directly involved will be made aware of the determination as to whether unlawful harassment occurred. If the determination resulted in discipline of any employee (e.g., written reprimand, suspension, or dismissal), a copy of the actual notice of disciplinary action will be placed in the personnel file.

6. Due to the extremely sensitive nature of these types of claims and cases, investigators will request all persons interviewed to keep the contents of their interview confidential to the extent permitted by law. All complaints, reports, and recommendations will be kept confidential to the extent permitted by law.
7. Supervisory and management employees who discuss cases in which they or any of their employees are involved with anyone other than those persons directly involved, will be subject to discipline, including dismissal, unless they have been given specific instructions to the contrary.
8. This procedure does not create any property rights or extend the time to file a grievance, or in any way constitute a waiver of any other statute of limitations.

2.050 RELIGIOUS ACCOMODATION

Hernando County works diligently to respect the recognized religious beliefs of its employees. Hernando County welcomes any requests for accommodations because of recognized beliefs that do not create an undue hardship on Hernando County's ability to properly serve the citizens. The written request for a religious accommodation needs to be submitted to Human Resources Department for consideration and approval. Examples of accommodations include using PTO or leave without pay, allowing an exception to the Dress Code and Uniform Policy, or other aspects of employment.

2.060 EMPLOYEE PERSONNEL FILES

- A. A personnel file for each employee is kept in Human Resources Department. The employee's personnel file contains the employee's name, title and/or position held, job description, division to which the employee is assigned, salary, changes in employment status, job related training received, performance evaluations, personnel actions affecting the employee, including discipline, and other pertinent information.
- B. An employee has the right to review their file. If an employee believes there is incorrect information contained in their file, they may file a written rebuttal of what is believed to be irrelevant or erroneous information.
- C. Personnel files are generally public records as defined under the Florida Statutes, Section 119, and can, with certain exceptions be inspected and examined by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record or the custodian's designee.

2.070 RESPECTFUL WORKPLACE

Hernando County is committed to providing our employees with a respectful, healthy, and safe work environment that is free from bullying. Workplace bullying is unacceptable and will not be tolerated. Bullying is malicious repeated behavior that a reasonable person would consider to be offensive, degrading, humiliating, or threatening. Bullying may be directed toward one employee, or a group of employees. Some examples include but are not limited to screaming at someone, condescending and belittling comments, name calling or ridiculing, derogatory remarks, or insults, undermining or

impeding others' work, or unwarranted harsh and persistent criticism of work. This includes cyber bullying which is bullying using social media, website materials, e-mails, texting, and cell phones.

Hernando County expects all employees who experience bullying or who see others being bullied to report it as soon as possible to the appropriate supervisor, manager, department head, or member of human resources. Management employees are expected to take action to stop workplace bullying.

2.080 EMPLOYMENT INQUIRIES AND REFERENCES

All inquiries made by outside parties about the employment of current or former employees, concerning, but not limited to, general reputation, character, personal characteristics, performance ability, attendance, dates of employment, or salary shall be directed to Human Resources Department for appropriate response. Information to be released may be limited to position held and dates of employment. Improper release by unauthorized employees of such information may subject the employee to disciplinary action.

SECTION 3 - HOURS AND ATTENDANCE

3.010 WORKING HOURS

- A. Normal work hours are regularly scheduled hours for the employee and established by the respective department.
- B. The standard workweek is generally Monday through Friday, from 8:00 a.m. to 5:00 p.m.
- C. Actual work schedules may vary for regular, full-time employees consisting of forty (40) hour workweek. Different work schedules may be established by the departments based on job assignments and provide necessary Board services. Each employee's immediate supervisor will advise the employee regarding their specific working hours.
- D. Part-time employees will work scheduled hours as specified by their departments or divisions.
- E. Department or division managers may be flexible with hours worked within the work week.
- F. Accessing the e-mail system after normal work schedules is prohibited by non-exempt employees, unless compensation is approved and authorized by the Department Head and may result in disciplinary action up to and including termination.

3.020 TELECOMMUTING AND REMOTE WORK

Policy Statement

Hernando County is committed to providing alternative methods of work and scheduling for employees to create additional efficiencies and effectiveness. Telecommuting allows employees to work at home, on the road, or in another satellite location for all or part of their workweek. Hernando County considers telecommuting or working remotely to be a viable, flexible work option when both the employee and the position are suited to such an arrangement. Telecommuting may be appropriate for some employees and positions, but not for others. Telecommuting is not an entitlement, it is not a global benefit, and it in no way changes the terms and conditions of employment.

A. Procedure

1. Telecommuting may be informal, such as working from home for a short-term project, work related travel, or a formal established schedule of working away from the office as described below. Either an employee or supervisor can suggest telecommuting as a possible work arrangement.
2. Subject to the provisions of this policy, departments may adopt, develop, and implement telecommuting or remote work schedules for eligible positions provided regular office hours and accessibility for the public is maintained.
 3. Telecommuting arrangements will be determined on a trial basis and may be discontinued at will, or at any time at the request of either the telecommuter or Hernando County. Every effort will be made to provide 30 days notice of such change to accommodate commuting, childcare, and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

B. Eligibility

Individuals requesting formal telecommuting arrangements must have a satisfactory performance record.

Before entering into any telecommuting agreement, the employee and department manager will evaluate the suitability of such an arrangement, reviewing the following areas:

1. Employee suitability. The employee and manager will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
2. Job responsibilities. The employee and department manager will discuss the job responsibilities and determine if the position is appropriate for a telecommuting arrangement.
3. Employees shall adhere to Hernando County Policies and Procedures during hours dedicated to remote work or telecommuting.
4. Equipment needs, workspace design considerations and scheduling issues. The employee and manager will review the physical workspace needs and the appropriate location for the telework.
5. Potential tax and other legal implications. The employee must determine any tax or legal implications under IRS, state, and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.
6. Employees may, at the discretion of their immediate supervisor, be called to work at their centrally located worksite on their regular telecommute or remote workday, during regular work hours, to meet workload or department requirements.

Process

Requests for telecommuting as part of a regular schedule should be in writing. If the employee and manager agree, a telecommuting agreement will be prepared and signed by all parties, subject to approval by the County Administrator, or designee, and the designated trial period will commence.

Evaluation of telecommuter performance during the trial period will include regular interaction by phone and e-mail between the employee and the manager, and weekly meetings to discuss work progress and problems. At the end of the trial period, the employee and manager will each complete an evaluation of the arrangement and make recommendations for continuance or modifications. Evaluation of telecommuter performance beyond the trial period will be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than on time-based performance.

An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the determined trial period, the manager and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

Equipment

Hernando County will determine, with information supplied by the employee and the supervisor, the appropriate equipment needs (including hardware, software, modems, phone and data lines and other office equipment) for each telecommuting arrangement. Equipment supplied by Hernando County will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. Hernando County accepts no responsibility for damage or repairs to employee-owned equipment. Hernando County reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the organization is to be used for county business purposes only. Upon termination of employment, all property will be returned to Hernando County, unless other arrangements have been made.

The employee will establish an appropriate environment for work purposes, including dedicated work area. Hernando County is not responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, utilities, or for repairs or modifications to the home office space.

Security

Consistent with the Hernando County's expectations of information technology security for employees working at the office, telecommuting employees will be expected to ensure the protection of confidential information accessible from their home office. Steps may include regular password maintenance, secure VPN and network, and any other measures appropriate for the position and the environment.

Safety

Employees are expected have dedicated office space and to maintain their remote workspace in a safe manner, free from hazards. Hernando County will provide each telecommuter with a

safety checklist and ergonomics guide that must be reviewed at least twice per year. Injuries sustained by the employee in a home office location and in conjunction with their regular work duties are normally covered by workers' compensation policy. Telecommuting employees are responsible for notifying the employer of such injuries as soon as practicable.

Telecommuting is not designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance, meeting organizational demands, or space needs.

Time Worked

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the designated time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor. Failure to comply with this requirement may result in the immediate termination of the telecommuting agreement.

Temporary Arrangements

Temporary telecommuting arrangements may be approved for circumstances such as space needs, public health emergencies, special projects, or travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance.

Other informal, short-term arrangements may be made for employees on family or medical leave to the extent practical for the employee and the organization and with the consent of the employee's health care provider, as appropriate.

All informal telecommuting arrangements are made on a case-by-case basis, focusing on the organizational needs of Hernando County.

3.030 HOURS OF WORK AND OVERTIME

- A. All Board positions are designated as either "exempt" or "non-exempt" according to the Fair Labor Standards Act (FLSA) regulations.
- B. Non-exempt employees are entitled to additional compensation when they work more than forty (40) hours during a seven (7) day workweek or designated holidays. Overtime pay is calculated at one and one-half times the employee's regular rate of pay for all time worked beyond the established forty (40) hour workweek. Employees working on a holiday will receive holiday pay and overtime pay, if eligible.
- C. Department heads or designee must authorize all overtime in advance. Employees are not allowed to work overtime unless prior authorization has been received.
- D. To the greatest extent operationally feasible, flexible, or alternate work schedules within the pay week will be utilized to avoid incurring overtime.
- E. Exempt employees are not covered by the FLSA overtime provisions and do not receive overtime pay.
- F. All hours of work are to be accurately recorded for non-exempt employees at all times.

- G. Department managers shall provide employees with a minimum of five (5) business days notice prior to a change with work schedules. Employees must obtain approval from their immediate supervisor in order to change work schedules.

3.040 SAFE HARBOR COMPENSATION COMPLIANCE

Policy Statement

Hernando County compensates employees for all time worked and does so in compliance with all applicable state and federal laws. To ensure that employees are paid properly for all time worked and that no improper deductions are made, employees must accurately record all work time and review their paychecks promptly to identify and to report all errors. No employee who is eligible for overtime should perform any work that is not authorized and recorded on their time reporting system. While all hours worked shall be compensated, even if not authorized, working without authorization is a violation of Hernando County policy that could lead to disciplinary action. Intentional falsifications of time reporting or records, including hours or work and leave utilized may result in disciplinary action up to and including termination.

Hernando County makes every effort to ensure that employees are paid correctly. Occasionally, inadvertent mistakes can happen. When a mistake does happen and is called to the attention of management, a correction will be made promptly. If an employee believes a mistake has occurred (including any improper deductions, underreported hours of work or other error) or if an employee has any questions, the reporting procedure outlined below must be used.

Reports of improper deductions or time reporting will be investigated to the extent possible, with disciplinary action taken when appropriate, up to and including dismissal for any employee(s) who violates this policy. Any form of retaliation against individuals who report alleged violations of this policy, or who cooperate in the County's investigation of such reports is prohibited. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including dismissal.

Non-Exempt Employees

- A. Employees in positions classified as non-exempt are subject to overtime compensation provisions of the Fair Labor Standards Act.
- B. Employees classified as non-exempt must maintain accurate time records of hours worked each day. All hours must be accurately recorded on the biweekly time reporting system and approved by management. Verification must be approved that time is true and accurate.
- C. Non-exempt employees shall not work any hours outside of their scheduled workday unless their supervisor has authorized the unscheduled work.
- D. Non-exempt employees shall not start work early, finish work late, perform work during a meal break or perform any other extra or overtime work unless authorized by department manager.
- E. Time records must accurately reflect all regular and overtime hours worked, any absences, early or late arrivals and early or late departures. If a time reporting is not accurate, the supervisor must be notified immediately. When each paycheck is

received, employees should verify immediately that they were paid correctly for all regular and overtime hours worked each workweek.

- F. Compensatory time for non-exempt employees shall be handled in accordance with the provisions of the Fair Labor Standards Act. Non-exempt employees with a compensatory exceeding 40.0 hours will be paid out for hours in excess of 40.0 hours on an annual basis in conjunction with the fiscal year.

Exempt Status Employees:

- A. Hernando County complies with the positions of the salary basis test requirements of the Fair Labor Standards Act (FLSA).
- B. Employees classified as Executive, Professional, Administrative and Computer as defined in the provisions established in the FLSA and are considered exempt from overtime and receives a salary intended to compensate for all hours worked.
- C. Exempt employees are expected to work the hours required to fulfill the duties and responsibilities of the position held.
- D. Improper deductions are prohibited from salaries of exempt employees except for the following conditions:
 - i. The first or last week of employment if less than full week is worked;
 - ii. Disciplinary suspensions in full day increments for major safety violations or significant infractions of workplace conduct issues;
 - iii. FMLA related absences (full or partial day).

3.050 ATTENDANCE

- A. Punctual and consistent attendance is a condition of employment. Each department or division manager is responsible for maintaining accurate attendance standards and records of employees. The Department Head for payroll purposes shall approve these records.
- B. Employees unable to work or unable to report to work on time should notify their immediate supervisor as soon as possible. If the supervisor is unavailable, the employee may leave a message with a designated department representative stating the reason for being late or being unable to report for work. If the absence continues beyond one day, the employee is responsible for notifying the department each day. Employees who are out on workers' compensation and/or family and medical leave will make arrangements with their supervisor to check in periodically based on the needs of the department.
- C. Employees are expected to be at work even during inclement weather. Department Heads may allow employees to be late or leave early during severe weather conditions.

- D. An employee who is absent without authorization or notification is subject to disciplinary action, up to and including possible termination. Three days of absence without proper notification shall constitute job abandonment and loss of employment with Hernando County.

3.060 BREAKS AND MEAL PERIODS

- A. Departments shall establish lunch periods for employees between 30-60 minutes in duration based on work schedules and business necessity. Non-exempt employees must receive prior approval from their immediate supervisor if they do not take lunch or meal breaks.
- B. Two fifteen (15) minute breaks may be allowed in the eight (8) hour workday.
- C. All breaks shall be arranged so that they do not interfere with department business or service to the public.

3.070 CALL BACK

All employees are subject to call back to provide necessary services to the public during emergencies or at the discretion of the department. A refusal to report for a call back when contact is made is grounds for immediate disciplinary action. Eligible employees called back to duty will be paid overtime at their appropriate rate of pay for time worked.

3.080 PAYROLL RECORDS

The Clerk of Court-Finance Department, maintains and keeps the official payroll records. Each department shall turn in on a regular basis a signed work record for each employee within their divisions, noting hours worked, leave taken, and overtime worked during the pay period.

SECTION 4 – EMPLOYMENT, RECRUITMENT AND SELECTION

Policy Statement

Hernando County strives to recruit and select the most qualified candidates for employment. Hernando County provides equal employment opportunities for all qualified employees and applicants for employment regardless of race, color, sex, age, religion, gender, disability/handicap, marital status, military status, orientation, veteran status, genetic information, pregnancy or national origin, or any other categories protected by law. We provide preference to qualified veterans to the extent required by law. Hernando County encourages equal employment opportunities be provided in areas related to employment including recruitment, selection, compensation, benefits, promotion, demotion, layoffs, termination and all other terms and conditions of employment.

The Human Resources Department or designee is responsible for the administration and coordination of standardized hiring practices, processes, and procedures.

4.010 VACANT POSITION AUDIT

- A. When a position becomes vacant, prior to any posting and/or advertisement of the vacancy, the department shall review the duties and essential functions of the position, job description and verify the necessity for refilling the vacancy by conducting a vacant position audit.
- B. If adequate funding exists to support the vacancy, the position will be authorized to fill. Office of Budget and Management will provide verification of budgetary authority.
- C. Employment requisitions shall include updated job description, proposed job classification including salary range or pay grade, and appropriate methods for advertising and account numbers.
- D. If the vacant position is to be filled, it will be posted a minimum of five (5) workdays.
- E. Advertisements of job openings, or other forms of public notice may be posted on Hernando County's website, distributed to Hernando County departments, and other recruitment sources as applicable.
- F. Position reclassifications are not considered vacant positions.
- G. All applications for employment shall be on the electronic applicant tracking system.
- H. Preference is given to certain veterans as provided by Chapter 295, Laws of Florida.
- I. No applicant will be considered for a vacancy where such appointment would result in members of an immediate family employed in a direct supervisor-employee relationship.
- J. Applicants for positions which require certification, licensure, a valid Florida State driver's license with special endorsements, in accordance with the requirement of the job description must file proof of holding the certification, license, etc. Applicants for positions that require the employee to operate a motor vehicle must be at least eighteen (18) years of age. Driving records of applicants and employees will be verified. Applicants with poor driving records, as determined by insurance carrier in conjunction with the Human Resources Department, may be disqualified from employment in driving positions.
- K. Background and reference checks will be conducted on all prospective employees. Background checks shall be completed by designated representative of the Human Resources Department or designee, or by other departments that have received training.
- L. In accordance with Florida Statutes 125.74, the selection and appointment of the County Administrator shall be done by the Hernando County Board of County Commissioners. Selection of Deputy County Administrator and department directors shall be completed by the County Administrator with confirmation by the Hernando County Board of County Commissioners.

4.020 RECRUITMENT AND HIRING

Hernando County makes every effort to hire the most qualified individual for vacant positions. Applicants meeting the minimum essential functions and requirements of the job description of

an open position will be considered for the interview process. A list of the most qualified applicants will be identified by Human Resources Department, or designee for purposes of interview selection.

- A. Job-related preemployment evaluations may consist of:
 - 1. Written examinations
 - 2. Evaluation of education, qualifications, and experience
 - 3. Performance of job tasks
 - 4. Other requirements as allowed by law

- B. An interview panel will be appointed for purposes of selection of candidates to fill a vacancy consisting of at least two (2) or more members of the department, other departments, subject matter experts, or employees of the Human Resources Department.

- C. The hiring manager will forward the recommendation for selection to Human Resources along with the basis for selection, interview notes, and other supporting documentation related to the position vacancy.

- D. Human Resources will examine the department's selection and either process the hire after completion of any final criminal background checks, applicable pre-hire drug testing, and any other due diligence to complete the hiring process or communicate with the hiring department if any hiring issues arise.

- E. Selected candidates will receive a conditional offer of employment and will be subject to the successful completion of the background investigatory process which may include medical examination, driver's license check, criminal background check and/or a test for alcohol and/or controlled substances.

- F. Medical examination is to determine if the individual is physically able to perform the essential functions of the job with or without reasonable accommodation and to ensure their physical condition will not endanger the health, safety or well-being of other employees or the public.

