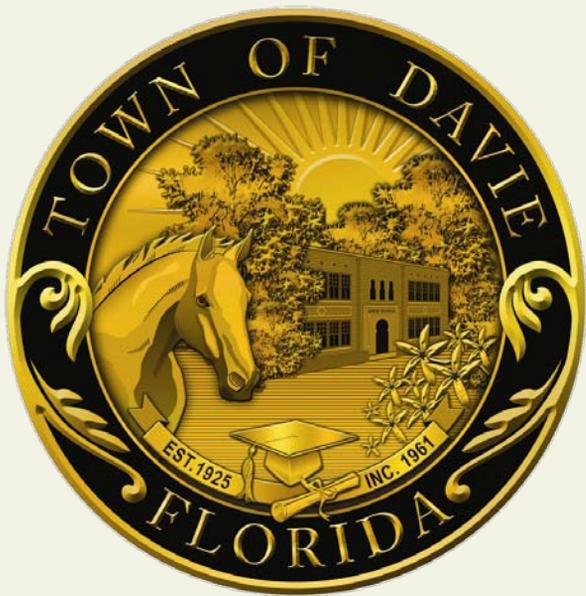


EMPLOYEE HANDBOOK



Town of Davie Human Resources Department 2012-2013



Handbook Availability

An electronic copy of the employee handbook can be found at http://www.davie-fl.gov/Pages/DavieFL_HumanResources/index. Hardcopies have been made available to each department and may also be requested through your Human Resources Department.

Questions?

If you have specific questions regarding any employment policy or procedure (whether covered in this Handbook or not), please contact your supervisor or the Human Resources Department.

Human Resources Department

Website: http://www.davie-fl.gov/Pages/DavieFL_HumanResources/index.

Telephone: (954)797-1100

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WELCOME TO THE TOWN OF DAVIE!

We are excited to have you as part of our team. We believe you can contribute to the success of our Town, and will share our commitment to achieving our mission: to be the preeminent community in South Florida to live, work, learn, and play while treasuring our preserved natural settings (Resolution 2009-082). With the help of our community partners, it is our vision to provide leadership and excellent, customer-driven services to our diverse community with integrity and respect. Our jobs are challenging, complex, and difficult, but they are also extremely rewarding.

The Town of Davie Employee Handbook establishes policies, procedures, benefits and working conditions that all Town employees are required to follow. Each employee shall have reasonable access to a copy of the Town of Davie Handbook, Personnel Policies and Operating Procedures. The Town of Davie Handbook, Policies and Operating Procedures shall be electronically posted on the Town of Davie website. The Standards of Conduct describe the expected actions and behaviors of our employees. We will make every effort to notify employees when an official change in policy or procedure has been made. Employees, however, are responsible for staying up-to-date about Town of Davie policies, procedures, benefits and working conditions.

Please review the policies, procedures, working conditions and benefits described in this handbook. You will be asked to affirm that it is your responsibility to review the handbook in detail and request any clarification from your supervisor or the Human Resources Department.

We value your talents and abilities and we seek to foster an open, cooperative and dynamic work environment in which we succeed at providing the level of service to our customers expected of us. Your job—and every job at the Town of Davie—are essential to fulfilling our mission and building the trust and respect of those we serve.

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EMPLOYEE HANDBOOK

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Introduction

This Handbook applies to all employees of the Town of Davie (Town) in the Regular Service (regardless of probationary or other status), as well as all Executive, Part-Time, Seasonal employees, Town Council Members, and volunteers.

This Handbook explains the rules and policies that relate to your employment with the Town, including the Employee Standards of Conduct for which employees are required to acknowledge receipt. The information contained in this handbook does not supersede any collective bargaining agreement. It is your responsibility to read and become familiar with the contents of this Handbook and other employment information provided to you. However, this Handbook is not a contract, nor is it intended to address all situations and circumstances that could occur during your employment. Also, the Town reserves the right to make changes to content, as needed. If you have specific questions regarding any employment policy or procedure (whether covered in this Handbook or not), please contact your supervisor or the Human Resources Department.

Mission Statement

The Town of Davie strives to be the preeminent community in South Florida to live, work, learn, and play while treasuring our preserved natural settings (Resolution 2009-082).

Vision

To provide leadership and excellent, customer-driven services to our diverse community with integrity and respect.

Values

- Customer Driven
- Respect
- Integrity
- Excellence
- Leadership

Strategic Priorities

1. Commitment to Customer Satisfaction
2. Dedication to Excellence in Service Delivery
3. Respecting and Promoting Diverse and Sustainable Community and Neighborhood Values with consideration of our historic roots
4. Creating an Environment that is Conducive to Innovation, Creativity, and Collaboration
5. Nurturing the health, safety, and welfare of the community

Form of Government

The Town of Davie operates under a Council/Manager form of government. This type of government structure allows a municipality to operate with both public direction from a Town Council and through professional administration through a Town Administrator and staff working for the Town Administrator.

A primary reason for the existence of municipal government is to provide services to the taxpayer that taxpayers cannot provide for themselves, such as police and fire rescue protection and water and sewer service. The services of municipal government can be readily observed in action. As a municipality, certain powers are placed in the hands of the elected Town Council. This authority comes directly from the Florida State Statutes and the Town's Charter. Council can declare certain acts to be illegal; it can tax and set costs for services rendered; it can condemn property for essential public needs; and it can regulate and determine how property can be used. The Town Council consists of five (5) members who are elected for three-year terms. Four (4) Council members are elected by residents in their district. The Mayor is elected without any specific geographic district.

The Town Administrator is appointed by Council and serves for an indefinite period. He or she serves at the pleasure of the Town Council and is a non-elected, salaried position. The Town Administrator is the administrative head of the Town government and is responsible for the efficient administration of all the affairs of the Town which are under his or her control. The Town Administrator's responsibilities include supervision and coordination of administrative activities, powers granted to him or her in the Town's Charter and then the laws of the State of Florida concerning the appointment and removal of employees, annual submission of an operating budget and a capital improvements program, appointing and discharging authority of all officers and employees of the Town, chief advisor to the Town Council and is generally responsible for the affairs of the Town. The Town Administrator also has the responsibility of predicting future program needs and services and determining the financial and social impacts of these decisions.

The Town Clerk is appointed by the Town Administrator subject to the confirmation by the Town Council. The Town Clerk is responsible for the keeping of minutes of Town Council and advisory board meetings, ordinances, resolutions, and all public hearings. The Town Clerk is also responsible for maintaining records of Town activities and providing information to the public as well as serving as the ADA/Accessibility Coordinator. The Town Clerk is the Town's Supervisor of Elections and conducts all elections under the guidelines of the Florida State Statutes and the Broward County Supervisor of Elections Office.

The Town of Davie is made up of various departments including, Budget and Finance, Building, Community Redevelopment Agency (CRA), Fire Rescue, Housing & Community Development, Human Resources and Risk Management, Parks, Recreation and Cultural Arts, Planning & Zoning, Police, Public Works and Capital Projects, Technology and Information Management Systems, and Utilities.

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EMPLOYEE RIGHTS AND RESPONSIBILITIES

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Equal Employment Opportunity

[See TODOP 20-001](#) and [TODOP 20-006](#) for additional information

All employees have the right to work in an environment free from all forms of discrimination and conduct considered to be harassing, coercive or disruptive. It is the position of the Town of Davie (“Town”) that discrimination on the basis of race, color, religion, sex (including pregnancy), national origin, age, disability, genetic information, marital status, political affiliation, sexual orientation, or retaliation for reporting same, is a form of misconduct that undermines the integrity of the employment relationship and the provision of services to citizens. These acts also constitute unlawful employment practices under federal, state and local law.

The Town is an equal opportunity employer and promulgates this policy as part of its continuing effort to maintain a work environment free from unlawful discrimination. It is the policy of the Town to prohibit discrimination in hiring, promotion, compensation, discharge, and all terms and conditions of employment on the basis of an individual’s race, color, religion, sex (including pregnancy), national origin, age, disability, genetic information, marital status, political affiliation, sexual orientation, or retaliation for reporting same.

No employee, supervisor, manager or person associated with the Town shall engage in any form of harassment, discrimination or inappropriate verbal or physical conduct against another person which is based upon that person’s race, color, religion, sex (including pregnancy), national origin, age, disability, genetic information, marital status, political affiliation, or sexual orientation, or in retaliation for reporting same. Such behavior undermines the Town’s objective of maintaining an environment free of discrimination and is, therefore, strictly prohibited.

All employees are responsible for ensuring that they adhere to the policy set forth in this operating procedure. All managers and supervisors have a duty to ensure that the objectives of this policy are met.

An applicant or employee who feels that he/she was discriminated may file a complaint with the Assistant Town Administrator who has been designated as the Equal Employment Opportunity (“EEO”) Officer for purposes of this operating procedure. The EEO Officer is responsible for the investigation of any employment discrimination complaints reported in accordance with this operating procedure. Any questions regarding this procedure are to be directed to:

Macciano Lewis
Assistant Town Administrator- Town of Davie
6591 Orange Drive
Davie, Florida 33314
954-797-2099
TODEEOOffice@davie-fl.gov

In the event a supervisor or manager receives a discrimination complaint from an employee, said supervisor or manager must report said complaint to the EEO Officer within 48 hours and advise the employee of same.

Non-Retaliation

[See TODOP 20-006 for additional information](#)

Retaliation against employees who file a discrimination complaint or assist in any investigation of a discrimination complaint is strictly prohibited. No employee shall be adversely affected in the terms and conditions of their employment, nor discriminated against for filing a complaint or participating in the investigation of a complaint. Any employee found to have retaliated against an employee shall be subject to disciplinary action, up to and including termination.