- G. An applicant who has been given a conditional offer of employment may be disqualified from further consideration if:
 - 1. Found physically unable to perform the essential functions of the position, (and the individual's condition cannot reasonably be accommodated); or
 - 2. The applicant refuses to submit to a medical examination, applicable alcohol or controlled substance test, or complete medical forms after receiving a conditional job offer; or
 - 3. If the exam reveals the use of alcohol and/or controlled substances; or
 - 4. The applicant's criminal background check is unacceptable based on the requirements of the position; or
 - 5. The applicant's driving record proves unacceptable to the insurance carrier; or
 - 6. Any misrepresentation, falsification, incomplete information, or the omission of facts on the employment application.

- H. The Human Resources Department, or designee will be responsible for notifying applicants of their status. Human Resources Department will contact the successful applicant regarding the effective employment date and orientation appointment.
- I. Departments may request training from the Human Resources Department regarding the interview process and guidelines.

4.030 PROBATIONARY OR INTRODUCTORY PERIOD

- A. All newly hired regular employees, or rehired employees shall serve a six (6) month probationary period. During the probationary period, an employee is required to demonstrate suitability for the position through actual work performance.
- B. The normal probationary period is six (6) months from the employee's date of hire, or rehire. Probationary periods may be extended an additional ninety (90) days. If a probationary period is extended, specific goals and objectives will be listed in the performance evaluation. Longer periods may be established for positions requiring technical, professional, specialized, unusual, or unique skills or qualifications.
- C. Firefighters serve an initial probationary period of twelve (12) months.
- D. An employee's introductory period may be extended up to an additional six (6) months to properly evaluate the employee's performance. Reasons to extend the introductory period may include, but not be limited to, employee illness or evaluation of marginal performance.
- E. During the specified probationary period, employees accrue PTO and may utilize in accordance with the provisions of the PTO Policy.
- F. When a Division Manager determines an employee has satisfactorily completed the introductory period, the Division Manager shall prepare a written performance evaluation, which will be reviewed by the Department Head, and then presented to the employee. If the introductory period is satisfactorily completed, the employee will be designated to regular employment status.
- G. When an employee is promoted or transfers to a new position the employee will serve a new qualification period of four (4) months.
- H. Firefighters serve a six (6) month qualification period.

4.040 EMPLOYMENT OF RELATIVES (NEPOTISM)

Hernando County complies with Florida Statutes, Section 112.3135, which severely restricts the employment of relatives (in the same political subdivision) of public officials. For purposes of this section, public officials are defined as any employee with authority to appoint, employ, promote, or advance individuals, or with authority to make recommendations for the appointment, employment, or exercises jurisdiction or control over an agency. The statutory definition of "relative" includes the immediate family of the public official including father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, as well as those defined as remote kin. Compliance with the statute is mandatory.

4.050 PROMOTIONS AND TRANSFERS

Hernando County encourages current employees to apply for vacant positions for which they are qualified. Promotions and transfers are based on requirements of the position, workforce requirements, performance evaluations, job descriptions, and related requirements.

Employees promoted or transferred to a new position will serve a new qualification period. The qualification period provides the employee and department time to determine if the employee can be successful in the new position. Employees will be provided with goals and expectations at the beginning of the qualification period. The supervisor will provide the employee feedback, as to the employee's progress, indicating positive successes, as well as any identified areas of needed improvement. Feedback will occur, at minimum, on a monthly basis.

SECTION 5 – COMPENSATION

5.010 COMPENSATION PLAN

Each job title is placed into a classification, based on job qualifications, level of responsibility, difficulty, working conditions, skill, hazard, and amount of supervision required for the specific job title. The compensation plan includes a wage and salary schedule with a pay range assigned to each job description. Each pay range has a minimum and maximum salary amount.

5.020 EMPLOYEE PAY RATES

- A. Employees promoted into a higher pay grade shall be paid within the limits of the wage and salary schedule to which their positions are assigned.
- B. Newly hired employees will start their employment at the minimum salary rate for their classification. However, a new employee may be employed at a rate higher than the minimum when the employee's experience, training, or proven capability warrants such, or when prevailing market conditions require a starting rate greater than the minimum with the approval of Human Resources Director, Deputy County Administrator, or County Administrator.
- C. In conjunction with the annual budget process, the County Administrator may propose across the board pay adjustments from time to time, raising the salaries of applicable covered positions.
- D. Employees who successfully complete the probationary period will be eligible for the annual across the board adjustment.
- E. When the pay rate exceeds the maximum of the pay range, the employee may be red-circled and ineligible for the annual increase or receive a lump sum payment as determined by the County Administrator, or designee.
- F. Pay rates of employees hired through contracts are not bound by the maximum pay range assigned because of the unique circumstances of their hiring.

5.030 COMPENSATION - PROMOTIONS, DEMOTIONS, STEP-UP, AND MARKET ADJUSTMENTS

Promotions

Regular employees receiving a promotion shall have their compensation adjusted as follows:

- A. Employees receiving a promotion into a higher pay grade, as approved by the Human Resources Director and the County Administrator, or their respective designees, shall receive the appropriate increase of 5% for one (1) or two (2) levels higher and 10% for three (3) levels higher or the minimum of the new pay grade, whichever is higher.
- B. Wage increases outside of this process require the approval of the County Administrator, or designee.

Demotions

Regular employees experiencing a demotion shall have their compensation adjusted as follows:

- A. Employees receiving a demotion into a lower pay grade, as approved by Human Resources and the County Administrator, or designee, shall receive the appropriate decrease of 5% for one (1) or two (2) levels lower and 10% for three (3) levels lower or the maximum of the new grade, whichever is lower.
- B. If an employee's demotion results being placed at the maximum of the pay grade, the employee shall be frozen at that salary range.

Step Up or Out of Class Compensation

- A. When an employee is required to assume the majority of the essential job functions as listed in the job description of a higher classification or pay grade that lasts eighty (80) consecutive hours or more, he/she shall receive a 5% pay increase or the minimum of the pay grade upon completion of the 80th hour of actual work performed. If the employee is required to perform the same or similar job within six (6) months from the completion date of the last step-up incident, the step-up pay will begin immediately.
- B. All interim or temporary assignments of this nature shall not last more than six (6) months. Interim or temporary assignments extending beyond the six (6) months must be approved by the Human Resources Director and County Administration.
- C. The qualification period will be waived for any employee who is promoted into a position for which they received step up pay for four (4) months or more.
- D. If an employee has performed in a step-up position continuously for one year (365 days), he/she will be deemed qualified for the position; will assume the new job classification; and will receive the necessary revisions to his/her title and pay grade.
- E. Additional increases in excess of the established guidelines requires the approval of the Human Resources Director and County Administrator, or respective designees.

Market Adjustments

If substantial evidence exists of difficult to recruit for positions, failed searches, or non-competitiveness with the labor market, it may be necessary to modify compensation rates with a market adjustment. Market adjustment requests shall be supported by sound market analysis and proposed by the respective department. Documentation for market adjustments shall include any specific triggering event, such as failed search for vacant position. Salary increases shall be determined by the level of responsibilities, performance, and market conditions. Market adjustment requests may be considered provided there is evidence to support the adjustment in compensation through market analysis. Individual departments in conjunction with Human Resources will coordinate an appropriate market analysis to determine if an adjustment is warranted and the appropriate pay band or step range of any salary increase. Market adjustments are not intended to address inflationary increases and shall not be proposed more than once per calendar year in conjunction with the annual budget process. Approved market adjustments shall be allocated the first pay period of the new fiscal year following approval and authorization by the County Administrator and Human Resources Director, or their designees.

5.040 EMERGENCY COMPENSATION

Hernando County has established compensation practices and procedures for employees who work during emergency events such as natural disasters including hurricanes, storms, floods, or to other public health emergencies. This policy provides guidance as to the employee's responsibilities before, during and after said emergency.

Appendix A Emergency Compensation and Procedures contains detailed policy guidance.

5.050 PAYDAYS

Employees are paid biweekly as established by Hernando County.

5.060 DEDUCTIONS

Hernando County will withhold from the employee's paycheck those deductions required by law and any other voluntary deductions authorized as authorized by the employee or applicable statute. The voluntary deductions will be limited to Board-approved benefits and deferred compensation benefits.

5.070 TRAVEL AND EXPENSE REIMBURSEMENT

Chapter 112.061 Florida Statutes and the applicable Board of Hernando County Commissioners policies govern all travel and reimbursement.

5.080 SEPARATION FROM EMPLOYMENT

When an employee separates from service with Hernando County, subject to the limitations set forth in this and other policy sections, the employee will receive the following compensation:

- A. Regular wages for all hours worked up to the time of termination, which have not already been paid.
- B. Any overtime or holiday pay due at time of separation.
- C. Employees who voluntarily resign or are separated from employment will receive payment for 80% of their accrued and unused PTO not to exceed the maximum amount of allowable carry-over PTO at the time of separation.
- D. Employees separated due to a reduction in force will receive 100% pay for accrued and unused PTO not to exceed the maximum amount of allowable carry-over PTO at the time of separation.
- E. New employees who have not completed six (6) months of employment will not be eligible for payment of accrued and unused PTO upon separation.
- F. Employees who are involuntarily terminated or who leave without providing notice may not be approved for payment of any accrued and unused PTO.
- G. Final payment includes all separation benefits. The final check will be held until the employee has returned all property, including keys, uniforms, completed documents, etc.

5.090 TAXATION OF AUTOMOBILE ALLOWANCE

Subject to provisions established by the Internal Revenue Service (IRS), Hernando County reports the use of vehicles by employees for commuting purposes as a benefit with appropriate taxes withheld.

- A. Personal use of vehicles is prohibited unless authorized by the departments.
- B. Vehicles used for responding to emergencies, or other on-call purpose will not be taxed for the use.

SECTION 6 - CLASSIFICATION

Hernando County maintains a classification plan including uniform terminology of job descriptions and positions, determining appropriate salary ranges, managing organizational structure, and providing systemic inventory of positions.

6.010 JOB DESCRIPTIONS AND POSITION TITLES

- A. Each position indexed to the classification system shall have a job description including the minimum qualifications, necessary work experience and education, and other functions needed to perform the essential functions of the position.
- B. Job descriptions are descriptive and explanatory and may not be inclusive of all duties assigned or performed. Job descriptions are designed to generally indicate the types of duties and level of responsibilities assigned to the job. Employees may be required to perform duties that are not included within their job description. All employees are expected to perform duties as assigned, to include assignments related to declared emergencies.

- C. Human Resources shall maintain a master set of all approved job descriptions which shall constitute the official classification plan. The official record shall show all amendments to the original plan. The copies of the job descriptions may include the date of adoption and/or the last revision.
- D. Each time a department or portion thereof is substantially reorganized, the department director should submit new job descriptions or job description questionnaires for all affected positions.
- E. Human Resources may request department directors to submit job description questionnaires at any time when there is reason to believe there has been a significant and ongoing change in duties and responsibilities of one or more positions.
- F. The official title of a budgeted position in the classification plan shall be used to designate the position in all budget estimates, payroll, documents, vouchers, and other official records in conjunction with human resources processes.

6.020 CLASSIFICATION OF NEW POSITIONS

- A. The Human Resources Department or designee shall create job descriptions for new positions illustrating the essential duties, responsibilities, and requirements in conjunction with the respective departments. Job description questionnaires shall be completed by departments requesting new positions detailing the duties to ensure the position has been appropriately allocated.
 - B. Requests and recommendations for new positions shall be completed through budget process. Only in extraordinary circumstances will a position be requested outside of the annual budget process. Departments wishing to establish new positions should first discuss with the appropriate level Administrator for tentative approval. If tentatively approved, the department should either review the classification plan for an existing job title to use or complete the job description questionnaire.
- C. In coordination with Budget Director, the Human Resources Director reviews and provides recommendations for approval or disapproval on classification of proposed position creations, allocations, reallocations, and abolishment.
- D. The County Administrator, or designee shall review and approve all requests for new positions prior to incorporation into the budget.

6.030 RECLASSIFICATION OF POSITIONS

- A. Reclassifications of positions may be initiated by departments if there is a significant change to the duties and responsibilities of the position. Reclassifications may change the position to a higher or lower classification based on the natural evolution of the position.
- B. Reclassification requests shall be submitted in writing and shall contain a statement of justification, facts, and any other pertinent information necessary to fully evaluate the reclassification issue. As part of the reclassification process, the appropriate rate of pay and pay grade shall be evaluated. Depending on the position reclassification an employee may have their pay raised or lowered (as appropriate) to not only be within the pay range, but

based on the position responsibilities, employee qualifications, consideration of the rate of pay and equity for other similarly positioned employees, and any other pertinent information.

- C. Requests for reclassification of positions may be submitted by departments through the annual budget process.
- D. Reclassifications for purposes of this section are not considered vacant positions.

6.040 POSITION CONTROL

- A. Positions within the County are established and maintained each fiscal year in accordance with established budget and accounting procedures. The establishment of additional positions shall be reviewed and approved at the discretion of the County Administrator and upon approval by the Board.
- B. Positions may be eliminated when there is justification for abolishment such as lack of work, reorganization, lack of funding, or other reasons as determined by the County Administrator, or designee.

SECTION 7 - PERFORMANCE EVALUATIONS AND ONBOARDING

7.010 POLICY STATEMENT PERFORMANCE EVALUATIONS

Hernando County recognizes the importance of providing framework for goal setting and constructive feedback for employees. Performance appraisals shall fairly and equitably appraise and assist employees in developing effective ways of achieving work goals, set expectations, as well as review the overall performance of the employees in completing the tasks and meeting the responsibilities of their positions. Employees shall have their work performance reviewed at least annually by the employee's immediate supervisor.

Performance Appraisal Process

- A. Performance evaluations shall be completed upon the completion of the six (6) month probationary period. Probationary periods may be extended an additional ninety (90) days. If a probationary period is extended, specific goals and objectives will be listed in the performance evaluation. Employees who fail to successfully complete the probationary period may be terminated.
- B. Employees that are promoted, transferred, or demoted into a different position will serve an additional qualification period. Performance will be evaluated prior to the conclusion of the specified qualification period.
- C. The immediate supervisor shall conduct annual performance evaluations for their employees based on the anniversary date in position.
- D. Evaluations of supervisory and managerial employees will be completed based on the anniversary date in position.

- E. The evaluation communicates and documents employee performance and becomes a part of an employee's personnel record.
- F. Performance evaluations will be completed on forms prescribed by the Human Resources Department.
- G. All employees will be provided goals and expectations as part of the performance evaluation process. the supervisor will provide the employee feedback, as to the employee's progress, indicating positive successes, as well as any identified areas of needed improvement.
- H. The supervisor and employee should meet and discuss the evaluation, assess job related strengths and weaknesses, and set goals and objectives for the next rating period.
- I. Employee communication regarding performance objectives should occur regularly, on a quarterly basis.
- J. Job descriptions shall be reviewed on an annual basis in conjunction with the performance appraisal process.
- K. New job descriptions shall be signed upon employee transfer, promotion, demotion, title change, or other classification action.

7.020 PERFORMANCE IMPROVEMENT PLANS

Hernando County recognizes the importance of providing supervisors and managers with tools to successfully manage employees. A Performance Improvement Plan (PIP) is a document available to supervisors for the purposes of improving the performance or behavior of the employee and addressing performance discrepancies identified through the performance management process. Cooperation and continuing communication between the employee and supervisor are essential to the success of the Performance Improvement Plan. The PIP tool is used to establish expectations and address performance concerns either in conjunction with an annual performance review, or at any point when, in the supervisor's assessment, an employee needs clarification of current job responsibilities and expectations in specific area(s) of concern.

7.030 NEW EMPLOYEE ONBOARDNG AND ORIENTATION

Hernando County recognizes the importance of introducing new employees to the organization. All newly hired employees will attend and participate in an orientation and onboarding program to assist employees with human resources policies, guidelines, benefits information, and completion of employment documentation.

Departments will provide new employee orientation specific to internal operating procedures and other processes required for the successful completion of job tasks at the department and/or division level.

SECTION 8 - BENEFITS AND LEAVE

8.010 GROUP INSURANCE BENEFITS

- A. Active regular full-time employees working a minimum of 30 hours per week are eligible to participate in Hernando County's insurance programs. Insurance eligibility begins on the first (1st) of the month following sixty (60) days of full-time employment. Hernando County reserves the right to make changes in the carriers and applicable provisions.
- B. For purposes of eligibility, rehired employees will be processed the same as new hires. Unless otherwise specified, eligibility shall be the first of the month following sixty (60) days of consecutive employment.
- C. This policy follows the current laws of the State of Florida, Employee Income Security Act (ERISA), Internal Revenue Service (IRS), and the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985.
- D. As a benefit to the employee, medical insurance will be provided to the employee within limitations and contractual provisions of the insurance policy. The rate structure of group medical coverage will be adjusted by Hernando County on an annual basis. Employee group health insurance coverage will be paid through payroll deduction.
- E. Employee insurance premiums are paid on a monthly basis. Premiums will not be pro-rated for partial payment for employees who are on authorized leave without pay status for a portion of a month. The premium will be paid for one full month for employees who are on authorized leave without pay. Thereafter, the employee will be responsible for the payment of the premium.
- F. Changes to employee coverage shall be made during the specified open enrollment period, or qualifying event. Examples of qualifying events includes marriage, divorce, birth or adoption of dependent child, death, or loss of other credible coverage. Employees must contact Human Resources within thirty (30) days of the qualifying event.
- G. Hernando County continues to pay the employee health insurance premium contributions while on Workers Compensation or FMLA.
- H. Employees on leave without pay (LWOP) status may continue group health insurance benefits for self and eligible dependents if premium payments are made on a timely basis.
- I. Upon an employee's termination from employment, at the employee's option and expense, the employee may elect to continue health insurance benefits to the extent provided under COBRA (Consolidated Omnibus Budget Reconciliation Act.). Continuation rights are not available if an employee is terminated for "gross misconduct." An administrative handling fee, over and above the cost of the insurance premium, may be charged to the employee or dependents that elect to exercise COBRA continuation rights.
- J. Group insurance is available to certain retired employees and eligible dependents at the expense of the retiree and within the limits of coverage of the existing policy. For insurance eligibility purposes, a retired County employee includes any former County officer, or former County employee who retires through the Florida Retirement System (FRS); or has received approval for disability retirement prior to their last day of employment and are covered under

the health plan. An employee who applies for disability retirement but has not been approved prior to their or her last day of employment may rejoin the health plan after the disability retirement is approved. You must notify the plan within thirty (30) days of receiving notice of approval for disability retirement to be added back to the plan. Employees retiring under the FRS Investment Plan must have one (1) year of service with an FRS employer. Employees retiring under the FRS Pension Plan must be enrolled in the FRS prior to July 1, 2011, and have six (6) years of service with a FRS employer, or be enrolled in the FRS on or after July 1, 2011, and have eight (8) years of service with an FRS employer and must:

1. Meet the age and service requirements to qualify for normal retirement as set forth in s. 121.021(29); or
 2. Have attained the age specified by s. 72(t) (2) (A) (i) of the Internal Revenue Code.
- K. An employee who retires and does not elect to continue coverage as provided will have their coverage terminated and will not be eligible to reenroll in the health plan at a later date unless approved for disability retirement. The retired employee is responsible for making premium payments.
- L. Hernando County may offer other voluntary benefits plans including but not limited to vision, dental, disability, accident, critical illness, or hospitalization coverage with the additional costs paid by the employee.