Procedure for Handling General Complaints

Employees who have a job-related problem or complaint should make every attempt to address the issue at the lowest level of supervision. If the employee and supervisor cannot reach a satisfactory resolution, then the employee should go to the next highest level supervisor. If the problem or concern is with the supervisor, then the employee should address the issue with the next highest level supervisor or manager. If, at any time, the employee wishes to report wrongdoing and is not able to address the matter within the employee's department, the employee should report the problem or concern to the Human Resources Director, Assistant Town Administrator, or Town Administrator. Additionally, should an employee be the subject of a complaint or constituent dissatisfaction, the employee should report the matter to his or her supervisor, not confront the complaining party either orally or in writing, and allow the Town of Davie to address the issue through appropriate supervisory personnel.

Whistle Blowers Act

Section 112.3187, Florida Statutes (F.S.) prevents a public employer from retaliating against an employee who reports to an appropriate Director or Administrator any violations of law by a public employer or independent contractor that create a substantial and specific danger to the public's health, safety, or welfare.

Americans with Disabilities Act (ADA)

[See TODOP 20-007 for additional information](#)

The Town affords people with disabilities the same access to programs, services, and employment provided to all citizens. The Town and any contracted agency or individual that is a recipient of the Town's funding must ensure all meetings, conferences,

hearings, training, interviews, programs, services, and activities are held in facilities that are accessible. All managers and supervisors receive training on compliance activities relating to the ADA. The ADA Accessibility Coordinator, who shall be the Town Clerk, provides guidance in the administration of the provisions of the act and coordinates with each Department to provide necessary training to Town employees, managers and supervisors in the requirements of the ADA.

An internal complaint process provides for resolution of complaints alleging any action prohibited by the ADA. Employees wishing to file an internal discrimination complaint should contact the Assistant Town Administrator who has been designated as the Equal Employment Opportunity (“EEO”) Officer.

Health Insurance and Portability Accountability Act (HIPAA)

HIPAA requires the Town to assure the privacy and confidentiality of protected personal health information of clients and employees. Town employees and volunteers shall not permit the unauthorized disclosure of protected health information except as permitted by law. Each employee and volunteer shall read and comply with Town operating procedures on HIPAA.

Dating Disclosure

[See TODOP 20-008 for additional information](#)

The Town prohibits romantic or sexual involvement between employees in a direct or indirect supervisory relationship—even when such involvement is voluntary and welcomed by both parties. While we have no interest in interfering with employees’ personal lives or their conduct away from the workplace, such behavior can have a negative impact on the work environment.

Accordingly, the Town requires that employees inform Human Resources if they become involved in a personal, non-platonic relationship. Additionally, the Town policy prohibits the employment of employees in positions whereby an employee has supervisory authority over another with whom he or she is engaged in a personal relationship; work in the same firehouse or on the same shift.

The organization strongly believes that an environment where employees maintain clear boundaries between employee personal and business interactions is most effective for conducting business. Although this policy does not prevent the development of friendships or romantic relationships between coworkers, it does establish very clear boundaries as to how relationships will progress during working hours and within the working environment. Individuals in supervisory relationships or other influential roles

are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information and their ability to influence others.

Code of Ethics

[See TODOP 20-005 for additional information](#)

The Code of Ethics for public officers and employees serves to promote and protect the integrity of government by prescribing restrictions against conflict of interest as well as establishing a means for disclosure of specified financial interests by public officials. Each employee must be knowledgeable about personal responsibility in these areas. Employees are prohibited from soliciting or accepting anything of personal value that may have the appearance of impropriety or that would influence the discharge of their responsibilities by Chapter 112, Part III, F.S.

The Town of Davie expects all of its employees to remember that they are public employees and to conduct themselves in a manner that exemplifies the Town of Davie, its public officials, fellow employees, and themselves. This policy will be in direct compliance with the 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 Town of Davie. It is the responsibility of the employee to conduct himself or herself in a professional manner and to adhere to established policies and procedures. Failure to meet government standards and follow established procedures may lead to disciplinary action up to and including dismissal of employment.

Political Activities

[See TODOP 24-005 for additional information](#)

No Town employee may hold or be a candidate for public or political office while employed by the Town without written authorization and written approval by the Town Administrator or designee.

No employee can use the authority of his or her position to secure support for, or oppose any candidate, party or issue in an election or affect the result of that election. No employee can use any promise of reward or threat of loss to encourage or coerce any employee to support or contribute to any political issue, candidate or party.

Employees may express opinions on candidates or issues and participate in political campaigns only during off-duty hours. No employee can take part in any political campaign while on duty, in uniform, or while wearing Town of Davie insignia, or within any period of time during which the employee is expected to perform services for which the employee receives compensation from the Town.

Promotion of Private Business

[See TODOP 24-006 for additional information](#)

Employees are prohibited from promoting or conducting personal or private business for gain or personal benefit within any Town building or property on Town time.

Employees found utilizing Town time, Town equipment, or Town facilities in order to promote their private business or for their own personal gain, will be subject to disciplinary action up to and including dismissal.

Domestic Violence and Workplace Violence

Domestic Violence

Domestic Violence is a workplace issue that affects the safety, health and productivity of all employees. Every employee should become familiar with the Town's operating procedure on Domestic Violence. Domestic violence is a criminal activity, and it is the Town's policy that arrest and criminal prosecution are the most appropriate responses. No employee is exempt, whatever his or her occupation, from the consequences of actions that result in arrest or conviction for domestic violence, the issuance of a permanent injunction or repeat violence injunction.