8.020 CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)

- A. Hernando County complies with the provisions of Florida Statute 627.6692 and COBRA. Employees and qualified dependents are eligible to participate in continuation of group health insurance plans up to eighteen (18) months at group rates upon separation of service, or another qualifying event. Qualified employees are responsible for the entire premium upon selection of coverage under COBRA.
- B. Employee Rights – Employees covered by the group medical and dental plans have the right to select continuation of coverage due to loss of group coverage due to reduction of hours or separation of employment.
- C. Rights of Covered Spouse – The covered spouse of an employee has the right to choose continuation of coverage for the following qualifying events:
- i The death of an employee;
 - ii Termination, separation from service, layoff, furlough, or reduction of hours;
 - iii Divorce or legal separation;
 - iv Medicare eligibility.

8.030 RETIREMENT BENEFITS

Florida Retirement System (FRS)

The Florida Retirement System (FRS) covers all regular full and part-time employees. Benefit levels and contribution rates are established and set by the State of Florida.

Voluntary Deferred Compensation Program 457(b) Plan

Hernando County offers a voluntary deferred compensation program. This option is 100% employee funded and allows employees to have a set amount of money deducted from each paycheck and invested in a fund or funds of their choosing. Employees can enroll at any time, throughout the year, in a deferred compensation plan. Information on the County's Deferred Compensation provider will be provided during New Employee Orientation and is also located on the County's intranet.

8.040 DEFERRED RETIREMENT OPTION PROGRAM (DROP)

The Florida Retirement System provides eligible employees the option for participation with the Deferred Retirement Option Program (DROP). The DROP option is a retirement program that allows eligible employees to retire without terminating their employment for up to 5 years (60 months) while retirement benefits accumulate, with interest is placed in a guaranteed fixed-interest fund. This program is available to eligible members of the Florida Retirement System (FRS) who are in the Pension Plan.

The Florida Retirement System governs and manages the DROP system and will supersede County Policies. Hernando County is not responsible for any changes to the provisions of the DROP system by FRS.

General DROP Employee Eligibility as Determined by FRS:

Employed before July 1, 2011:

- a. 6 years of regular service at age 62;
- b. 30 years of regular service at any age;
- c. 25 years of special risk class service.

Employees hired on or after July 1, 2011:

- a. 8 years of regular service at age 62;
- b. 33 years of regular service at any age
- c. 30 years special risk service.

Disposition of Paid Time Off Upon Entering the Deferred Retirement Option Program

Employees choosing to enter the DROP shall notify Human Resources of their intent no later than the first of the month prior to eligibility. This ensures that the proper forms are submitted to FRS in a timely manner to provide maximum benefit in the program.

Eligible employees may choose to receive payout out their annual leave (this includes any remaining vacation leave or PTO leave).

The following DROP payout options are available:

- A. The employee may cash out up to 100% of their annual leave on the effective date of DROP enrollment in accordance with county policy, for maximum payout allowance. The amount of the employee's payout will be included as part of the calculation of their retirement benefit under this scenario.

- B. If the annual lump sum payment received at time of DROP entry is less than the maximum allowable amount of 720 total combined hours, (500 of which may count towards the retirement calculation), the employee may receive a second lump-sum at the end of DROP for the difference between the hours initially paid and the maximum allowable amount of 720 hours. The second payout does not apply to the calculation of retirement benefits. Employees are encouraged to use any accrued annual leave before they terminate employment.
- C. Upon entrance into DROP, the employee may elect not to cash out their annual leave. If this option is chosen, when the employee terminates employment with Hernando County, any annual leave accrued will be cashed out in accordance with current policy. However, in accordance with FRS, this cash out will not be applied to the calculation of their retirement benefit.
- D. Any employee currently enrolled in DROP may decide to terminate employment earlier than their original program termination date. An employee will not be allowed to work beyond the preselected termination date once they are enrolled in DROP.
- E. Employees will continue to accrue annual PTO leave while enrolled in DROP.

Additional information regarding DROP eligibility and elections may be obtained from the Human Resources Department.

8.050 WELLNESS AND HEALTH CENTER

Policy Statement

Hernando County supports our employees in promoting healthy lifestyles and wellness activities. The Wellness Center provides eligible employees, their dependents, and retirees health and wellness services to assist with reduction of medical costs and improvement of overall wellness.

Eligible employees utilizing the Wellness and Health Center may attend scheduled appointments in paid status meeting the following provisions:

- A. Employees will be compensated at their regular rate of pay during normal work hours. Appointments outside of normal work hours are not compensable.
- B. Employees attending appointments will be allowed sufficient time for travel to and from appointments.
- C. If the appointment is scheduled for the middle of the workday, employees shall return immediately following the conclusion of the appointment.
- D. Employees utilizing the Wellness Center will receive an appointment notice form from the Wellness Center. The notice will reflect the appointment check in and check out time. If requested, the employee is to provide the completed notice to their authorized management personnel. If an employee does not provide the completed notice to their authorized management personnel, the employee will be charged PTO/Sick time for the absence.
- E. PTO/Sick leave shall be used with the following situations:

- i Employee is sent home by medical provider and not allowed to return to work;
- ii Employee is required to take eligible dependent during regular work hours;
- iii To fill prescriptions unable to be filled by Wellness Center.

In all situations listed above, the employee is required to be in contact with immediate supervisor or department manager and must request authorization to utilize Wellness Center. PTO/Sick leave will begin at the time the employee leaves the Wellness Center. Employees assigned a County vehicle may utilize for transport to the Wellness Center, all other policies regarding the use of vehicles apply.

8.060 EMPLOYEE SERVICE AWARDS AND RECOGNITION

Policy Statement

Hernando County recognizes employee service award milestones to the organization and acknowledges employee accomplishments and contributions through awards programming.

- A. Length of service awards will be presented to employees who have been continuously employed by Hernando County for designated periods of time. Awards are presented and recognized for service in increments of five, ten, fifteen, twenty, twenty-five, thirty, and thirty-five years of service.
- B. The County Administrator or designee is authorized to establish guidelines whereby employees may be rewarded for outstanding work performance, work quality and quantity with rewards including but not limited to monetary rewards as determined appropriate by the County Administrator or designee, provided such guidelines remain consistent with the intent of other County awards. Directors must consult with the Human Resources Director prior to implementing any department specific awards program authorized under this policy.

8.070 TRAINING, CERTIFICATION AND PROFESSIONAL DEVELOPMENT

- A. Hernando County offers training, professional development, and other job-related certification opportunities to increase employee skills, knowledge, and abilities directly related to employment, within the limits of available resources to obtain or maintain required licenses and certifications, and to develop staff resources. Opportunities may include but are not limited to, on the-job training, in-house workshops, seminars, and professional development training sponsored by other agencies or organizations.
- B. Employees who participate in a certification or licensure program sponsored by the department for job related training must agree to remain in the employ of the County for at least one (1) year following course completion. Employees who retire, resign, or are involuntarily terminated within the one (1) year period shall reimburse Hernando County for educational benefits paid to them for courses completed during the preceding twelve (12) months. Reimbursement shall be made by cash payment and/or by withholding any monies due at the time of separation.
- C. Employees who are part of a reduction in force, or layoff will not be required to reimburse Hernando County under this section.

- D. Hernando County will provide travel, registration and per diem expenses, when applicable, for approved Continuing Education Units (CEUs), training, or licensure requirements obtained outside normal working hours in accordance with applicable departmental policies.

8.080 UNEMPLOYMENT COMPENSATION

Employees may qualify for Unemployment Compensation after separation from employment depending on the reason for separation and if certain qualifications are satisfied with the agency disbursing the benefits.

8.090 PAID TIME OFF (PTO)

Policy Statement

Hernando County has established guidelines, processes, and procedures related to employee utilization of leave accruals.

A. Eligibility for PTO

1. Regular full-time employees will earn and accrue Paid Time Off (PTO).
2. Regular part-time employees earn pro-rated PTO in accordance with the average number of hours worked per week.
3. Individuals hired on a temporary basis such as seasonal or interns are not eligible to accrue PTO.
4. New employees in their initial six (6) month probationary period earn and accrue PTO in accordance with this policy. Probationary employees may utilize PTO accruals in accordance with Section c of this policy.
5. Probationary period employees may utilize earned or accrued PTO prior to the completion of six months of employment with the approval of the Department or Division Manager.
6. Promoted, demoted, or transferred employees will retain all PTO accrued balances obtained in the prior position and/or division. Employees transferring from other agencies of Hernando County may be allowed to transfer and/or convert one-half (1/2) of their PTO balance or equivalent with the approval of the County Administrator, or designee.

B. Accrual Rate of PTO

1. Regular full-time employees hired on or after January 1, 2007, will earn and accrue PTO immediately upon employment as follows:

	40 hours per week*	
Continuous Employment	Biweekly Accrual	Annual Amount
Date of Hire–End of 3rd Year	5.54	144
Start of 4 th Year– End of 6 th Year	7.38	192
Start of 7 th Year – End of 9 th Year	8.00	208
Start of 10 th Year – End of 15 th Year	8.62	224
Start of 16 th Year and Beyond	9.23	240

- Leave accrual rates applied to regular work hours, not in excess of 40 hours for regular employees.
 - PTO accruals are exclusive of overtime calculations.
2. When an employee is rehired after a break in service, PTO accruals are handled in accordance with applicable rehire procedures.
 3. PTO is not accrued by an employee during an unpaid leave of absence, or when an employee has been placed on unpaid administrative leave due to suspension or disciplinary action.
 4. The County Administrator has the authority to place Senior Management Staff in accelerated placement within the PTO accrual tables equivalent to prior years of service in government or equivalent service.

C. Use of Paid Time Off (PTO) Hours

Paid Time Off (PTO) is an employee benefit that combines traditional vacation and sick leave programs into one plan for benefits accruals. This type of program provides employees and the County a flexible method of scheduling time off with pay. Paid time off may be used at the employee’s discretion, with appropriate authorization provided the approvals are obtained for this leave as outlined in this policy. Paid time off hours replace traditional sick and vacation time. Access is unrestricted provided the employee has been employed for 180 days and has the authorization from their supervisor.

Employees are eligible for two (2) days of PTO use before 90 days of employment, after they have accrued the time, and up to four (4) days prior to six months of employment. Any additional PTO usage prior to six (6) months of employment requires approval by the Department Director and Director of Human Resources or their respective designees. PTO may be used for items including, but not limited to:

1. Vacation
2. Sick Leave

3. Absence for the transaction of personal business which cannot be conducted during off-duty hours.
4. Religious holidays other than those designated by Hernando County Board of County Commissioners.
5. Family Medical Leave Act (FMLA).
6. Supplement income for time lost due to work-related personal illness, injury, or disability where statutory Workers' Compensation payments are being received. Combination of leave types shall not exceed one hundred percent (100%) of the employee's regular base rate.
7. Supplement income for time lost due to a non-work-related disability, where the employee is receiving disability insurance benefits/payments. In no instance shall the combination exceed one hundred percent (100%) of the employee's regular rate of pay.
8. Absences from work not covered by other types of leave provisions established by the policies of Hernando Board of County Commissioners.

D. Request for Paid Time Off (PTO)

1. Requests for PTO should be submitted in the electronic leave system by employees to their Division Manager at least one (1) week prior to the requested leave date when possible.
2. When possible, leave requests shall be approved or denied within three (3) business days.
3. Leave without pay (LWOP) shall not be approved without authorization by the Department Director and Deputy County Administrator.
4. Departments may establish a departmental policy for operational needs, which may be more restrictive or provide exceptions to the one (1) week requirement.
5. PTO requests will be granted at the sole discretion of the Division Manager; however, every effort will be made to accommodate employees. Employees are responsible for maintaining a sufficient PTO balances to cover vacations, illness, and absences. If an adequate balance of PTO is not available to cover the employee's requested time off, the employee's request for time may be denied.
 - i. Planned PTO – Approved leave time requested at least 24 hours in advance.
 - ii. Unplanned PTO - Leave requested with less than 24 hours notice. Excessive use of unplanned PTO may be referenced in annual performance appraisal, excluding FMLA, short-term disability, or Workers Compensation.

- iii. Certification from a physician may be required by the department director if the leave extends beyond three (3) consecutive workdays.
- iv. An employee who is absent without authorization or notification is subject to disciplinary action, including possible termination. Three (3) consecutive workdays without notification of their absence will constitute job abandonment and loss of employment with Hernando County.
- v. PTO will be charged at a minimum of one-quarter (1/4) hour.

E. Abuse of Paid Time Off (PTO) Leave

- 1. Excessive unscheduled use of PTO may be grounds for disciplinary action and will be reviewed on a case-by-case basis. When an employee's absences are such that the County has justification or reason to believe that abuse exists, the employee may be required, to submit a physician certification indicating the nature of the medical condition and duration before such absence may be charged against the employee's accumulated PTO balance. Notification in writing will be provided to the employee of the suspected abuse by the Department Director or designee, or Deputy County Administrator.
- 2. Further disciplinary action, up to and including termination, may be recommended by the Department Director or Deputy County Administrator when an employee's attendance continues to be unsatisfactory.
- 3. Examples of possible PTO abuse includes patterns of numerous absences throughout the year particularly on Mondays or Fridays, frequency of excessive absences, low PTO balances, or other similar situations.

F. Carryover of Paid Time Off (PTO)

- 1. Employees should make every effort to take PTO for the period in which earned.
- 2. Employees maintaining a PTO balance more than the total amount authorized for carryover forfeits these hours or may donate to another employee under the provisions of leave donation.

3. The maximum amount of PTO, which can be carried forward from one (1) calendar year to the next for regular full-time employees is as follows:

YEARS OF CONTINUOUS EMPLOYMENT	TOTAL HOURS 40 HR Work Week*
Date of Hire to End of 3rd Year	300
Start of 3 rd Year to End of 6th Year	480
Start of 7 th Year to End of 9 th Year	560
Start of 10 th Year to End of 15 th Year	680
Start of 16 th Year and Over	720

G. Payment of Unused Paid Time Off (PTO)

Employees who voluntarily resign or separate from service receive payment for 80% of accrued and unused PTO at time of separation. Eligible employees who retire from Hernando County receive 100% of their unused and accrued PTO at time of retirement. Employees may not be compensated for more than 720 PTO hours upon termination of employment.

1. Employees placed on layoff status or position elimination will receive 100% of accrued PTO at time of separation.
2. In the event of the death of an employee, the beneficiary receives 100% of the accrued PTO.
3. New employees who have not completed the six (6) month probationary period are not eligible for PTO payout upon separation.

H. Annual Paid Time Off (PTO) Payout

Regular employees with a PTO balance of at least two hundred (200) hours will be eligible to request an annual payout of up to eighty (80) hours of leave each year in December, with the understanding that they cannot receive payment for hours that would bring PTO balance below 200 after payout. Payout will be designated at regular rate of pay. Consideration of PTO payout compensation shall be contingent upon budgetary considerations. The program may be discontinued at any time at the discretion of the County Administrator.

8.100 VOLUNTARY LEAVE DONATION

Employees may donate PTO to a sick leave bank for eligible employees experiencing serious health conditions, or caring for family members that prevents the employee from working and have exhausted accrued leave benefits. Leave donation is not intended to expand maximum allowable time under the provisions of the Family Medical Leave Act (FMLA). An additional leave bank separate from all other employees will be created solely for IAFF members (rank and file Firefighters) purpose.

Eligibility and Leave Contributions

Employees may be eligible to receive donations of PTO for care of the following individuals:

- Employee
- Dependents of employee
- Domestic partner of the employee
- Parent of the employee
- An individual for which the employee is serving in loco parentis

Employee contributions shall not be donated in less than one-hour increments. Employee eligibility for donations is effective only after the applicant has used all accrued available PTO time, compensatory time, and sick leave, if applicable. Nothing in this policy will be construed to limit or extend the maximum allowable time under the provisions of the Family Medical Leave Act (FMLA).

Voluntary leave donations are irrevocable. Unused leave will not be returned to the donor and will remain in the eligible employee's donated sick leave bank.

- A. Employees requesting donated leave time from the bank must complete the required forms.
- B. Donated leave time shall be available for use by the eligible employee only after Human Resources Department has reviewed and approved.
- C. All donated leave hours shall be placed in the recipient employee's donated leave bank. Upon transfer such benefits may be used in accordance with the applicable PTO leave and FMLA provisions of the collective bargaining agreements and or applicable policy.
- D. Donated leave bank hours are not eligible for payment of unused hours in the event an employee voluntarily resigns or is separated from employment, or for an employee who retires.
- E. Employees eligible for long-term disability are not eligible to receive donated leave.

8.110 JURY AND WITNESS LEAVE

- A. All regular employees who are summoned to jury duty, or who are subpoenaed to appear in court as a witness in relation to their position with Hernando County will be granted jury and witness leave and given time off with pay for the actual time spent on jury duty or court appearance. Any court compensation, other than per diem expenses, shall be forfeited to the appropriate fund unless the employee elects to forfeit County pay and receive the court compensation instead.
- B. Employees subpoenaed to court as a witness for reasons not connected to their official position with the County are not eligible for jury and witness leave. Time used will be charged to the employee's PTO leave or granted as leave without pay.
- C. The County Administrator may grant civil leave to an employee who is subpoenaed to appear in court related to a previous position with another government agency.

- D. Employees shall provide notification to their immediate supervisor or department head upon receipt of summons or subpoena.
- E. Employees will be paid their normal rate of pay without loss of PTO or other benefits when granted.
- F. Employees will submit payment for jury or witness fees to Clerk Finance.
- G. Non-exempt employees subpoenaed for court appearances related to their position will receive overtime compensation for the hours required over forty (40) or fifty-two (52) during the workweek.
- H. The County cannot dismiss an employee for being called to serve as a juror per Fla. Stat. § 40.271(1): "No person summoned to serve on any grand or petit jury in this state or accepted to serve on any grand or petit jury in this state, shall be dismissed from employment for any cause because of the nature or length of service upon such jury.
- I. Employees shall not be threatened with discipline as a result of being called for jury duty per Fla. Stat. § 40.271(2): "Threats of dismissal from employment for any cause, by an employer or his or her agent to any person summoned for jury service in this state, because of the nature or length of service upon such jury may be deemed a contempt of the court from which the summons issued.

8.120 ADMINISTRATIVE LEAVE

A. Administrative Leave – Service-Connected Disability

An employee who has been rated by the United States Department of Veterans Affairs or its predecessor to incur a service-connected disability and has been scheduled by the United States Department of Veterans Affairs to be re-examined or treated for the disability shall be granted administrative leave for such re-examination or treatment without loss of pay or benefits. In no event shall the number of days of paid leave under their section exceed six (6) days per calendar year.

B. Administrative Civic Leave - Elections

An employee may request administrative leave to work for the Supervisor of Elections as a poll worker in a county election. The request must be made in advance and must be approved by the Department Head. The employee's absence should not put an undue burden on the operation of the Division in which they work. Administrative leave is not deducted from the employee's PTO leave. The leave will be without pay; however, the employee will receive compensation from the Supervisor of Elections.

C. Administrative Leave – General

When it is determined to be in the best interest of the county and the employee, the County Administrator, Human Resources Director, or designee may designate paid administrative leave for purposes of continuity of operations or another emergent situation.

D. Administrative Leave – Investigations or disciplinary action

When it is determined to be in the best interest of the county and the employee, the County Administrator may designate paid administrative leave for any employee who is the subject of or is materially affected by an investigation of an alleged violation of personnel policies or any other policies of Hernando County Board of County Commissioners. Administrative leave is not deducted from the employee's PTO leave.

8.130 MILITARY LEAVE OF ABSENCE

Policy Statement

Hernando County complies with the Uniformed Services Employment and Reemployment Rights of 1994 (USERRA). The following provisions therein shall apply to Hernando County employees and intended to be used as a guide for managing military leaves of absence.

The County provides military leave as required by state and federal laws. It is the responsibility of the employee to the notify their supervisor as far in advance as possible so that the arrangements can be made for the employee's absence.

- A. All employees are eligible for military leave of absence when they are assigned (volunteered or ordered) to active or inactive duty in connection with U.S. Reserve Forces or the National Guard. A copy of the official orders shall be provided by the employee and submitted as much in advance of the leave as possible.
- B. All regular employees, including those serving their introductory period, who by reason of membership in the United States military reserve, or National Guard are ordered by the appropriate authority to attend a training period or encampment, shall upon presentation of a copy of their official orders be granted paid leave for such training not to exceed seventeen (17) working days in any fiscal twelve-month period.
- C. A regular employee who is inducted or ordered to active duty to fulfill their reserve obligations, or who is ordered to active duty in connection with reserve training, other than short-term training as referenced in Section 7.110 (a), shall upon presentation of a copy of their official orders, be granted leave with full pay for the first thirty (30) days of military service (Florida Statute 115.14).
- D. The employee will be reinstated at the same compensation and position held prior to military service.

- E. All County paid benefits will remain in effect. These benefits include employee health insurance, group life insurance, and a cafeteria plan. The payment of any contractual benefits will be determined based upon the contract.
- F. Upon returning to employment, the employee will earn and accrue PTO leave at the rate the employee would have earned leave if they had remained continuously employed.

8.140 CIVIL AIR PATROL LEAVE

Hernando County provides Civil Air Patrol (CAP) leave as required by Florida State Statute 252.55. It is the employee's responsibility to notify their supervisor as far in advance as possible so that the arrangements can be made for the employee's absence.

- A. All employees, employed for at least 90 days preceding the need for CAP leave, who by reason of membership in the CAP as a senior member of the Florida Wing with an emergency services qualification, are ordered by the appropriate authority to attend a training period or mission, shall be granted unpaid leave not to exceed fifteen (15) working days annually.
- B. All County paid benefits will remain in effect. These benefits include employee health insurance, and group life insurance. The payment of any contractual benefits will be determined based upon the contract.

8.150 BEREAVEMENT LEAVE

Regular full-time employees shall be granted five (5) days of bereavement leave in accordance with this section for the death of an immediate family as described in this section. Regular part-time employees shall be granted three (3) days of bereavement leave in accordance with this section for the death of an immediate family member.

Regular full-time employees shall be granted three (3) days of bereavement leave for the death of an extended family member. Regular part-time employees shall be granted one (1) days of bereavement leave for the death of an extended family member.

- A. Immediate family shall be defined as spouse, domestic partner, parent, child, grandparent, grandchild, sister, brother, legal guardian, mother-in-law, father-in-law, daughter-in-law, son-in-law, fiancé, stepparent, stepchild, or other relative residing in the same household.
- B. Extended family is defined as grandparent in-law, sister in-law, brother in-law, aunt, uncle, niece, or nephew.
- C. Requests for Bereavement Leave must be submitted through the electronic time-keeping system.
- D. Bereavement Leave shall be utilized within thirty (30) days of the death of family member.
- E. Employees may utilize PTO for additional leave with the approval of immediate supervisor or department manager.

8.160 DOMESTIC VIOLENCE LEAVE

An employee, who has been employed for at least three months, may request, and take up to three (3) working days of leave within a 12-month period, if the employee, family member or household member is the victim of domestic violence. Domestic Violence leave covers those situations in which an employee is absent from work due to:

- A. Seeking an injunction for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence;
- B. Obtain medical care or mental health counseling, or both for the employee or family or household member to address physical or psychological injuries resulting from the act of domestic violence;
- C. Obtain services from a victim services organization, including but not limited to, a domestic violence shelter or program or a rape crisis center as a result of the act of domestic violence;
- D. Make the employee's home secure from the perpetrator of the domestic violence or to seek new housing to escape the perpetrator; or
- E. Seek legal assistance in addressing issues arising from the act of domestic violence or to attend and prepare for court-related proceedings arising from the act of domestic violence.

Employees will be required to use accrued PTO leave, depending on the qualification. If there is no accrued leave, the employee will use leave without pay. An employee seeking Domestic Violence leave, unless in immediate danger, must provide their Department Head with three (3) days advanced notice of the leave. The Department Head may require documentation prior to approving the leave.

8.170 FAMILY AND MEDICAL LEAVE POLICY

Policy Statement

Hernando County complies with the provisions of the Family and Medical Leave Act of 1993 (FMLA) and grants up to twelve (12) weeks of family and medical leave during a twelve (12) month rolling calendar period to eligible employees for qualifying events.

In accordance with the 2009 amendment to the Family and Medical Leave Act of 1993, an eligible employee can take up to twenty-six (26) weeks for the FMLA circumstance of military caregiver leave during a single twelve (12)-month period. FMLA leave already taken for other FMLA circumstances will be deducted from the total of twenty-six (26) weeks available. The leave may be paid through use of accrued PTO, unpaid, or a combination of paid and unpaid, depending on the circumstances and as specified in policy.

A. Eligibility:

In order to qualify to take family and medical leave under policy, the employee must meet all the following conditions:

1. The employee must have worked for Hernando County at least twelve (12) months or fifty-two (52) weeks. The twelve (12) months or fifty-two (52) weeks need not have been consecutive. For eligibility purposes, an employee will be

considered to have been employed for an entire week even if the employee was on the payroll for only part of a week, or if the employee is on leave during the week;

2. The employee must have worked at least 1250 hours during the twelve (12) month period immediately before the date when the leave would begin;
3. An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member. The term "covered service member" means a member of the United States Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, is entitled to up to twenty-six (26) weeks of leave in a single twelve (12) month period to care for the service member. The leave described shall only be available during a single twelve (12) month period. If a husband and wife both work for Hernando County, and each plan to take leave for service member family leave the husband and wife may only take a combined total of twenty-six (26) weeks of leave.
4. Separate periods of employment will be counted, provided the break in service does not exceed seven years, determined on a case-by-case basis.

B. Types of Leave Covered:

Qualifying events for eligible employees include the reasons listed below:

1. The birth of a child and in order to care for that child;
2. The placement of a child for adoption or foster care;
3. To care for a spouse, minor child, or parent with a serious health condition or,
4. The serious health condition of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the essential functions of the employee's position. A "serious health condition" is defined as illness, injury, impairment, or physical or mental condition that involves any of the following:

1. An overnight stay for inpatient treatment in a hospital, hospice, or residential medical care facility; or
2. A period of incapacity requiring absence from work, school, or other regular daily activities of more than three (3) consecutive calendar days and that also involves continuing treatment by or under the supervision of a health care provider; or
3. Continuing care by or under the supervision of a health care provider for a chronic or long-term health condition that is incurable or so serious that if not treated would result in a period of incapacity of more than three (3) consecutive calendar days; or
4. A period of incapacity or treatment for incapacity due to a chronic serious health condition;

5. or period of incapacity due to pregnancy or for prenatal care.

Employees with questions about what illnesses are covered under this policy should consult with Human Resources Department.

The Human Resources Department may require an employee to provide a physician certification of the serious health condition. The certification process is outlined in the Certification of the serious health condition below. If an employee takes PTO for a condition that progresses into a serious health condition all or some portion of related leave taken may be designated as FMLA leave under policy, to the extent that the leave meets the necessary qualifications.

Eligible employees may take up to twelve (12) weeks of leave under this policy during a twelve (12) month period for qualifying events. Hernando County measures the twelve (12) month period on a rolling calendar year basis.

C. Qualifying Exigency Leave:

Qualifying exigency leave is available to family members of active-duty service members and families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation.

An employee whose spouse, son, daughter, or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to twelve (12) weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following:

1. Short-notice deployment;
2. Military events and activities;
3. Childcare and school activities;
4. Financial and legal arrangements;
5. Counseling;
6. Rest and recuperation;
7. Post-deployment activities and
8. Additional activities that arise out of active duty, provided that the employer and employee agree, including the agreement on timing and duration of the leave.

The leave may commence as soon as the individual receives the notification for active duty. For purposes of this policy, son, or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor. This type of leave would be counted toward the employee's twelve (12)-week maximum of FMLA leave in a twelve (12)-month period.

D. Military Caregiver Leave:

1. Military caregiver leave (also known as covered service member leave) is used to care for an ill or injured service member and veterans who are undergoing medical treatment, recuperation or therapy for serious injury or illness that occurred any time during the five years preceding the date of treatment.
2. Leave may extend to up to twenty-six (26) weeks in a single twelve (12)-month period for an employee to care for a spouse, son, daughter, parent or next of kin covered service member with a serious illness or injury incurred in the line of duty on active duty. Next of kin is defined as the closest blood relative of the injured or recovering service member.

E. Employee Status and Benefits During Leave:

1. While an employee is on leave, the employee's health insurance benefits will continue during the leave period at the same level and under the same conditions as if the employee had continued work.
2. If the employee chooses not to return to work for reasons other than a continued serious health condition, the employee will be required to reimburse Hernando County the amount it paid for the employee's health insurance premium during the leave period.
3. If the employee contributes to a life insurance policy, Hernando County will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee must continue to make those payments. If the employee does not continue payments, Hernando County may discontinue coverage during the leave period. As an option, the employee may voluntarily prepay plan premiums before the starting date of the family and medical leave. The employee should contact Human Resources Department to exercise the prepayment option.

F. Employee Status After Leave:

An employee who takes leave under this policy will be able to return to the same job, or a job with equivalent status, pay, benefits, and other employment terms. The position will be the same or one, which entails substantially equivalent skill, effort, responsibility, and authority.

G. Substitution of Paid Leave and Unpaid Leave:

Employees will be required to use accrued PTO for FMLA leave. For leaves for the employee's own serious health condition, employees may also be eligible to receive benefits such as short-term disability. When an on-the-job injury meets the criteria for a serious health condition, Family Medical Leave will run concurrently with the Workers' Compensation absence.

H. Intermittent Leave or a Reduced Work Schedule:

1. The employee may take FMLA leave in twelve (12) consecutive weeks; or under certain circumstances may use the leave intermittently (take a day periodically when needed over the year); or on a reduced leave schedule.
2. In all cases, the leave may not exceed a total of twelve (12) weeks over a twelve (12) month period.
3. An employee may be temporarily transferred to an available alternative position with equivalent pay and benefits if the alternate position would better accommodate the intermittent or reduced schedule.
4. For the birth, adoption, or foster care of a child, the Department Head and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption, or foster care of a child must be taken within one (1) year of the birth or placement of the child.
5. If the employee is taking leave for their own serious health condition or because of the serious health condition of a family member, the employee should try to reach an agreement with the Department Head before taking intermittent leave or working a reduced hour schedule. If this is not possible, the employee must prove that the use of the leave is medically necessary. A certification of the medical necessity may be required.

I. Certification of the Serious Health Condition:

1. When certification of the serious health condition is required, the employee should try to respond within fifteen (15) days of the request or provide a reasonable explanation of the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification may be provided by using the Family Medical Leave Request form.
2. Certification of the serious health condition shall include the date when the condition began, its expected duration, diagnosis, and a brief statement of treatment. For medical leave for the employee's own medical condition, the certification must also include a statement that the employee is unable to perform one or more of the essential functions of the employee's position. For a seriously ill family member, the certification must include a statement that the patient requires assistance or that the employee's presence would be beneficial or desirable to the family member.
3. If the employee plans to take intermittent leave or work a reduced schedule, the certification must include dates of the planned treatment, the duration of treatment, and a statement of medical necessity for taking intermittent leave or working a reduced schedule.
4. The Human Resources Director or designee has the right to ask for a second opinion or independent medical evaluation following receipt of the certification. Hernando County pays for the employee to get a certification from a second doctor, which will be selected by the Human Resources Director, or designee.

5. If necessary, to resolve a conflict between the original certification and the second opinion, the Human Resources Director may require the opinion of a third doctor. Third opinions by medical provider shall be considered final.

J. Procedure for Requesting Family Medical Leave:

1. Except where leave is not foreseeable, all employees requesting leave under this policy must provide a verbal or written request on the required forms with an explanation of the reason(s) for the needed leave to Human Resources Department, or designee.
2. When an employee plans to take leave under this policy, the employee must give the Department Head thirty (30) days notice. If it is not possible to give thirty (30) days notice, the employee must give as much notice as is practicable. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to the department's operations.
3. If the employee fails to provide thirty (30) days notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least thirty (30) days from the date the Department Head receives notice.
4. While on leave, employees are requested to report periodically to Human Resources Department regarding the status of the medical condition, and their intent to return to work. Human Resources Department is charged with the responsibility of monitoring FMLA leave.

K. Outside Employment During Leave

Outside or supplemental employment is prohibited during paid and/or unpaid Family and Medical Leave. Exceptions may be granted on a case-by-case basis but must be approved by the Human Resources Director, or designee.

L. Other Reports and Certifications:

During Family and Medical Leave, the employee is required to report periodically on their status and intent to return to work.

The employee or their healthcare provider may also be required to complete one or more additional medical certification forms at reasonable intervals during the Family and Medical Leave, but not more often than every thirty (30) days unless one of the following occurs:

1. The employee requests an extension of leave;
2. Circumstances described in the previous certification have changed significantly;
3. Information regarding the continuing validity of the employee's previous certification.

M. Return-to-Work:

When an employee has taken Family and Medical Leave because of their own serious health condition and plans to return to work upon the expiration of the leave, the employee must present a fitness-for-duty certification from the health care provider which states that their ability to resume work and perform the essential functions of the position. The fitness-for-duty certification relates only to the particular health condition that caused the need for Family and Medical Leave. Human Resources Department may deny a request for reinstatement until the submittal of the fitness-for-duty certification.

N. Other Information:

Employees who fraudulently obtain Family and Medical Leave are not entitled to job restoration or maintenance of employee benefits.

8.180 PERSONAL LEAVE

Regular employees who have satisfactorily completed the initial six (6) months probationary period may be granted a personal leave without pay.

A. Eligibility:

In order to qualify for Personal Leave:

1. Utilization of personal leave is intended to be used for health, education, or other extenuating or extraordinary personal circumstances not covered by other types of leave.
2. Personal leave may be granted for a period not to exceed six (6) months in duration, provided the department manager has determined the necessity for the personal leave is justified and does not cause an undue hardship on the operations of the department.
3. Requests for personal leave without pay shall be submitted in writing to the employee's immediate supervisor.
4. Employees must have exhausted all types of available leave and PTO prior to requesting personal leave.
5. Employees are responsible for payment of employer and employee portions group life, health, and dental premiums while on personal leave.
6. Requests for personal leaves of absence shall be recertified every 30 days.
7. Employees on personal leaves of absence are required to check-in with their immediate supervisor periodically as determined by the department.
8. Employees may be eligible for continuation of benefits through Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1986.

8.190 HOLIDAYS

Policy Statement

Hernando County Board of County Commissioners shall designate on an annual basis twelve (12) paid holidays for employees during the calendar year. The Board of County Commissioners may revise designated holidays by adding, deleting, or changing recognized dates.

- A. The list of holidays for employees will be approved and published annually by Hernando County.
- B. Designated holidays falling on Saturday will be observed on the preceding Friday. Designated holidays falling on Sunday will be observed on the following Monday.
- C. An employee scheduled on the Saturday or Sunday of an observed holiday as part of their regular schedule shall observe the actual holiday for purposes of this policy.
- D. Non-exempt regular full-time employees, who are required to work on the holiday, will be paid for the holiday in addition to their regular rate of pay for any time worked on the holiday.
- E. An employee may be required to provide a release from physician if takes unplanned sick leave (PTO or LWOP) on the day preceding, or immediately following the observed holiday. Failure to provide requested documentation may result in employee loss of holiday pay and may result in disciplinary action, up to and including termination.
- F. Regular full-time employees, who work a schedule other than Monday through Friday, may with Department Head approval designate an alternate day for the holiday when the holiday falls on Monday or Friday. The alternate day will be taken during the same pay period, if possible. If taking the alternate day during the same pay period is not possible, the day will be taken in the next pay period. Alternate holidays shall be used within 30 days.
- G. Seasonal and temporary employees are not eligible for holiday pay.
- H. All planned leave hours including sick, vacation, PTO, holidays, and civil leave will be used for purposes of calculating overtime.
- I. Employees scheduled off of work due to vacation, medical, bereavement, or short-term military leave must use the on day observed. Holidays occurring during leave will be compensated as such and not deducted as another leave type.
- J. For purposes of this section, holiday time shall not be pyramided for purposes of overtime accruals.
- K. Unless approved by the Human Resources Director, or County Administrator, or designees, Employees will not be eligible for holiday pay if on the following:
 - 1. Workers Compensation
 - 2. Unpaid disciplinary suspension
 - 3. Disability
 - 4. Leave without pay

8.200 RELIGIOUS HOLIDAYS

If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with the Department Head's approval, use PTO or leave without pay.