Employees who are or have been a victim of domestic violence or repeat violence have access to assistance through the Employee Assistance Program (EAP).

Workplace Violence - [See TODOP 20-012 for additional information](#)

The Town is committed to a safe and secure work environment free from threats, intimidation, abusive behavior and violence. Acts of violence, direct or indirect threats, aggressive behavior, or harassment that could lead to violence will not be tolerated. These types of actions create fear and disruption and negatively impact employee security, morale and productivity. In the Town of Davie there is an absolute prohibition against employees carrying firearms or personal weapons onto any Town property, except as may be specifically authorized by law.

Any violation by any employee while in the workplace shall be subject to investigation, and if substantiated, shall be subject to disciplinary action up to and including dismissal.

Each individual is responsible for using safe work practices, following directives, policies and procedures, and assisting in maintaining a safe and secure work environment. Employees are expected to conduct themselves in a professional manner and not engage in conduct or behaviors that may provoke an unsafe work environment.

Employees shall report all incidents to their immediate supervisors at once. If this is not possible for any reason, the employee should contact a higher level supervisor or manager. As a final alternative, an employee may contact the respective Department

Director, Human Resources Director or Risk Manager, or Town Administrator directly. Factual information on behaviors exhibited or verbal threats should be conveyed in addition to time, place witnesses, and other relevant information. **Situations of imminent danger are to be reported directly to law enforcement by calling 911.**

Alcohol and Non-Prescription Drugs

[See TODOP 20-013 for additional information](#)

Reporting to work under the influence of alcoholic beverages, narcotics or hallucinogenic drugs is prohibited. The unauthorized introduction, possession or use of alcoholic beverages, narcotics or hallucinogenic drugs on Town premises or other job-related work sites is prohibited. Lawful possession of legal substances in staff housing is permitted.

Confidential Information and Records

Employees are prohibited from revealing confidential information in Town records to unauthorized persons. Employees must not access unauthorized information for their own gain. Town employees who have contact with personal, exempt and privileged employee information are expected to maintain confidentiality and to handle all information in a professional manner.

Employment Inquiries and References

[See TODOP 21-007 for additional information](#)

All requests for information regarding present or former employees (potential employers, credit institutions, welfare agencies, attorney, and similar individuals or entities) are to be forwarded to the Human Resources Department regardless of whether the inquiry is by telephone or in writing. The servicing Human Resources professional shall have the sole authorization to provide employee information to outsiders.

Human Resources will be responsible for answering all requests for record copying to employees and to outside individuals and/or organizations regarding employee records.

Media Relations

All employees and volunteers of the Town are directed to forward all telephone communications and other media inquiries to the Public Information office.

Technology Use

[See TODOP 24-012 for additional information](#)

Use of Town of Davie computers and communication devices must comply with federal law, Florida law, and Town of Davie policies. Therefore, Town of Davie computers and communication devices may not be used for commercial, profit-making, or political purposes, or to disseminate unsolicited information regarding religious or political beliefs. With the rapidly changing nature of electronic media developing among users of external on-line services and the Internet, the Town's policies cannot provide guidelines for every possible situation. Instead, it expresses the Town's philosophy and sets forth general principles for the use of Internet service and e-mail by all Town of Davie departments.

Town of Davie realizes that e-mail can be an efficient means of communication, similar to the telephone. Therefore, the Town of Davie may allow for the occasional use of e-mail for personal communications. However, this practice shall be limited and shall not interfere with work responsibilities or other Town of Davie business.

The Town sets the following direction for internet and e-mail use:

- Employees should be able to make reasonable personal use of internet and e-mail at lunch and break time on their personal phone or personal computer.
- Employees are not to use internet or e-mail resources for any illegal or inappropriate purpose (for example, viewing or downloading pornography).
- Employees shall not use internet or e-mail resources for any purpose that conflicts with Town policy (for example, operating a personal business or pursuing personal financial gain using Town resources).
- Employees shall not download materials or e-mails that may carry viruses.
- Employees shall not access any sites or services that may use excessive amounts of bandwidth) for example, on-line radio or television for other than work purposes).
- Employees are expected to use their common sense and ask questions if they are not sure about what they may access.

Hardware and Software Procurement

[See TODOP 24-015 for additional information](#)

The Town of Davie's Hardware and Software Procurement policy establishes procedures for the acquisition of computer hardware, software and peripherals that are purchased with Town of Davie funds and connect to the Town's network or require support of Town technology resources.

All requests for computer hardware, software and/or peripherals should be sent to the Technology & Information Management Systems (TIMS) for review.

For purchase of standard hardware or software, TIMS will prepare a quote and seek approval from the requesting department. Upon approval, TIMS will initiate a Purchase Requisition using the requesting department's account code. A request to purchase non-standard hardware or software shall be reviewed by TIMS prior to submission to the Procurement Division.