8.210 NOTICE OF PRIVACY PRACTICES

Under the provisions of the Health Insurance Portability and Accountability Act (HIPAA), Hernando County will maintain the privacy of employee's health information. This applies to the health, dental and disability policies, and the Employee Assistance Program (EAP). The County only uses and discloses health information about employees for purposes of payment functions and health care operations. If an employee wants more information about privacy practices, contact the Human Resources Department. Or, if the employee believes their privacy rights may have been violated, or if the employee disagrees with a decision made about any of the rights, the employee may file a complaint with the Secretary of U.S. Department of Health and Human Services. Hernando County supports the employees' right to have health information treated in a private fashion and will not retaliate in any way if an employee chooses to file a complaint.

8.220 EMPLOYEE ASSISTANCE PROGRAM (EAP)

Hernando County offers a confidential Employee Assistance Program (EAP) for employees and their families as part of its employee benefits. The EAP provides confidential assessment, referral, and short-term counseling to the employees whose personal health problems are interfering with their job performance.

The EAP can be accessed by an employee through self-referral or as a referral by a supervisor. Refer to the section on Employee Assistance Program for the complete County EAP policy and procedures.

The Human Resources Department has a file of EAP and other mental health resources available in the area.

SECTION 9 - EMPLOYEE RESPONSIBILITIES AND CONDUCT

9.010 GENERAL POLICY AND EMPLOYEE RESPONSIBILITIES

Policy Statement

Hernando County expects all employees to conduct themselves in a manner that exemplifies excellence in public service and in accordance with Florida Statutes, Chapter 112. All employees are responsible for becoming aware of and familiar with the policies and procedures which govern their employment with the Hernando County Board of County Commissioners.

Employees are prohibited from promoting or conducting personal or private business for gain or personal benefit within any County building or property, or while on County time. It is the responsibility of the employee to conduct themselves in a professional manner and to adhere to established policies and procedures.

General Statement of Conduct:

- A. Service to the citizens is the central mission of government.
- B. Employees are expected to represent Hernando County to the public in a professional manner that is courteous, efficient, and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignments.
- C. Employees will not act in any manner that may discredit Hernando County Government, its public officials, fellow employees, or themselves.
- D. Employees will avoid conduct and speech which may undermine the efficiency and/or reputation of fellow employees and County departments, divisions, offices, policies, programs, and actions; or that interferes with the reasonable supervision or proper discipline of the County.
- E. Among Hernando County's expectations are basic tact and courtesy towards the public and fellow employees including adherence to policies, procedures, safety rules, and safe work practices; compliance with directions from supervisors; preserving and protecting Hernando County's equipment, grounds, facilities, and resources; and providing orderly and cost-effective services to its citizens.
- F. No employee shall engage in criminal, dishonest, immoral, or other conduct injurious or prejudicial to the County.
- G. Use of alcoholic beverages on county premises, during working hours or prior to or during the use of a county vehicle is strictly prohibited. Use of illegal drugs or alcohol on the job, during working hours or while officially representing the County, including county claimed travel time which could jeopardize the safety of other employees, the public or County facilities/equipment is prohibited.

9.020 DRESS CODE AND UNIFORM POLICY

Policy Statement

Hernando County requires appropriate dress and appearance based on the position and requirements of the department. Performance requirements vary between departments and therefore the determination of employees specific dress and personal appearance standard will be appropriate to the work and services provided by the position.

All employees must maintain a personal appearance that is clean and appropriate for their positions, (i.e., office attire or uniforms). Individual judgment must be exercised when determining proper use of assigned uniforms (or any other county issued property).

Uncertainties can be verified with either supervisors or the Human Resources Department. Proper personal appearance also includes good, proper hygiene.

Certain departments may require uniforms.

A. Dress Code

1. Clothing worn by employees while on duty must be appropriate for their position and department.
2. Examples of clothing considered inappropriate while on duty:
 - i. Sweatpants, sweatshirts, exercise clothing, or flip-flops;
 - ii. Tight fitting slacks, trousers, and pants;
 - iii. Shorts (unless part of department uniform);
 - iv. Sundresses or halter style tops;
 - v. T-shirts (unless part of department uniform)
3. Employees shall maintain a clean and neat appearance appropriate to their work assignments.
4. Employees are prohibited from wearing clothing or jewelry containing advertisements for private enterprise or conveying messages that are deemed inappropriate, are explicit in nature, or present a safety hazard.
5. Identification badges shall be worn and visible.
6. Casual Friday - County Employees may participate in casual Friday. Employees may wear jeans (without holes, tears, etc.) to work on Friday, unless otherwise instructed by their department manager or supervisor. However, if employees have a job-related commitment or are required to attend scheduled meetings where the wearing of jeans is not appropriate, they should otherwise dress appropriately.
7. Alcoholic beverages shall not be purchased or consumed while in uniform, including while off-duty.

B. Uniform Policy

1. Each Department will identify the positions within their respective Departments for which the wearing of uniforms is required.
2. Employees filling positions requiring the wearing of a uniform must wear issued uniforms on the job daily as directed by the Division Manager once the employee receives initial supply of uniforms.
3. Uniforms shall not be altered in any way or embellished with nonauthorized pins, emblems, insignias, etc.
4. Refusal to wear required uniforms can result in disciplinary action.
5. County uniforms are not to be worn outside of work hours except during travel to and from work while attending training, or while attending functions approved by the Division Manager.
6. Employees required to perform work in the field or enter the residence of a citizen should show proper identification, indicate the nature of business, and treat customers or citizens respectfully and courteously.

C. Taxation

- i. When an employee is assigned to a position which has been designated as requiring a uniform, the employee's Department Director/Deputy County Administrator will authorize the issuance of uniforms to the employee using a Uniform Inventory Form. The employee must sign for all issued uniforms. Employees should be aware that the IRS mandates that uniforms which can be considered "street clothing" are taxable as a benefit to employees. Street clothing includes jeans, jean shorts or other shorts, khaki or cargo pants, t-shirts, and hats. Safety apparel such as t-shirts with reflective striping are excluded. Uniform taxation rules apply to taxable items whether purchased or leased by the County. The method of payment, including credit card purchases, does not affect whether the items are taxable or not under IRS regulations, including IRS Code Section 61(a)(1).
- ii. For taxable items, the County will calculate the fringe benefit valuation using IRS regulations and show such amount as gross taxable wage on the employee's paycheck quarterly. Uniform purchases may be audited by Human Resources and the Department of Financial Services to ensure compliance with taxing requirements.

Uncertainties regarding uniform requirements or dress code may be verified with either supervisors or the Human Resources Department. Proper personal appearance also includes good, proper hygiene.

9.030 CODE OF ETHICS

The standards of conduct summarized below apply to all Hernando County employees and public officers.

A. Gifts

No employee may either solicit or accept anything of value, including a gift, loan, reward, promise of future employment, favor, or service that is based on any understanding that the vote, official action, or judgment of the official would be influenced by such a gift. All employees are encouraged not to accept gifts, no matter how small, to avoid the appearance of impropriety.

B. Unauthorized Compensation

No employee shall accept compensation, payment, or thing of value which, with the exercise of reasonable care, is known or should be known to have been given to influence the vote or official action of such officer or employee.

C. Doing Business Agency

No employee who is empowered with the authority to purchase on behalf of the County in their official capacity may directly or indirectly purchase, rent, or lease any realty, goods, or services from a business entity in which he, their spouse, or child is an officer, partner, director, or proprietor, or in which he, their spouse, or child (or any combination of them) owns a material interest, without prior approval by the County Administrator. No employee, acting in a private capacity, may rent, lease, or sell any realty, goods, or services to the County or any of its agencies, except as provided in Florida Statute, Section 112.311.

D. Misuse of Public Position

No employee may use or attempt to use their official position or any property or resource within their trust or perform their official duties to obtain a special privilege, benefit, or exemption for himself or others.

E. Disclosure or Use of Certain Information

No employee may disclose or use information not available to the general public and gained by reason of their public position for their personal benefit or the benefit of others.

In addition to the above, all provisions of Florida Statute, Section 112, Code of Ethics for Public Officers and Employees, shall apply to Board employees.

9.040 OUTSIDE EMPLOYMENT AND CONFLICTS OF INTEREST

- A. Employees shall not, directly, or indirectly, engage in any outside employment, self-employment, or financial interest which may conflict with the best interests of Hernando County or interfere with the employee's ability to perform the assigned position. Examples include, but are not limited to, outside employment which:
1. Prevents the employee from being available for work beyond normal working hours, such as emergencies or peak work periods, when such availability is a regular part of the employee's job;
 2. Is conducted during the employee's work hours;
 3. Utilizes Hernando County telephones, computers, supplies, or any other resources, facilities, or equipment;
 4. Is employed with a firm that has contracts with or does business with Hernando County; or
 5. May reasonably be perceived by members of the public as a conflict of interest, or otherwise discredits public service.
- B. An employee, who intends to have outside employment, or self-employment, may do so provided the employee first files a written request and obtains written approval from the Department Head and Human Resources Department. If the request is denied, the employee may request an additional review of the denial.
- C. An employee who intends to have a financial interest in a business must provide written notice to Human Resources Department.
- D. The request and response shall be placed in the employee's official personnel file.
- E. The employee must inform Human Resources Department in writing within thirty (30) days of any changes to the request (stop working, the number of hours worked, etc.).
- F. County employees shall not use or attempt to use their positions, or any County property or resource entrusted to them in order to obtain or attempt to obtain a special privilege, gain, or benefit for themselves or others.

9.050 GAMBLING

No employee shall participate in any gambling activity of any kind while on duty or while on County-owned or leased property or while wearing a County uniform (i.e., football pools, lottery pools, etc.).

9.060 POLITICAL ACTIVITIES

Hernando County promotes effective and efficient public service through establishment of clear guidelines for employees during work hours. Hernando County recognizes that as a government entity its operations do occasionally include issues that are political in nature. However, the following are prohibited activities related to political activities during work hours.

Employees may not engage in the following prohibited conduct:

- A. Participate or take part in political campaign while on duty;
- B. Use their official authority or influence for the purpose of interfering with, or affecting the result of an election or nomination for office;
- C. Directly or indirectly coerce, attempt to coerce, command, or advise a state or local officer employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes;
- D. Allow others to use facilities, equipment, or funds for political activities;
- E. Campaign on work time, in uniform, or while representing Hernando County in any way.

This section does not prohibit employees from engaging in political activity on their own time and/or expense. This section does not prohibit an employee or elected official from seeking elective office.

9.070 SMOKING POLICY

Hernando County is committed to providing a healthy and productive work environment. For health and safety considerations, and in accordance with State and Federal regulations, Hernando County prohibits smoking by employees in all Board facilities, including Board owned buildings, entrances to buildings, vehicles, and offices or other facilities rented or leased by Hernando County, including individual employee offices.

Employees who smoke may do so only at designated break times and areas. Break times may not exceed the established breaks and meals policy.

9.080 MEDIA RELATIONS

The County Administrator or designee shall assign the Public Information Coordinator to be responsible for all official contacts with the news media during working hours, including answering questions from the media.

9.090 AMBASSADOR PROGRAM AND COMMUNITY RELATIONS

County Administration, or designee may develop programs and select employees to serve as liaisons to various organizations within the community.

9.100 DRIVER'S LICENSE REQUIREMENTS

Employees required as a condition of employment to operate a motor vehicle (County owned or personal) while performing County business possess and maintain a valid Florida operator's or commercial driver's license. All vehicles shall be operated in a safe manner.

- A. Employees will be authorized to drive a County owned vehicle with a valid U.S. driver's license and if the following conditions as established by the liability insurance carrier are met:
 - i Have no more than two (2) moving violations and one (1) or more at-fault accidents in the prior three (3) years.
 - ii Have not had three (3) or more moving violations in the past three (3) years.
 - iii Have not had two (2) or more at-fault accidents in the past three (3) years.
 - iv Have not had a major violation which results in their license being suspended or revoked.
- B. An employee authorized to operate a motor vehicle shall comply with the liability insurance carrier's guidelines.
- C. An employee who does not meet the requirements, or license has expired or been suspended or revoked, shall report that fact to their immediate supervisor at the earliest possible time, and no later than the beginning of the next work shift. Failure to do so may result in disciplinary action.
- D. Annual or periodic review of employee driving records will be conducted periodically by the county's automobile insurance carrier. Any employee that is found not insurable by the insurance carrier may be relieved of his/her current driving position and may be demoted, or apply for any open position for which he/she is qualified that does not require him/her to drive for the County, or if no position exists for which they are qualified, they may be terminated.
- E. If an employee's license is revoked, suspended, or lost, or is in any other way not current, valid, and in the employee's possession, the employee shall promptly notify the Department Head and Human Resources Department and will be immediately suspended from driving duties. The employee may not resume driving until proof of a valid license is provided to Human Resources Department.
- F. Depending on the duration of license suspension, revocation, or other inability to drive, an employee may be subject to disciplinary action including termination.

9.110 SELF-REPORTING OF ARRESTS AND CONVICTIONS

- A. Any employee known to be violating the law on Board property or at a Board supported function will be subject to referral for prosecution to the appropriate law enforcement agency.
- B. All employees are required to self-report the following information to their immediate supervisor within forty-eight (48) hours:
 - i Any arrests or charges that are considered a felony;
 - ii Any conviction, finding of guilt, withholding of adjudication, or entering a plea of guilty or nolo contendere for any criminal offense, or criminal traffic offense, including driving under the influence.
- C. Any employee in violation of their reporting requirement may be subject to discipline including termination.

9.120 COMPLAINT OR INVESTIGATORY PROCEDURES

Hernando County recognizes that occasionally situations may arise in which an employee feels that they have not been treated fairly, or in accordance with policies and procedures. Hernando County provides its employees with the following procedures for resolving complaints. These procedures are not applicable to termination decisions, harassment complaints, or other areas covered by grievance procedures established in a collective bargaining agreement. Please refer to Section 2.040, Prohibited Harassment for procedures to report harassment complaints.

- A. An employee should first try to resolve any problem or complaint with their immediate supervisor within ten (10) calendar days of occurrence.
- B. When the employee and the supervisor have not resolved the problem, the employee shall submit the problem in writing to the Department or Division Manager. The written complaint should be filed within fifteen (15) calendar days of the occurrence. The written complaint must contain, at a minimum:
 - i. A description of the problem;
 - ii. A specific policy or procedure which the employee believes has been violated or interpreted incorrectly;
 - iii. The date of the circumstances leading to the complaint or the date when the employee first became aware of those circumstances;
 - iv. The remedy sought by the employee to resolve the complaint;
- C. After meeting with the parties involved, the Department or Division Manager will respond to the employee in writing regarding the efforts to resolve the complaint, stating the issues that have been resolved, and any unresolved issues. The response will be within ten (10) calendar days after the Department or Division Manager's receipt of the employee's written complaint.

- D. If the employee is not satisfied with the response from the Department or Division Manager, the employee shall submit all documentation and a signed written statement supporting the complaint to the Department Head, within three (3) calendar days of receiving the Department Head's response. The appeal will be limited to the matters contained in the original complaint.
- E. After investigation, the Department Head will respond to the employee in writing regarding efforts to resolve the complaint, stating issues that have been resolved and any unresolved issues. The response will be provided within ten (10) calendar days after receiving the documentation. If the employee is not satisfied with the response from the Department Head, the employee may resubmit all the documentation to the County Administrator.
- F. The County Administrator, or designee may meet with the parties, either individually or together, and the County Administrator will respond in writing to the aggrieved employee within fifteen (15) calendar days of receiving the documentation from the employee.
- G. The decision of the County Administrator, or designee shall be considered final.

9.130 WHISTLEBLOWER PROTECTIONS

Hernando County is committed to providing a workplace where there is open discussion regarding effective operations and practices. Accordingly, an individual who has reason to believe the County is violating, or not complying with state or federal statutes, rules or regulations is encouraged to report the concern to the County Administrator, or any member of management.

Any staff member, volunteer, vendor, or member of the public who reports suspected misconduct, fraud, or abuse will not be terminated or otherwise retaliated against for making the report.

The report will be investigated and even if determined not to be misconduct, fraud, or abuse, the individual making the report will not be retaliated against.

There are several ways to make a report:

- Submit the report to the Deputy County Administrator;
- Any member of management;
- Submit the report in writing to HR@hernandocounty.us

NOTE: Florida's Whistle-blower's Act provides protection against retaliatory action to those reporting information. See F.S. 112.3187 to 112.31895 for additional details.

9.140 FRAUD PREVENTION

Policy Statement

Hernando County develops internal controls intended to provide for the prevention and detection of fraud as outlined. The Fraud, Waste and Abuse Policy is established to facilitate the development of internal controls that will provide for the detection, prevention, and reporting of fraud, waste, and abuse directed against the Hernando County Board of County Commissioners.

It is the intent of this policy to promote awareness of the potential for fraud, waste, and abuse throughout Hernando County, and to provide guidelines and assign responsibility for the development of adequate internal controls and systems. This policy establishes procedures to ensure compliance with the principles which govern the conduct of county employees, vendors, consultants, contractors, and all other outside agencies/parties doing business with Hernando County. This policy is intended to communicate Hernando County's desire to deter unethical practices while creating an environment in which employees and/or citizens are encouraged and comfortable in the reporting of fraud, waste, or abuse. The State of Florida Statutes (Sections 112.3187-112.31895) protect employees from retaliatory or adverse personnel action for disclosing certain information, including, but not limited to, violations of law which create and present a substantial and specific danger to health, safety, or welfare of the public or suspected acts of gross mismanagement or gross waste of public funds.

This policy applies to all employees of Hernando County Board of County Commissioners.

Definitions:

FRAUD: False representation of a matter of fact—whether by words or by conduct, by false or misleading allegations, or by concealment of what should have been disclosed, that deceives and is intended to deceive others.

REVIEWING PARTY: An internal or outside person(s) or agency that has the appropriate and relevant training and expertise to fully examine and resolve allegations of known or suspected fraudulent activity, approved by County Administrator, or his/her designee and County Attorney, if an attorney or law firm is selected.

CONFIDENTIALITY: All investigations will be conducted in confidence insofar as reasonably possible in accordance with the provisions of the law. Confidentiality of information pertaining to reported fraudulent activity and investigative information is stipulated in and regulated by the confidentiality provisions of F.S. 112.3188. Information obtained as a result of an investigative activity is subject to the laws regarding public records and confidentiality. All investigations involving certified firefighters shall comply with the requirements of the Firefighters' Bill of Rights, Fla. Stat. 112.80, et seq.

- A. The Board prohibits fraudulent activities.
- B. Individual departments maintain an internal control environment to protect against loss or other damages as a result of a fraudulent act.

- C. All levels of management are responsible for the prevention and detection of fraud in the areas of responsibility and should be familiar with the types of fraud that might occur within their areas of responsibility.
- D. Supervisors and employees are discouraged from attempting to investigate suspected or known fraudulent activities and avoid the following:
 - 1. Making false allegations;
 - 2. Providing notification to suspected individuals an investigatory process is underway;
 - 3. Violation of individual's due process rights;
 - 4. Violation of individual's due process rights;
 - 5. Altering or tampering evidence.
- E. An employee who suspects, has knowledge of, or has been notified of fraudulent activity shall notify their immediate supervisor, member of the Assessment Team, or County Administration. Notification may be in electronic, in writing, by telephone, mail or interoffice mail marked "confidential," or in person. Documents shall be labeled, "Public Records Exempt" per Florida Statutes, Section 112.3138.
- F. All violations involving fraud, bribery, or gratuity potentially affecting grant awards must be disclosed to the grant's project manager, or their supervisor in writing in order to provide notification to the agency grant liaison.
- G. Complaints of fraudulent activity may be made anonymously. Only factual and detailed anonymous reports will receive due and proper consideration.
- H. Employees and supervisors are encouraged to utilize the complaint process in order to conduct a complete investigatory process.
- I. The Assessment Team will evaluate allegations of fraud to determine whether the nature of the complaint conforms to suspected fraudulent acts as defined by this policy. If the preliminary investigatory process indicates possible fraud, the allegation may be assigned to a trained reviewing party who has the appropriate experience to address the allegation. The department manager will respond to the employee in writing regarding the efforts to resolve the complaint, stating the issues that have been resolved, as well as unresolved issues. Any response will be within ten (10) calendar days after the Division Manager's receipt of the employee's written complaint.
- J. Employees will cooperate with the investigative process and with the reviewing party in the detection, investigation, and reporting of conduct covered by this policy, including the prosecution of offenders.

- K. Employee and supervisory responsibility or involvement during an investigatory process of possible fraudulent activities includes, but is not limited to, the following:
 - 1. Employees or supervisors shall not contact the suspected individual in an effort to conduct their own investigation to obtain facts;
 - 2. Information related to allegations of fraud should only be discussed with designated individuals.
 - 3. All requests for information or inquiries regarding the status of an ongoing investigatory process should be directed to the County Administrator or designated individual from the reviewing party.
- L. The County Administrator determines final disposition if the investigatory process of fraud has been substantiated in accordance with the provisions of this policy. The County Administrator may refer the complaint to the appropriate law enforcement entity for possible criminal prosecution.
- M. Protections from adverse actions against an individual who reports or discloses information pertaining to suspected fraudulent activities will be provided pursuant to the provisions of Florida Statutes 112.3187, Whistleblower's Act. Retaliation or retribution against an individual is prohibited.
- N. False allegations of suspected fraud with intent to disrupt, or cause harm to another individual is prohibited and shall result in disciplinary action, up to and including termination.
- O. Certain felonies involving breach of public trust and other specific offenses by public officers and employees may negatively impact rights and benefits with the Florida Retirement System.

SECTION 10 – DISCIPLINARY ACTIONS AND TERMINATION

10.010 DISCIPLINARY ACTIONS

Policy Statement

Hernando County provides a fair and equitable system for addressing employee issues related to progressive discipline. The purpose of progressive discipline is correcting job behavior and performance problems of employees. Employees shall be informed of department standards of conduct, expected performance, rules and standards shall be consistently applied. Penalties shall be appropriate to the circumstances. Persons responsible for administering corrective discipline shall systematically document the case. Records of verbal reprimands shall be maintained in the employee personnel file. Copies of written reprimands, suspensions, and terminations shall be provided to the employee, the Human Resources Director, the employee's personnel file, the employee's supervisor, and union steward (if applicable). Suspensions and terminations shall be discussed with the Human Resources Director, or designee before such actions are taken.

The intent of progressive discipline is to correct the behavior. Progressive discipline should be characterized as corrective and constructive rather than punitive and actions taken be utilized as an element of an overall program to educate and motivate employees to exhibit behavior that will contribute to individual growth and development and to the successful operation of government operations.

This policy applies to all employees. Unless otherwise specified, all employees are considered at-will and may be terminated for any reason, with or without cause. An employee may quit employment with Hernando County at any time.

Cause for Discipline

Except as provided herein, employees shall not be disciplined or discharged from employment without cause (unless during the probationary period). The following examples shall be grounds for discipline ranging from verbal warning to immediate discharge depending on the circumstances and the seriousness of the offense.

The listing provided below is illustrative and not intended to be all inclusive:

- A. Dishonesty or falsification of records.
- B. Insubordination (refusal to obey reasonable orders, insolence, etc.), or failure to perform job duties as instructed, willful and intentional refusal to perform work assignment, or to follow orders of supervision, or follow chain of command.
- C. Theft, destruction, and unauthorized use of Hernando County equipment or property.
- D. Any unlawful manufacturing, distributing, dispensing, possessing, being under the influence of, or using a controlled substance or intoxicating beverage in the workplace, or while conducting County business.
- E. Fighting or creating a disturbance among fellow employees, resulting in an employee having an adverse effect on morale, production, or maintenance of proper discipline.
- F. Habitual tardiness or abuse of sick leave or unauthorized absence from work without substantiated reason, including violation of an approved department absenteeism policy.
- G. Absent three or more consecutive workdays without notice.
- H. Use of official position or authority for personal or political profit or advantage, including acts which constitute a violation of the Code of Ethics.
- I. Disregard or repeated violation of workplace safety rules and regulations.
- J. Discrimination on the basis of race, color, creed, national origin, ancestry, marital status, age, sex, gender, orientation, handicap/disability, or any other protected category under applicable law.
- K. No employee shall use or disclose "privileged or confidential information" gained in the course of, or by reason of his/her official position activities, except in the course of performing his/her official duties.
- L. No employee shall engage in their own business activity, accept private employment, or render services for private interest when such employment, business activity or service is incompatible with the proper discharge of official duties or would impair their independence or judgment or action, in the performance of official duties.

- M. Making knowingly false or malicious statements with the intent to harm or destroy the reputation, authority, or official standing of an individual or organization.
- N. No employee may purchase materials or services from the County for their personal use, unless the purchase or service is available to the general public.
- O. Unlawful conduct defined as a violation of or refusal to comply with pertinent laws and regulations when such conduct impairs the efficiency of County services.
- P. Failure to adequately perform assigned job duties.
- Q. Failure to follow duly established work rules, policies, and procedures.
- R. Unprofessional, unethical conduct or behavior.
- S. Violation of established confidentiality requirements of department.
- T. Inability, refusal, or failure to perform the duties of the assigned job;
- U. Threatening citizens, co-workers, or supervisors with violence;
- V. Using or disclosing protected health information in the violation of Hernando County's Privacy Policy regarding the Health Insurance Portability and Accountability Act or otherwise violating the Privacy Policy.

This list is not all-inclusive. Other circumstances may warrant disciplinary actions and will be treated on a case-by-case basis. Hernando County reserves the right to modify this list at any time or determine whether any other conduct is contrary to the interests of the County and warranting disciplinary action up to and including termination.

Application of Disciplinary Action Procedure

Disciplinary actions should be appropriate to the offense and addressed in a timely manner. The Human Resources Director or designee should be consulted prior to issuing discipline rising to the level of suspension or termination.

Numerous factors should be considered when determining the appropriate level of discipline and each successive step of the process. Internal consistency is recommended when administering steps of discipline.

Investigating Performance Problems and Alleged Misconduct:

A prompt and thorough investigation is to be conducted when an employee performs below acceptable standards or violates a policy or work rule. The department manager, immediate supervisor, human resources department designee, or other designated individual is responsible for conducting the investigatory process.

This requires that the supervisor:

- A. Obtain the facts of the situation including when, how, where, who was involved, what policy or rule was violated, what occurred;
- B. Review the employee's personnel file including prior performance and discipline, plus other relevant documents (i.e., time records, policies, department procedures, contract);
- C. Assess if the situation is caused by operational problems such as failure to communicate expected work standard or rule, inadequate employee training, insufficient equipment, or materials;
- D. Review how similar situations and incidents were handled in the past by the department and/or Countywide;
- E. Determine the appropriate corrective action to be taken. The actions should be fair, equitable, and no more severe than required to correct the performance of the employee.

Steps of Discipline

Disciplinary actions should be appropriate to the offense and may be progressive to include the following steps. When progressive disciplinary action does not result in satisfactory job performance, or acceptable employee conduct, additional steps may be necessitated.

- A. Counseling or Corrective Discussion – Method of discussion between the employee and the supervisor as a preliminary measure to correct the behavior. Counseling may not be considered disciplinary action for purposes of progressive discipline.
 - 1. Discuss with the employee the specific behavior and/or problem which needs corrective action.
 - 2. Provide the employee an opportunity to explain their understanding of the situation and offer a solution.
 - 3. Development of performance plan and provide a clear definition of expectations.
 - 4. Establish series of follow-up meeting to review progress.
 - 5. Make a written summary of the topics discussed and improvements expected. Retain in department file or forward to Human Resources for filing in the individuals personnel file.

- B. Verbal Reprimand - A verbal warning is a session between the employee's supervisor and the employee regarding behavior, conduct, performance, or failure to observe a rule, regulation, or administrative instruction. It is intended to increase an employee's efficiency and value to Hernando County by changing the employee's conduct, attitude, habits, or work methods. The supervisor shall document the verbal warning.
 - 1. Notify the employee the offense constitutes a verbal reprimand.
 - 2. Explain the nature of the offense, provide facts.
 - 3. Discuss the specific behavior requiring correction.
 - 4. Advise the employee failure to correct the behavior will result in further disciplinary action.

- C. Written Reprimand – The next level of discipline for a more serious, or repeated offense.
1. Document the nature of the problem, including facts.
 2. Discuss the behavior or problem that requires corrective action.
 3. Advise the employee failure to improve will result in additional disciplinary action.
 4. Complete the disciplinary documentation.
- D. Suspension - An action taken for serious offenses or as a last effort to improve repetitive disciplinary problems. Disciplinary suspensions are limited to ten (10) consecutive workdays unless additional time is required to complete an investigation. As determined on a case-by-case basis, disciplinary suspensions may or may not be paid. The Human Resources Director or designee must be involved in all suspensions. Suspensions may be used as a more serious level of progressive discipline or investigatory in nature.
1. Prepare the written summary of events leading to suspension, providing factual details.
 2. Discuss the specific action or behavior requiring correction.
 3. Complete the disciplinary documentation.
- E. Termination or discharge - Action taken when the employee has proceeded through all other disciplinary steps and no improvement has resulted; or when an employee commits a serious offense and continued employment is not in the best interest of Hernando County, regardless of previous disciplinary problems or actions.
1. Consult with the Human Resources Director or designee to review facts leading to termination.
 2. Prepare summary of termination, including factual information.
 3. Complete the disciplinary documentation.

Documentation of Discipline:

Written documentation of the disciplinary process is essential and should include the following:

1. Level of discipline
2. Reasons for discipline, rules, or standards violated
3. Factual events and timeframe
4. Any previous efforts made to inform the employee of the need to change the behavior or performance issue
5. Corrective action required
6. Consequence if lack of improvement
7. Referral to EAP (if appropriate)

Determine the appropriate corrective action to be taken. The actions should be fair, equitable, and no more severe than required to correct the performance of the employee

10.020 TERMINATION

An employee may be terminated for the following, including but not limited to:

1. During or at the end of the employee's probationary/introductory period;
2. As a result of disciplinary action;
3. Due to loss of skills, certifications, job requirements, or other conditions which would make the employee unfit for service based on the essential functions of the position;
4. When Hernando County or County Administrator has made the determination that a lack of work or funding exists with respect to the employee's position;
5. If the employee has a physical or mental impairment that prevents the employee from performing the essential functions of the employee's position and the employee cannot be reasonably accommodated. Termination must be supported by medical evidence, which establishes that the individual is unable to perform essential job functions and job requirements. Hernando County may require an examination, at its expense, performed by a physician of its choice. Failure to submit to such a request may result in termination.
6. Whenever the County Administrator determines to make changes deemed to be in the best interest of the County.

This list is not all-inclusive but only serves as a general guide. Terminations may result from other reasons not specified above.

10.030 REDUCTIONS IN FORCE, LAYOFF OR FURLOUGH

In the event Hernando County experiences financial undue hardship, or emergent lack of funds to continue operations, all employees may be subject to furlough days. The County Administrator in conjunction with the Board of County Commissioners shall have sole discretion to resolve and establish furlough procedures, as necessary.

Hernando County provides guidelines in the event of furloughs, layoffs, or a reduction in force (RIF) is necessary for the continuity of operations or other financial implications.

- A. Hernando County or County Administrator may initiate a reduction in force due to lack of work, budgetary restraints, or other changes that have taken place.
- B. Employees who have not completed their probationary or introductory period will be impacted before regular employees are affected.
- C. In determining who is to be included in a reduction in force, consideration will be given to individual performance and the qualifications required for remaining jobs. Seniority will be considered when performance and qualifications are equal.
- D. Employees subject to layoff provisions will receive at least ten (10) working days written notice.
- E. Severance pay indicating the specific amount may be provided to an employee in lieu of requiring an employee to work until the date of termination. Severance pay requires the approval of the County Administrator, or designee.

10.040 RESIGNATION

An employee planning to leave service in good standing will submit to their immediate supervisor or department manager a written resignation document indicating the last date of employment.

Customary notice of resignation is a minimum of:

- a. Employees - two (2) weeks,
- b. Division Manager – three (3) weeks,
- c. Department Head – four (4) weeks.

Notice of resignation shall be exclusive of PTO, sick, compensatory, or vacation time unless approved by the department manager. Accrued leave time shall not be used for purposes of extending the last date of employment.

The Human Resources Director, County Administrator, or designee has the right to waive the customary minimum resignation requirements. Employee requests to rescind resignation require the approval and authorization of the department manager.

10.050 DEATH

Upon the death of an employee, all compensation accumulated leave, and all other benefits due shall be direct deposited to the bank account on file.

SECTION 11 – WORKPLACE SAFETY POLICY

11.010 Workplace Safety

Policy Statement

Hernando County maintains and promotes a safe working environment for employees. The policy of Hernando County is to provide and maintain safe methods and work practices for employees.

Employees shall observe all safety rules and regulations established through departmental policies and procedures. Departments shall assign responsibilities to an individual for purposes of serving as safety liaison.

1. Job safety is the responsibility of each employee. Job safety requires applying common sense to a situation. Always use good common sense and stay alert on the job.
2. All injuries and incidents, including unsafe working conditions must be reported to your supervisor immediately.
3. Submitting false or fraudulent information when reporting an injury is a felony crime and will result in dismissal and denial of medical wage loss benefits.
4. Employees under the influence of drugs or alcohol on the job may be subject to immediate discharge. Employees taking medication (prescribed or over-the counter) that might impair job performance shall advise the supervisor prior to the start of the shift.
5. Report any unsafe condition to your supervisor immediately, regardless of whether the unsafe condition directly affects you.
6. If at any time you are not sure of how to perform the job, you have been asked to do: **STOP AND CHECK WITH YOUR SUPERVISOR.** This is for your safety and the safety of your fellow workers.
7. Do not start or operate any equipment without proper authority and safety instruction. Never operate a piece of equipment when guards or other safety devices are not in place.
8. Do not attempt to repair or tamper with equipment that is not working properly. Report the condition to your supervisor immediately.
9. Any employee who is provided safety equipment will be required to use such equipment while doing the work for which the equipment was furnished.
10. Good housekeeping practices should always be followed. Housekeeping includes clean tools, dry floors, neat work areas, and properly arranged materials.
11. Use the correct method for lifting objects. Lift with your legs, not your back. If a load is too heavy or awkward, ask for assistance.

12. All electrical power tools and cords must have an operational third wire positive ground. Electrical tools and cords without positive grounding should not be used. Double insulated tools must be so marked.
13. Do not use flammable liquids, toxic materials, chemicals, or acids, unless authorized and instructed in the proper procedure.
14. Do not smoke in areas that are not specifically designated as smoking areas.
15. All employees who drive or are passengers while on county business must always wear their seat belts.
16. Always obey all safety and warning signs.

Hernando County formed a Safety Council Workgroup to assist employees with the coordination of programming for departments, as well as to assist with the health and well-being of employees. All employees are expected to devote serious attention to making safety an integral part of their daily work activities. Safety committees may be formed to address and review incidents, accidents, or various infractions.

SECTION 12 - DEFINITIONS

The Board

The Hernando County Board of County Commissioners.

Classification Plan

A systematic arrangement and inventory of positions. The plan shall group similar positions into classifications which shall be ordered, according to their degree of difficulty and responsibility, into different skill levels for purposes of establishing pay relationships. The Classification Plan shall be based on a thorough job analysis and shall be maintained by the Human Resources Department.

Demotion

An employee is moved from a position in one classification to a position in a lower classification assigned to a lower pay grade. Demotions may be voluntary or involuntary.

Department

An organizational function composed of one or more groups of operational units.

Department or Division Head

A supervisory or managerial employee responsible for the overall operation of a department or division.

E-Mail

Electronic Mail; i.e. electronic messages or computer files that are transmitted between two or more telecommunications devices, computers, computer networks, or electronic devices capable of receiving electronic messages, regardless of whether the message is concerted to hard copy format after receipt, viewed upon transmission, or stored for later retrieval.

Employee

Any person occupying a regular position with Hernando County Board of County Commissioners.