Computer hardware, software and peripherals not purchased in accordance with this policy shall not be paid for by Town of Davie funds and will not be connected to any device on the Town of Davie network. Any device that is purchased and connected to the Town network without the pre-approval of TIMS shall be removed from the PC and/or the Town network. Non-compliance with this policy may result in disciplinary action.

Information Security

[See TODOP 24-016 for additional information](#)

Information resources, including data, applications, systems, hardware, networks, and software, are valuable assets. These assets are at risk from potential threats such as employee error or other accidents, long-term system failures, natural disasters, and criminal or malicious action. Such events could result in damage to or loss of information resources, loss of data accuracy or integrity, or interruption of business. Information security guidelines address the reduction of risks to electronic information resources through adoption of preventive measures, procedures and controls designed to detect any errors or irregularities that occur.

In terms of general good practice, institutions must be able to rely on the three key aspects of information security – Availability, Integrity, and Confidentiality.

All Town locations have appropriate personnel policies and procedures relative to employees who have physical or virtual access to information technology equipment or the data residing therein. These policies and procedures provide for:

- Use of resources for authorized, sanctioned and approved activities only and sanctions for policy violations.
- Individual unique user logins/passwords.
- Access privileges controlled on applications, databases, documents and email.
- Password security procedures defined and enforced.
- Appropriate protections for systems and applications accessible by remote access.
- Termination of employment (removal of access privileges).

Telephone Use

See [TODOP 24-014](#) and [20-010](#) for additional information

Because a large percentage of our business is conducted telephonically, it is essential for employees to project a professional telephone manner at all times.

Although the Town realizes that there are times when an employee may need to use the telephone for personal reasons, it is expected that good judgment will be used in limiting the length and frequency of such calls. Additionally, no long distance personal calls may be made on Town phones.

Where job or business needs require immediate access to an employee, the Town may issue a business cellular phone to an employee for work-related communications. Some employees may be given a stipend for telephone service and are expected to return calls promptly and to record time worked for such calls (recording of time worked is for employees classified as non-exempt).

Personal Cellular Phones

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for use of Town phones. Excessive personal calls/texts/use of social media during working hours can interfere with employee productivity and can be distracting to others.

Safe Use of Cellular Phones

The Town promotes safe use of cellular phones by encouraging drivers to follow common sense tips to ensure their wireless phone is not a distraction. It is even more important to pay attention to the road and to make driving your first priority; do not use a cellular phone when driving.

Social Media

[See TODOP 24-013 for additional information](#)

The Town of Davie will participate in social media to ensure the Town's official presence and to disseminate information to its customers. Town Administrator approval is required for the Town's participation in social media. Social media provides a new and potentially valuable means of assisting the Town and its personnel in meeting community outreach, problem-solving, investigative, safety and crime prevention, and related objectives. Our policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The Town also recognizes the role that these tools play in the personal lives of some employees. The personal use of social media can have a bearing on all Town employees in their

official capacities. As such, this operating procedure provides information of precautions and prohibitions on the use of social media by our employees.

Employees should be aware of the fact that the use of Town of Davie e-mail, equipment, internet, cellular phone and computer resources may be monitored. Employees should not expect that electronic communications they make utilizing Town resources are private and/or confidential. The State of Florida has very broad public records and record retention laws and virtually all communications made utilizing Town electronic media is subject to the provisions of these laws.

Travel

[See TODOP 21-016 for additional information](#)

Travel will be authorized for official Town business purposes only. All travel subject to reimbursement must be approved in advance by the Department Director to which the travel is to be charged. Reimbursement of travel expenses will be made in accordance with the Town's Budget and Finance policies and the Florida Statutes, Chapter 112.061, and Internal Revenue Code of the United States of America. Travel expenses of travelers will be limited to those expenses necessarily incurred by them in the performance of a public purpose authorized by law. Reimbursement of travel expenses must be requested on the Town of Davie Request for Travel and Final Cost of Travel Form. Travel time will be considered as compensable hours worked for non-exempt employees.

Workplace Safety

It is the policy of the Town of Davie to make every reasonable effort to provide employees a safe and healthy work environment.

Employees are expected to abide by established policies and to practice safe behaviors. This includes:

- Notifying your supervisor when you see unsafe conditions or activities.
- Reporting all witnessed work-related accidents.
- When operating a motor vehicle on Town related business, drive responsibly and protect yourself, passengers, clients, pedestrians from harm that could be attributed to your driving and, to the extent possible, protect the occupants of other vehicles from harm that could be attributed to your driving. This applies to all motor vehicles being used by you, to include Town-owned, leased, rented or employee owned.
- All employees are reminded that they are not to eat, email, text, use cell phones or any electronic device while driving for the Town of Davie. Some positions, such as Firefighters and Police Officers, may require the occasional concurrent

use of an electronic device (for business purposes) while driving. However, it is recommended that all employees pull off the roadway before using an electronic device.

- Participate in safety training required for your job.
- Knowing the emergency fire exit routes, locations of fire extinguishers and Automated External Defibrillators (AEDs), and evacuating the building when the fire alarm sounds.
- Smoking and cooking only in designated areas.