Equal Employment Opportunity

The provision of an environment which manifests the right of all persons to work and to advance on the basis of merit, ability and potential.

Exempt Employees

Those employees in administrative, executive, professional, and computer positions as defined under the Fair Labor Standards Act, who are not subject to the overtime compensation provisions of the Act.

FLSA

The Fair Labor Standards Act. Federal legislation which sets minimum wage, overtime pay, equal pay, record keeping, and child labor standards for covered employment.

Hiring Authority

County Administrator or designee, department director, division director, or supervisory employees (designated by department division) with authority to appoint or remove an employee from the County.

Immediate Family

Means spouse, Registered Domestic Partner, grandparents, parents, brothers, sisters, children, and grandchildren of both the employee and the spouse/Registered Domestic Partner/Same-Sex Spouse. Also includes step and half relationships.

Intern

Positions provided for students participating in an accredited educational or vocational program to perform services on a temporary basis.

Leave (Administrative)

A leave of absence, paid or unpaid as determined by the employer for purposes of disciplinary action, pending investigatory process, personal leave, or other applicable reasons as determined by the employer.

Market Adjustment

Evidence to support increase in salary due to specific events such as high turnover, recruitment difficulties, or failed searches. Requests shall be supported by analysis of the labor market.

Marital Status

Marital status shall mean an individual's status of being married, separated, or unmarried including being single, divorced, or widowed.

Non-exempt Employees

Those employees in positions subject to the overtime compensation provisions of the FLSA.

Non-represented Employees

Those employees who are not represented by a bargaining unit.

Overtime

The hours worked in excess of 40 hours during the established workweek. These hours must be at the direction of the department head or other designated supervisory staff and must not include leave with pay.

Pay Range

The range of permissible pay from the "minimum" rate to the "maximum" rate. Such range is established to administer pay for positions in each skill level.

Position Classification

Positions which are sufficiently similar as to kind or subject matter of work, level of difficulty or responsibility, and qualification requirements, to warrant the same treatment as to title, pay range, and other related human resources transactions.

Promotion

An action which moves an employee from a position in one classification to another position in a different classification and to a higher pay grade.

Protected Status

Hernando County prohibits discrimination in employment, including hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral, and other aspects of employment, based on an individual's protected status, including race, color, religion, sex, orientation, national origin, age, disability, ancestry, marital status, pregnancy, familial status, gender, gender identity or expression, genetic information, or any other protected characteristic as defined by law.

Reclassification

An action taken to change an established position in one class in a series to a higher or lower class in the same series; or to a class in a different series, which is the result of a natural evolution or change in the duties and responsibilities of the person.

Reduction in Force

Termination of employment due to abolishment of positions necessitated by a shortage of funds, or work, or a material change in the duties or organization of the County. A reduction in force shall be adopted only upon prior approval of the County Administrator.

Red-circled

Marked to acknowledge that the incumbent's salary has reached the ceiling of a salary range.

Reinstatement

Job changes in which an employee is moved to a position in the same class, or a different class within or below the same skill level, from which he or she was previously demoted, transferred, or reclassified.

Senior Leadership Team Positions

Members of senior leadership whose primary duties are to manage a division or planning and administering a County program activity or working in a professional capacity or major capital improvement project. They have authority to use discretion and judgment in administering program(s). These positions are considered exempt under the FLSA.

Separation from Service

Severing the employment relationship with Hernando County.

Separation Pay

Earned leave pay, severance pay and any other pay entitlements due at the time of departure from Hernando County.

Skill Level

Level of difficulty and responsibility of a position as determined by job analysis and evaluation. Classes of comparable difficulty and responsibility are assigned to the same skill level and have the same pay range.

Temporary Position

Positions of specific duration not to exceed two years. The positions may be full-time or part-time.

Transfer

The assignment of an employee from one position to another within the same classification or the assignment of an employee to a lower classification when requested by the employee.

Vacant Position Audit

Evaluation by a department or other authorized personnel to determine if appropriate to fill a vacancy, or if the work may be performed differently.

Work Area

Areas where work of employees is performed.

Working Hours

An employee's normally scheduled hours of work (excluding lunch breaks and rest breaks).

Appendix A – EMERGENCY COMPENSATION AND PROCEDURES

Policy Statement

Hernando County has established compensation practices and provisions for employees who work during emergency events such as natural disasters including hurricanes, storms, floods, or to other public health emergencies. This policy provides guidance as to the employee's responsibilities before, during and after said emergency.

Unless otherwise designated, all employees are required to work before, during, and after emergencies situations as designated by Hernando County. All employees are required to be in contact with their immediate supervisor, department director, or logistics supervisor at the designated emergency operations center (EOC) for purposes of instructions, or specific duty assignments. Employees who fail to contact one of the designated individuals will be subject to disciplinary action, up to and including termination.

Process and Procedures

Hernando County established special compensation provisions for the employee who works before, during and after an "emergency." "Emergency" shall include, but not be limited to, natural, technological, or human caused emergency or disaster. It is also the policy of Hernando County to outline the responsibilities of its employees before, during and after the existence of an emergency.

The County Administrator, or designee may at any time during a declared local emergency suspend normal government operations when conditions are such that normal work cannot be performed. The County Administrator, or designee may declare "normal operations suspended" when sustained wind speeds exceed 40 mph or conditions are not safe for travel and/or work.

Despite the suspension of normal government operations, employees may be required to work before, during or after an emergency occurs. Employees shall not assume they are not required to work based solely on any media or news reports regarding County closings.

During an emergency or disaster event, employees may be assigned to perform their normal duties, or they may be temporarily assigned to work at different job sites specific to an emergency event (e.g., working inside the EOC, comfort stations, evacuation shelters, a staging area or point of distribution, etc.). Efforts shall be made to assign employees to duties according to their respective knowledge, skills, abilities, and physical capabilities.

All Department Heads shall follow their respective departmental emergency procedures and timeline. Department Heads shall establish an emergency schedule, phone call-in procedures, and identify those positions required to work during the pre-emergency, emergency, and post-emergency phases. Additionally, each Department Head shall designate an alternate point of contact to coordinate emergency staffing on their behalf if they are unavailable.

Employees shall be notified of duty assignments either prior to an event, or when contact is made with the Department Head or designee. Those who do not have an assignment shall be placed on a standby list and are to report to a designated location identified by the Department Head or designee. The Department Head, or designee shall supply the list of names and their location to the designated EOC representative.

Hernando County Emergency Preparedness Forms and Procedures

- A. This program establishes a countywide standard operating procedure (SOP) to provide assignment, mobilization, and demobilization instructions to County employees during times of emergency or disaster. Specific roles will be identified by Emergency Management, in conjunction with County Administration and designated departments.
- B. Addressing the needs of citizens of Hernando County must continue during an impending or declared local state of emergency and subsequent recovery period. To accomplish this, BOCC employees shall complete an Employee Readiness Form (ERF), or other required documentation within 30 days of employment. Every employee shall update their ERF anytime pertinent information changes. All ERFs will be maintained electronically by the both the departments and Human Resources.
- C. Emergency preparedness forms shall also be updated by departments between May 1 and May 31, of each calendar year.
- D. Supervisors shall review employees' ERF at least annually, ensuring each employee has provided information as necessary, and the information is accurate.
- E. If an employee and their spouse both work for the County, they may both be required to work. Employees may be allowed to work different shifts, if requested.
- F. Employee Duty

Work Assignment - all employees not already assigned to a specific department role, shall be provided an assignment by Emergency Management.

Alternate Work Assignments - during the pre-emergency, emergency and post-emergency, employees may perform duties other than the essential functions of their position classification. Depending on the needs of the County, employees may work at different locations rather than their normal duty assignment.

Monitor Radio/TV Stations - employees should monitor local media outlets when a declaration of a local state of emergency exists. The following station provides information specific to Hernando County: WWJB 1450 AM, WXJB 99.9 FM, WGHR 106.3 FM and Spectrum Bay News 9.

Pre-Assigned Employees - many employees are assigned duties with official County emergency response/recovery efforts. These employees will report to their designated worksite when required/directed to do so by their departments.

Contact with the County - regardless of an employee's emergency assignment, all employees must maintain daily contact with their immediate supervisor and department. If telephone lines are down or conditions exist where contact by telephone is not possible, employees should make contact as soon as possible. Once employees are notified by their supervisor that they will not be assigned a duty within their department's operation, the Employee must continue to check-in daily with their immediate supervisor, or designee for work assignments

G. County Duty

Department heads, managers and supervisors shall ensure all employees have completed the Emergency Response Form (ERF).

Employees are responsible for ensuring their ERF is kept up to date with accurate information.

H. Administrative & Other Leave

1. Department Heads, Managers and Supervisors shall make a reasonable effort to release employees from work prior to, during and after emergency conditions to take care of personal situations such as family and property needs. Supervisors shall ensure that department functions are maintained during this time. Employees who utilize this opportunity will be required to take PTO/Compensatory Time.
2. In the event an imminent or declared emergency results in employees being told not to report to work, employees will be compensated for normal schedule hours worked at their regular rate of pay. Hours reported as Administrative Leave are not considered hours worked for purposes of calculating overtime, unless otherwise approved by the County Administrator.
3. During this period, employees should monitor local radio and television stations for information and instructions on when to report to their job assignments. Employees should contact their immediate supervisor or designee to obtain emergency assignment.
4. Employees will be expected to work normal hours during any emergency event unless otherwise instructed. Employees shall contact the designated Department contact person prior to regularly scheduled work times to verify work assignments including alternate work location. Employees may be required to work flexible hours to accommodate the needs as required by the County during an emergency.
5. If an employee does not work on declared emergency day(s), he/she must still work in excess of their normal scheduled hours each day to be eligible for time and one-half their regular rate of pay.
6. Any employee who had previously requested and been approved for PTO during this time is exempt from being called in. The employee will still be charged PTO and receive his/her regular pay.
7. If an employee is out on pre-authorized FMLA or Workers Compensation leave during this time, the employee is exempt from being call in, will be charged PTO as determined by policy.
8. If the employee has a regularly scheduled day(s) off as part of the normal schedule during the emergency declared day(s), the employee will not receive any compensation.

I. Employee Compensation/Tracking

1. Non-exempt employees who are required to work during the declared emergency as determined by the BOCC Chairman or designee, will be compensated time and one-half of their regular rate of pay for all hours worked during the declared emergency.
2. Exempt employees who are required to work during the declared emergency as determined by the BOCC Chairman or designee, will be compensated their base salary for all regularly scheduled number of hours per workday. At the discretion of the County Administrator, or designee, exempt employees who have worked over 60 hours per week shall be paid as additional straight time at the hourly rate each hour or compensatory time off at the employee's discretion. The County Administrator, or his/her designee shall take into consideration extenuating circumstances that have occurred during the event in making this determination.
3. All employees shall track their time worked accordingly. It is the responsibility of each employee to ensure an accurate record of work conducted during an emergency event. Employees are to note the event name on their timesheet in the Electronic Timekeeping System for each day worked during an emergency role.
4. It is each department's responsibility to verify all hours worked. All departments must maintain accurate timekeeping records during emergency/emergency recovery periods.
5. It is the responsibility of the department director to assure that all grant funded employees work in accordance with grant requirements.

J. IV. Emergency Management National Incident Management System (NIMS) Compliance & Training

1. As directed by County Resolution #2005-249, County employees will function under the National Incident Management System (NIMS) and Incident Command System (ICS) during an emergency. County supervisors will use span of control guidelines as directed by NIMS. All County employees must take the introduction to NIMS/ICS course during their first year of employment unless the course has previously been taken in past employment and a training certificate has been provided to the employee's supervisor.
2. Employees with supervisory responsibilities may be required to take additional training.
3. Additional training in a variety of tasks will be available through Emergency Management annually for employees that are designated by their supervisors as EOC Essential. Training may be provided in the following areas: shelter workers, shelter managers, specialized training in the care of small animals, set up and operations of Points of Distribution or Dispensing, Public Information Center support, among others.
4. Emergency Management may coordinate other training with appropriate supervisory approval.
5. Employees may choose to attend training in their specific area of interest, actual work assignments may vary and will be based on the collective goal of meeting the needs of Hernando County residents.

K. Request for Exemption from Emergency Duty or Assignment

1. Employees may be exempt from working during an emergency event upon providing a notice of extenuating circumstances that is accepted and approved by the Department Head and on file with Human Resources.
2. Employees that would like to be considered for an exemption must complete and submit the Exemption from Emergency Duty/Assignment Form to their immediate supervisor. If the exemption is not approved, the employee may appeal to the Department Director. Exemption requests shall be reviewed by the Human Resources Director or designee to ensure organizational consistency.
3. Employees must submit their Exemption from Emergency Duty/Assignment Form request by January 1st of each year. Exemptions are valid for one year, and therefore, must be renewed/submitted to the department on an annual basis. It is the responsibility of the employee to update and maintain this exemption status. If at any time through the year there is a change in exemption status, the employee should complete and submit a new exemption from Emergency Duty/Assignment Form.
4. To be considered for exemption employees must meet one of the following criteria:
 - a. Sole caregiver with child/children under the age of 18 living in the same household for whom they are the natural/adoptive parent or legal guardian; or
 - b. Sole caregiver for a special needs member of the employee's immediate family; or
 - c. Employees with special needs or documented medical conditions that would prohibit them from performing the assignment; or
 - d. Employee's significant other has an emergency duty assignment, and the employee has dependent children under the age of 18 living in the same household for which they are the parent or legal guardian; or
 - e. another extenuating circumstance with explanation to be provided and written statement from a medical professional, if necessary.
5. Should an emergency exemption be required after an emergency event, a request shall be made in writing and approved by the Department Head and on file in Human Resources.
6. All employees that have their exemption approved shall be required to use PTO/Sick or Compensatory Time, if available, otherwise the time off shall be leave without pay.
7. Any employee who has applied for an exemption and has been denied shall report for duty as assigned or they will be subject to disciplinary action, up to and including termination.

L. Failure to Report for Duty when Assigned

Any employee required to report for duty during emergency operations period fails or refuses to report and/or perform duties as directed will be subject to disciplinary action, up to and including termination from employment. Failure to monitor on-call or stand-by phone numbers and respond to calls will constitute a failure to report. Failure to contact their immediate supervisor on a daily basis will also constitute a failure to report. Employees claiming a physical inability to report when required are not permitted to cite a mere fear of travel during the emergency operations period, or a general concern for not staying with family. Employees, particularly those designated by their departments as being critical responders during emergency operations periods, have the responsibility to plan ahead for the safety and welfare of their families and the securing of their property so that they will have the ability to report when called. Only extraordinary incidents of inability to report wholly beyond the employee's ability to control, will be excused, as determined by the Director, Manager or Supervisor.

M. Violations

Employees found to be in violation of this policy, including failing to report for duty when assigned, shall be subject to disciplinary action up to and including termination.

Appendix B – Drug Free Workplace

Policy Statement

Hernando County strives to provide a safe environment for employees and members of the public and is committed to an environment free of alcohol and drugs. The safety of employees, the public, public property, and equipment is placed in jeopardy when an employee is under the influence of drugs and alcohol.

The unlawful manufacture, sale, distribution, dispensation, possession or use of drugs or alcohol, as determined by federal law, whether on-duty or off-duty or being under the influence of drugs or alcohol in the workplace, on County property or as part of any County activities is expressly prohibited and constitutes grounds for termination of employment with Hernando County.

Drug testing of Hernando County employees is compliant with the Drug-Free Workplace program outlined in both Federal and Florida state laws.

Hernando County has designated three (3) categories of employees for drug and/or alcohol testing: Federal Motor Carrier Safety Administration – stated as Commercial Drivers' License (CDL) Safety-Sensitive employees, employees covered under the Federal Transit Administration (FTA) – which may also be a CDL holder and all other County employees.

Purpose of Policy

This policy complies with 49 CFR Part 655, as amended, 49 CFR Part 382, and 49 CFR Part 40, as amended. Copies of Parts 655, 382 and 40 are available in the drug and alcohol program manager's office and can be found on the internet at the Department of Transportation (DOT) Office of Drug and Alcohol Policy and Compliance website at <https://www.transportation.gov/odapc>

All covered employees are required to submit to drug and alcohol tests as a condition of employment in accordance with these regulations.

Portions of this policy are not mandated by the DOT and reflect Hernando County Board of County Commissioner's process. These additional provisions are identified by **bold** text.

All County employees who are not covered under FMCSA or FTA will be tested under Non-Federal. In addition, DOT has published 49 CFR Part 32, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA.

All Hernando County Board of County Commissioner's employees are subject to the provisions of the Drug-Free Workplace Act of 1988.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the covered workplace. An employee who is convicted of any criminal drug statute for a violation occurring in the workplace shall notify Human Resources no later than five days after such conviction.

Covered Employees

This policy applies to all employees, including applicants and transfers.

This policy also applies to employees whose position requires the possession of a commercial driver's license (CDL); employees performing a "safety-sensitive function" as defined below, and candidates applying for such positions.

Under FMCSA (Part 382), you are a covered employee if you perform any of the following safety-sensitive functions:

- Driving a commercial motor vehicle which requires the driver to have a CDL
- Waiting to be dispatched to operate a commercial motor vehicle
- Inspecting, servicing, or conditioning any commercial motor vehicle
- Performing all other functions in or upon a commercial motor vehicle (except resting in a sleeper berth)
- Loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloading, remaining in readiness to operate the vehicle, or giving or receiving receipts for shipments being loaded or unloaded.
- Repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle

Under FTA (Part 655), you are a covered employee if you perform any of the following safety-sensitive functions:

- Operating a revenue service vehicle, in or out of revenue service
- Operating a non-revenue vehicle requiring a commercial driver's license
- Controlling movement or dispatch of a revenue service vehicle
- Maintaining (including repairs, overhaul and rebuilding) of a revenue service vehicle or equipment used in revenue service
- Carrying a firearm for security purposes

A. Prohibited Behavior

Use of illegal drugs is prohibited. **All employees**, including covered employees are prohibited from reporting for duty, or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body at or above the minimum thresholds.

Prohibited drugs include:

- Marijuana
- Cocaine
- Phencyclidine (PCP)
- Opioids
- Amphetamines

All covered employees are prohibited from performing or continuing to perform safety-sensitive functions with an alcohol concentration of 0.04 or greater.

All employees are prohibited from consuming alcohol while performing **all functions**. This includes safety-sensitive job functions, or while on-call status waiting to perform functions, including safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time they are contacted to report for duty. If the on-call employee claims the ability to perform **his or her function**, including safety-sensitive function, he or she must take an alcohol test with a result of less than 0.02 prior to performance.

All employees, including covered employees are prohibited from consuming alcohol within four (4) hours prior to the performance of **job functions**, including safety-sensitive job functions.

All employees, including covered employees are prohibited from consuming alcohol for eight (8) hours following involvement in an accident, or until he or she submits to the post-accident drug and alcohol test, whichever occurs first.

B. Consequences for Violations

FTA Consequences

Following a positive drug or alcohol (BAC at or above 0.04) test result or test refusal, the employee will be immediately removed from safety-sensitive duty and referred to a Substance Abuse Professional through the Employee Assistance Program (EAP).

Following a BAC of 0.02 or greater, but less than 0.04, the employee will be immediately removed from safety-sensitive duties for at least eight hours unless a retest results in the employee's alcohol concentration being less than 0.02.

FMCSA Consequences

Following a positive drug or alcohol (BAC at or above 0.04) test result or test refusal, the employee will be immediately removed from safety-sensitive duty and referred to a Substance Abuse Professional through the EAP.

Following a BAC of 0.02 or greater, but less than 0.04, the employee will be immediately removed from safety-sensitive duties until the start of the employee's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

Zero Tolerance

Any employee who tests positive for drugs or alcohol (BAC at or above 0.04) or refuses to test will be **terminated from employment**. Employees who are covered under DOT or FTA will receive SAP referral.

C. Circumstances for Testing

Pre-Employment Testing

Pre-employment alcohol tests are conducted after making a conditional offer of employment or transfer.

For covered employees, all pre-employment alcohol tests will be conducted using the procedures set forth in 49 CFR Part 40. A negative pre-employment drug test result is required before an employee can first perform safety-sensitive functions. If a pre-employment test is cancelled, the

individual will be required to undergo another test and successfully pass with a verified negative result before performing safety-sensitive functions.

If a candidate's pre-employment drug and alcohol test result is verified as positive, the individual will be excluded from further consideration for employment. If the applicant has applied for a safety-sensitive position, they will be provided a list of qualified Substance Abuse Professionals (SAP).

If a covered employee has not performed a safety-sensitive function for 90 or more consecutive calendar days and has not been in the random testing pool during that time, the employee must take and pass a pre-employment test before he or she can return to a safety-sensitive function.

A covered employee or applicant who has previously failed or refused a DOT pre-employment drug and/or alcohol test must provide proof of having successfully completed a referral, evaluation, and treatment plan meeting DOT requirements.

FMCSA Drug Testing Exceptions

A driver is not required to undergo a pre-employment test if:

- (1) The driver has participated in a DOT testing program within the previous 30 days; and
- (2) While participating in that program, either:
 - a. Was drug tested within the past six months (from the date of application with Hernando County Board of County Commissions),
 - or-
 - b. Participated in the random drug testing program for the previous 12 months (from the date of application with Hernando County Board of County Commissioners); and
- (3) Hernando County Board of County Commissioners can ensure that no prior employer of the driver of whom Hernando County Board of County Commissioners has knowledge of records of a violation of this part, or the controlled substances use of another DOT agency within the previous six months.

Reasonable Suspicion Testing

All employees, including covered employees shall be subject to a drug and/or alcohol test when Hernando County Board of County Commissioners has reasonable suspicion to believe that the employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made by a trained supervisor, or other trained official based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee.

Covered employees may be subject to reasonable suspicion drug testing at any time while on duty. Covered employees may be subject to reasonable suspicion alcohol testing while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

Post-Accident Testing

FTA Procedures

Covered employees shall be subject to FTA post-accident drug and alcohol testing under the following circumstances:

Fatal Accidents

As soon as practicable following an accident involving the loss of human life, drug and alcohol tests will be conducted on each surviving covered employee operating the public transportation vehicle at the time of the accident. In addition, any other covered employee whose performance could have contributed to the accident, as determined by Hernando County Board of County Commissioners using the best information available at the time of the decision, will be tested.

Non-Fatal Accidents

As soon as practicable following an accident not involving the loss of a human life, drug and alcohol tests will be conducted on each covered employee operating the public transportation vehicle at the time of the accident if at least one of the following conditions is met:

- (1) The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
- (2) One of more vehicles incurs disabling damage and must be towed away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
- (3) The vehicle is a rail care, trolley car or bus, or vessel, and is removed from operation, unless the covered employee can be completely discounted as a contributing factor of the accident

Any other covered employee whose performance could have contributed to an accident, or causing significant property damage as determined by Hernando County Board of County Commissioners using the best information available at the time of the decision, will be tested.

A covered employee subject to post-accident testing must remain readily available, or it is considered a refusal to test. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

FMCSA Procedures

Covered employees shall be subject to FMCSA post-accident drug and alcohol testing under the following circumstances:

Fatal Accidents

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and involving the loss of a human life, drug and alcohol tests will be conducted on each surviving covered employee who was performing safety-sensitive functions with respect to the vehicle.

Non-Fatal Accidents

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and not involving the loss of a human life, an alcohol test will be conducted on each driver who receives a citation within eight (8) hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if:

- (1) The accident results in injuries requiring immediate medical treatment away from the scene; **or**
- (2) One or more motor vehicles incur disabling damage and must be transported away from the scene by a tow truck or other motor vehicle.

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public commerce, and not involving the loss of a human life, a drug test will be conducted on each driver who receives a citation within thirty-two (32) hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if:

- (1) The accident results in injuries requiring immediate medical treatment away from the scene; **or**
- (2) One or more motor vehicles incur disabling damage and must be transported away from the scene by a tow truck or other motor vehicle.

A covered employee subject to post-accident testing must remain readily available, or it is considered a refusal to test. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

Hernando County BOCC officials will use the best information available at the scene, to determine if a covered employee's performance can be completely discounted as a contributing factor to the accident.

If testing is not required federally, the employee may be post-accident tested based on Hernando County's authority using non-federal forms.

Hernando County utilizes Suncoast Urgent Care for before, during and after-hours. Employees requiring drug/alcohol testing must be transported by their supervisor, unless otherwise transported by an ambulance. The supervisor must remain with the employee until testing is completed.

Random Testing

Random drug and alcohol tests are unannounced with dates for administering random tests throughout the calendar year. Random testing may be conducted at all times of the day when safety-sensitive functions are performed.

Testing rates will meet or exceed the minimum annual percentage rate set each year within each DOT agency. The current year testing rates can be viewed online at www.transportation.gov/odapc/random-testing-rates. If a given driver is subject to random testing under the rules of more than one DOT agency, the driver will be subject to random drug and alcohol testing at the annual percentage rate established by the DOT agency regulating more than 50% of the driver's function.

The selection of employees for random drug and alcohol testing will be made by a scientifically valid method, such as a random number table or a computer-based random number generator. Under the

selection process used, each covered employee, will have an equal chance of being tested each time selections are made.

A covered employee may only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty.

Each covered employee who is notified of selection for random drug or random alcohol testing must immediately proceed to the designated testing site. **Failure to proceed immediately may be deemed a refusal to test.**

Random Testing – End of Shift (FTA)

Random testing may occur any time an employee is on duty, as long as the employee is notified prior to the end of the shift. Employees who provide advance, verifiable notice of scheduled medical or child-care commitments, will be random drug tested no later than three hours before the end of their shift and random alcohol tested no later than 30 minutes before the end of their shift. Verifiable documentation of a previously scheduled medical or child-care commitment, for the period immediately following an employee's shift, must be provided at least **one hour** before the end of the shift.

Return to Duty Testing

Any employee who is allowed to return to safety-sensitive duty after failing or refusing to submit to a DOT drug and/or alcohol test must first be evaluated by a substance abuse professional (SAP), complete SAP-required program of education and/or treatment, and provide a negative return-to-duty drug and/or alcohol test result. All tests will be conducted in accordance with 49 CFR Part 40, Subpart O.

Follow-up Testing

Employees returning to safety-sensitive duty following leave for substance abuse rehabilitation will be required to undergo unannounced follow-up alcohol and/or drug testing for a period of one (1) to five (5) years, as directed by the SAP. The duration of testing will be extended to account for any subsequent leaves of absence, as necessary. The type (drug and/or alcohol), number and frequency of such follow-up testing shall be directed by the SAP. All testing will be conducted in accordance with 49 CFR Part 40, Subpart O.

Worker's Compensation – Seeking Medical Treatment

Employees seeking medical treatment as a result of a work-related injury shall submit to a drug and alcohol test on non-federal forms.

D. Testing Procedures

All FTA drug and alcohol testing will be conducted in accordance with 49 CFR Part 40, as amended.

Dilute Urine Specimen

If a Pre-Employment, Reasonable Suspicion, Post-Accident, Random, or Return to Duty test results in a negative dilute test result, Hernando County Board of County Commissioners will conduct one additional retest. The result of the second test will be the test of record. If there is a negative dilute test result and the test type was not pre-employment, reasonable suspicion, post-accident, random, or return to duty test, Hernando County Board of County Commissioners will accept the test result

and there will be no retest, unless the creatinine concentration of a negative dilute specimen was greater than or equal to 2 mg/dL, but less than or equal to 5 mg/dL.

Dilute negative results with a creatinine level greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL require an immediate recollection under direct observation (see 49 CFR Part 40, section 40.67).

Split Specimen Test

In the event of a verified positive test result, or a verified adulterated or substituted result, the employee may request that the split specimen be tested at a second laboratory. Hernando County Board of County Commissioners guarantees that the split specimen test will be conducted in a timely fashion. The employee will be required to pay for the test.

E. Test Refusals

You have refused to test if you:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by Hernando County Board of County Commissioners.
- (2) Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- (6) Fail or decline to take a second test as directed by the collector or Hernando County Board of County Commissioners for drug testing.
- (7) Fail to undergo a medical evaluation as required by the MRO or Hernando County Board of County Commissioner's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly observed test.
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.

As an employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

If an employee, including a covered employee refuses to take a drug and/or alcohol test, he/she would incur the same consequences as testing positive and will be immediately removed from performing their functions or safety-sensitive functions, referred to SAP, if applicable and will be terminated.

F. Voluntary Self-Referral

FTA Procedures

Any employee who has a drug and/or alcohol abuse problem and has not been selected for reasonable suspicion, random or post-accident testing or has not refused a drug or alcohol test may voluntarily refer her or himself to Human Resources, who will refer the individual to a substance abuse counselor for evaluation and treatment.

The substance abuse counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.

Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from his/her safety-sensitive function and will not be allowed to perform such function until successful completion of a prescribed rehabilitation program.

FMSCA Procedures

Any employee who has a drug and/or alcohol abuse problem and has not been selected for reasonable suspicion, random or post-accident testing or has not refused a drug or alcohol test may voluntarily refer her or himself to Human Resources, who will refer the individual to a substance abuse counselor for evaluation and treatment.

The substance abuse counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.

Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from his/her safety-sensitive function until successful completion of a prescribed rehabilitation program. Prior to participating in a safety-sensitive function, the employee must also undergo a DOT return-to-duty drug test with a verified negative result and/or a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02.

All Hernando County employees are encouraged to self-refer.

G. Prescription and Over the County Medications

The appropriate use of legally prescribed drugs and non-prescription medications are not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgement may be adversely affected must be report to Human Resources. Medical advice should be sought, as appropriate, while taking such medication and before performing any job duties, including safety-sensitive duties.

Appendix C – Workers’ Compensation Policy

Policy Statement

Hernando County provides workers compensation benefits to an employee who sustains an accidental injury or illness arising out of and in the course and scope of his/her employment as defined by in Chapter 440, Florida Statutes, as amended.

This policy is intended to give all parties a general overview and summary of the Hernando County Workers’ Compensation policies and procedures in effect. It is not intended to supersede or take the place of the Florida Workers’ Compensation Law (Chapter 440, Florida Statutes).

Reporting Procedures

- A. Life threatening injuries that require emergency care, call 911 immediately. These injuries include, but are not limited to, uncontrolled bleeding, severe head injuries, or incidents where immediate treatment is required outside of normal business hours. If the injury is not life threatening but serious in nature, such as broken bones or severe pain, the employee should be taken to the nearest emergency room.
- B. In non-emergency cases, the employee, will be directed to an authorized medical treatment facility and care will be coordinated through one of the facilities within our Workers’ Compensation network.
- C. The supervisor or designee shall notify the Workers’ Compensation & Safety Manager when a work injury or accident occurs and/or when an employee has been taken to an authorized medical facility for initial treatment.
- D. Outside of normal business hours, employees who sustain a work-related injury and in need of immediate medical care, the employee shall proceed directly to one of the County’s authorized medical facility for initial treatment. The supervisor or designated representative will notify the Workers’ Compensation & Safety Manager and forward First Notice of Injury Report, DWC-1, and all medical documents the next business day.

Workers Compensation Coverage

An employee who sustains a work-related injury or illness, as defined by Florida Statutes, and cannot return to work on his/her next workday as determined by an authorized physician, will be paid the employees normal salary, up to a period of seven (7) calendar days, including holidays and weekends, not to exceed (40) hours or (52) hours for Fire Rescue Personnel. This time is not chargeable to the employees accrued PTO balance.

- A. If an employee’s inability to work exceeds seven (7) calendar days as verified by the authorized physician, Workers’ Compensation indemnity benefits become effective and will be paid directly to the employee by the County’s Third-Party Administrator (TPA) as defined by Florida Statutes.

- B. In addition to the Workers' Compensation indemnity benefits, employees may elect to supplement accrued leave balances not to exceed 100 hundred percent (100%) of the employee's regular rate of pay.
- C. The Family and Medical Leave Act (FMLA) will run concurrently with workers' compensation and other County leave policies as applicable.
- D. Employees seeking medical treatment because of work-related injury shall submit to a drug and alcohol test. An injured employee who refuses to submit to testing, or who is reported by the Medical Review Officer as testing positive for drugs and/or alcohol may forfeit any medical and indemnity benefits as defined by Florida Statutes and will be subject to disciplinary action.
- E. Employees who are found to be abusing the workers' compensation system will be subject to disciplinary action.
- F. If the County receives a fine from the State of Florida for a late reporting of a Workers' Compensation claim, the responsible Department that failed to report the injury in a timely manner may be subject to budgetary sanctions.

Return to Work

An employee who has sustained an injury arising out of the course and scope of employment shall return to normal duties as soon as medically possible. Prior to release, the employee will be examined by an authorized physician and receive a Medical Treatment Status Form, DWC-25 listing all restrictions; for example, light or modified duty.

Follow up treatment as prescribed by the authorized physician may be allowed during work hours.

Return to Work with Restrictions

If an employee is released to work with restrictions, it is the policy of Hernando County to arrange for a modified or light duty work assignment whenever possible and will be considered on a case-by-case basis.

Modified duty is defined as temporary duties established within the employees' regular position within functional limitations listed by the authorized physician.

Light duty is defined as a temporary work assignment within any County department that can accommodate and meets the restrictions outlined by the authorized physician and are not available to employees on a permanent basis.

- A. Modified or light duty work assignment as authorized by the treating physician are not intended to exceed six months in duration and temporary in nature.

- B. Employees must abide by restrictions set by the authorized treating physician when performing light or modified work assignments. Failure to adhere to the work restrictions may result in disciplinary action.
- C. Employees who are medically determined to have permanent restrictions, and unable to return to their regular duties, the creation or continuation of modified and or light duty will not be considered. The County will review the employee's situation to determine if other suitable employment is available, taking into consideration the Americans with Disabilities Act, other applicable law, and relevant county policies. If no suitable employment is available, the employee may be medically separated from County employment.
- D. Refusal of an employee to return to a modified or light duty assignment, meeting the authorized physician's restrictions for the employee, may result in Workers' Compensation benefits being suspended.

Referrals or Follow-up Medical Care

Additional medical treatment may be necessary after a work-injury or illness occurs and will be coordinated through the County's Third-Party Administrator (TPA). No payment will be rendered for any treatment not authorized by the County or TPA.

- A. Employees may attend appointments during work hours, however, at no time will employees be compensated beyond their normal scheduled workday.
- B. County vehicles are not to be used to attend follow-up appointments.
- C. Employees must return all documents provided by the authorized physician to their supervisor or payroll clerk for forwarding to the Workers' Compensation & Safety Manager.

Appendix D – Reserved for Clerk IT Policies

FORMS

General Human Resources forms can be found on the Hernando County Intranet site:
<https://intranet.hernandocounty.us/departments/hr/hr-forms-documents/>

**HERNANDO COUNTY BOARD OF COUNTY COMMISSIONERS
ACKNOWLEDGEMENT AND RECEIPT**

I acknowledge receipt of the Hernando County Employee Handbook, Policies, and Procedures as created and revised on May 25, 2021. I understand and acknowledge the Employee Handbook describes important information about my employment relationship with Hernando County and that I should read it and consult a supervisor or Human Resources regarding any questions I have about the document. I further understand and acknowledge that Hernando County has reserved its right to amend, revoke, or alter any of the guidelines, policies, procedures, and practices contained in this Employee Handbook at any time, with or without notice. I understand that it is my responsibility to familiarize myself with any changes and that the revised information supersedes any prior provisions inconsistent with the change. I understand that to the extent that any of the provisions of the Employee Handbook conflict with any collective bargaining agreement applicable to me, the provisions of the collective bargaining agreement govern.

Equal Employment Opportunity and Sexual and Other Workplace Harassment Policies

I also acknowledge that I have received and read the Hernando County's Equal Employment Opportunity and Prohibited Harassment Policies and that I have had an opportunity to ask any questions that I have concerning the policies, including any questions concerning my rights and duties under the policies. I understand that it is my obligation to promptly report to Hernando County all complaints or concerns of potential discrimination, harassment, or retaliation, regardless of the potential offender's identity or position with the County. I understand that I will suffer no retaliation for reporting concerns in good faith or for participating in investigation of reports under the policies or in any proceedings related to alleged violation of the policies.

I understand that Hernando County is strongly committed to a work environment in which all individuals are treated with respect and dignity and that the County prohibits discrimination, harassment, and retaliation in the workplace. Therefore, I understand that employees who violate the Equal Employment Opportunity and/or Prohibited Harassment Policies will be subject to appropriate disciplinary action, up to and including immediate termination of employment.

I further acknowledge and have been notified current policies are located on the Hernando County website: www.hernandocounty.us/hr

Employee Name (Printed)

Date

Employee Signature

Department