Employee Separation

Separation of employment is an inevitable part of personnel activity within any organization, and many of the reasons for separation are routine. Below are a few examples of some of the most common circumstances under which employment is terminated:

Resignations. See [TODOP 21-013 for additional information](#)

Resignation is the voluntary employment termination initiated by an employee. Employees are expected to notify their immediate supervisor, in writing, at least two weeks before terminating employment with the Town. The employee should also talk with the supervisor and Human Resources about retirement status, insurance programs, unused leave credits and other benefits.

Dismissal.

Dismissal is the involuntary employment termination initiated by the Town.

Layoff. See [TODOP 21-012 for additional information](#)

Layoff is the involuntary employment termination initiated by the Town for non-disciplinary reasons.

Since employment with the Town is based on mutual consent, both the employee and the Town have the right to terminate employment at will, with or without cause during the probationary period for new employees.

Any employee who retires, resigns, or is dismissed from employment with the Town shall return all files, records, keys, identification badges, and any other materials that are the property of the Town. No final settlement of an employee's pay will be made until all items are returned in appropriate condition. The cost of replacing non-returned items will be deducted from the employee's final paycheck. Furthermore, any outstanding financial obligations owed to the Town will also be deducted from the employee's final check.

Employee's benefits will be affected by employment termination in the following manner. All accrued vested benefits that are due and payable at the end of employment with the Town of Davie will be paid. Some benefits may be continued at the employee's expense (see Benefits Section) if the employee elects to do so. The employee will be notified of the benefits that may be continued and of the terms, conditions, and limitations.

Layoff and Employee Transition

[See TODOP 21-012 for additional information](#)

The Town assures its employees that workforce reductions are accomplished without prejudice and that reasonable efforts are made to provide a smooth transition for the affected Regular Service employees. Additionally, the Town will provide placement assistance to affected employees through the Agency for Workforce Innovation.

Reinstatement or Reemployment

See [TODOP 21-014](#) and [21-015](#) for additional information

It is the policy of the Town to provide guidelines for the re-employment or reinstatement of individuals who have left the employment of the Town of Davie. Re-employment/reinstatement is not guaranteed to any individual. It is granted at the sole discretion of the Town Administrator or designee. If the re-employment of an individual occurs within thirty (30) days, there shall be no lapse in benefits (e.g. medical, dental, vision, life insurance, etc.). If the reinstatement occurs on the thirty-first (31st) day or later, he or she will be required to be re-fingerprinted and complete all background checks as if a new employee, including drug testing and/or polygraph requirements if required for the position. If an employee is re-employed within one (1) year, leave accrual rates will be reinstated, however, previous balances will not be restored. Benefits will commence the 1st of the month following thirty (30) days of re-employment. Retirement vesting will continue in accordance with the provisions of the applicable Town of Davie retirement plan and pension board for employees who have not accessed their retirement benefits. Employees who have received any pension payments or DROP payments and have separated from the Town for more than one year shall not be eligible to return to a pension eligible position.

Reinstatement

At the discretion of the Town Administrator, a terminated employee may return to his or her original position if that position is still vacant. The employee's last performance evaluation must be satisfactory and he/she must apply for the position under the same guidelines as outside applicants.

If an employee is reinstated into their previous position within one year of his or her employment end date, his or her rate of pay may be returned to the same level it was when he/she terminated employment. Leave accrual levels will also be reinstated; however, previous balances will not be restored.

EMPLOYMENT IN TOWN GOVERNMENT

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Accepting Employment with the Town and Oath of Loyalty

By accepting employment with the Town, individuals are indicating that they will take appropriate actions to manage their personal affairs to ensure that they report to their assigned work stations drug free, on-time, properly dressed, ready for work and fully prepared to perform their assigned duties at the beginning of each work shift. Being prepared for work includes ready to provide excellent customer service and act courteously toward all employees.

All employees of the Town who are employed by or who are on the payroll of the Town are required to take an oath of loyalty pursuant to Florida Statute 876.05.

Regular Service Employment

[See TODOP 21-003 for additional information](#)

All new employees and all present employees transferred or promoted to a new job shall serve a probationary period of twelve (12) months. Upon completion of the twelve (12) month period the employee will be given a written evaluation. Regular status will be determined based on the outcome. An employee will attain regular status only after the probationary period has been satisfactorily completed.

Volunteer Program

[See TODOP 21-017 for additional information](#)

The mission of the Town of Davie is enhanced by the active participation of citizens of the community. To this end, the Town encourages the involvement of volunteers at all levels of the organization and within all appropriate programs and activities. Town staff is encouraged to assist in the creation of meaningful and productive roles in which volunteers might serve and to assist in recruitment of volunteers from the community.

The Town's Volunteer Program Operating Procedure provides overall guidance and direction to management, staff, and volunteers. These procedures will ensure the productive utilization of volunteers which requires a planned and organized effort.

All Volunteers should be directed to the Human Resources Department or the Town of Davie website, www.davie-fl.gov to fill out a Volunteer Application, which is then submitted to the Human Resources (HR) Department Volunteer Coordinator to be processed. This will provide a central coordinating point for effective volunteer management within the Town of Davie.

Position Descriptions/Classifications

[See TODOP 21-004 for additional information](#)

It is the policy of the Town of Davie that all employees will have accurate, written, and signed position descriptions in their personnel file. Position descriptions will reflect duties of the positions within each department.

Upon original appointment or promotion the employee shall be given probationary status. Employees who are dismissed during the probationary period do not have the right to appeal to the Personnel Board or grieve under the provisions of a collective bargaining agreement.

The Town Administrator, Assistant Town Administrator, Department Directors, and Aide(s) to the Town Administrator are not part of the Regular Service and serve at the pleasure of the Town and are subject to personnel actions at the discretion of the Town Council or Town Administrator as appropriate. These actions are exempt from the Operating Procedure governing the Personnel Board.

All other employees not covered by any collective bargaining agreement who have satisfied their probationary period may be dismissed and review of the dismissal action may be only by the Personnel Board. Seasonal, part-time, and temporary employees are all at-will employees with no right to appeal or grieve any personnel action.

Those part-time employees not covered by a collective bargaining agreement are at-will employees serving at the pleasure of the Town Administrator.

Fingerprinting

All Town employees are required to have a pre-employment security background investigation, including fingerprinting, as a condition of employment. Background investigations are processed through the Florida Department of Law Enforcement and the Federal Bureau of Investigation for state and national criminal records checks. No applicant may begin employment until the background screening results are received, reviewed, and approved by the Human Resources Director. Applicants are advised of this requirement prior to appointment. Any selected applicant who refuses to be fingerprinted will be dismissed from the employment process with the Town.

E-Verify



Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identify and employment eligibility. Former employees who are rehired must also complete the form

if they have not completed an I-9 with the Town within the past three years or if their previous I-9 is no longer retained or valid. The Town is an E-Verify employer. E-Verify is an Internet-based system that compares information from an employee's Form I-9, Employment Eligibility Verification, to data from U.S. Department of Homeland Security and Social Security Administration records to confirm employment eligibility. All applicants for employment regardless of status will be subject to E-verify.

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DEPARTMENT EMPLOYMENT POLICIES

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Arrest and Driving Records

See [TODOP 24-001](#) and [24-002](#) for additional information

Any employee who is arrested or receives notice of possible criminal prosecution, including any violation or infraction mandating a court appearance, must report this to his or her immediate supervisor. Reporting must be done immediately if during normal working hours or immediately on the next business day if after normal working hours. Failure to report an arrest may be cause for discipline up to and including dismissal. Employees must report to their immediate supervisor, Department Director, and the Human Resources Director. Nothing in this section shall abridge any right arising from any collective bargaining agreement.

Employees whose position requires a valid driver's license but their license becomes invalid for whatever reason shall immediately (no later than the employee's next work day) report such status to their supervisor. The supervisor shall notify the Human Resources Department and the Department Director.

Driving without a license is a serious violation of the law, punishable by fine and or incarceration. Town employees who operate motorized vehicles while on duty without a valid license do so at risk to themselves, other employees, and the public. Employees are expected to maintain and carry a valid license when driving.

Employees in such positions who fail to maintain a valid driver's license for any reason will be removed from any driving duties and will be subject to dismissal as a result of inability to perform assigned duties and responsibilities. The supervisor and Department Director should consult with the Human Resources Department to determine the appropriate action to take given the specific circumstances, such as, how long the employee will be without a license, whether there are other employees who are available to drive, the workload, etc. Dismissal may be necessary to meet operational requirements, but efforts may be made by the Director, Town Administrator and/or Human Resources Department to assist an employee in finding alternative employment, which the employee qualifies for, if there are vacant positions available.

Employees are to notify their supervisor in writing if they are issued any traffic citation while driving for the Town.

Red Light Camera Infractions

[See TODOP 24-003 for additional information](#)

Town employees are expected to adhere to all laws of the road at all times. The Town employs numerous red light cameras within the confines of the Town. The red light camera will take a picture of vehicles that travel through a red light. If the vehicle is registered to the Town or is determined to be assigned to a Town employee, the infraction notice will be sent to the appropriate Department Director to address. If an

employee is responsible for the infraction, he or she may be disciplined for violation of the Town's Standards of Conduct. Employees receiving red light camera infractions outside the Town, in the performance of their job duties, may also be subject to discipline.

Employment Outside the Town of Davie

[See TODOP 24-004 for additional information](#)

Town employees who want to have an additional job outside the Town of Davie must ensure the second job does not interfere with his or her ability and availability to perform assigned work for the Town, including overtime requirements. In addition, the additional employment shall not constitute a conflict of interest as outlined in Chapter 112, Part III, F.S., or require the use of Town space, personnel, time, equipment or supplies.

Any employee who is considering additional employment outside the Town shall review the Town's operating procedure, comply with requirements and discuss the outside employment with their immediate supervisor in conjunction with the Town Administrator's designee. Prior to accepting additional employment, an employee is required to complete an Additional Employment form. Any completed form shall be placed in the personnel file.

Employment of Relatives

[See TODOP 20-009 for additional information](#)

"Immediate family member" shall include: mother, father, son, daughter, sister, half-sister, brother, half-brother, uncle, aunt, first cousin, nephew, niece, spouse, father-in-law, son-in-law, mother-in-law, daughter-in-law, sister-in-law, brother-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister or any legally recognized ward.

A public official may not employ, promote, advance or advocate any individuals who are members of his or her immediate family to a position or other employment in this Town over which the official exercises jurisdiction or control.

No family member may be employed or appointed to a position that is under line authority of another immediate family member. Employees who marry while employed by the Town are required to comply with these provisions.

Employee Supervision

[See TODOP 20-003 for additional information](#)

It is the policy of the Town that all employees will have one supervisor. The supervisor represents the link between employer and employee(s). The supervisor's role is to communicate the goals and policies of management to the employees under his or her supervision and to communicate to management the attitudes, suggestions, and concerns of employees.

The work performed by employees of the Town of Davie shall be assigned, directed, and reviewed by supervisory personnel.

Assignment of Town Property

Upon employment, an employee may be issued an identification card, credit card, keys, pager, cellular telephone and other Town property. These items are for official Town business only and are the property of the Town. An employee may not transfer use of Town property. When the employee leaves the position, he or she must return all Town property to the immediate supervisor or the Human Resources Department. Supervisors must ensure these items are returned by the employee's last day of work. Failure to safeguard property may result in disciplinary action.

Dress Code

See [TODOP 24-008](#) and [24-009](#) for additional information

Employees are expected to be neat and clean in appearance and to dress in appropriate business attire for office, customer and public contact, consistent with the type of work to be performed. Latitude is allowed for employees to keep current with styles and trends regarding hairstyles, facial hair or jewelry, but dress and personal appearance must be maintained at a professional level to meet the public. It is recognized that some departments may require or prohibit certain types of clothing to be worn for health, safety, or security reasons.

Employees should refer to the Dress Code Operating Procedure and department guidelines for guidance and expectations. Employees should be aware that the IRS mandates that uniforms which can be considered "street clothing" are taxable as a benefit to employees.

Alcoholic beverages shall not be purchased or consumed while in a Town uniform, even off duty.

Employees are expected to carry their Town issued Identification Badges at all times while on duty. Department Directors may, for the purpose of security or safety, require

any or all employees within their department to wear a name badge and/or designate areas where name badges or visitor tags may be worn by all individuals entering that area.

Smoking

[See TODOP 24-011 for additional information](#)

Individual(s) working in or visiting the Town's buildings or other space occupied by the Town are entitled to an environment that is free of tobacco smoke. Smoking is prohibited in all indoor environments in any building or any vehicle owned, leased, or occupied by the Town. Certain outdoor areas may be designed as smoking areas and are identified by the presence of tobacco waste receptacles. The Town has designated certain work areas as "Smoke-Free." Such areas provide tobacco free environments for employees, residents and visitors. Smoking is prohibited in all designated "Smoke-Free" areas. Question regarding the smoking policy should be addressed to the Human Resources Department. See "work breaks" for time when smoke breaks are appropriate.

Solicitation

[See TODOP 24-007 for additional information](#)

Employees are prohibited from soliciting funds or services, selling tickets, distributing petitions or literature for any purpose other than official business, excluding the Town approved charitable campaigns, on Town property or at any other place while on duty. Employees are permitted to solicit and distribute literature or materials during their free time (non-working hours) provided such solicitation is not in work areas and does not involve other employees who are working. Non-work time includes lunch periods and rest breaks.

Customer Relations

[See TODOP 20-010 for additional information](#)

Employees should always remember that members of the public come first and are entitled to the same thoughtful treatment that the employee would like to receive. Members of the public should always be treated in a polite and courteous manner.

When a member of the public approaches an employee with a question or complaint, the employee will give the matter his or her immediate attention.

GENERAL EMPLOYMENT INFORMATION

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Attendance

Employees are required to be present on their assigned jobs for the total hours in their established workday or work period unless the supervisor authorizes absence from duty. If an employee expects to be absent from work for any reason, he or she must request approval of leave from the immediate supervisor as early as possible prior to the date of the anticipated absence so that appropriate work arrangements may be made to avoid undue hardship on customers and fellow employees.

If for any reason an employee is late or absent without prior approval, the immediate supervisor must be called. When an employee calls in, he or she should state the reason(s) for the absence, type of leave requested, and date and time expected to report back to work. If an employee cannot report back to work on the date and time given, he or she must contact the supervisor again to explain why more leave is necessary.

If the employee fails to contact the supervisor or other appropriate person, the employee is on a leave of absence without pay. Legitimate reasons to keep the employee from making such contact will be considered by the supervisor and Department Director when the employee calls in or returns to work. Absence without authorized leave is cause for disciplinary action.

An accurate daily record of all hours worked and leave taken must be recorded. When calculating hours worked, an employee should round all hours worked and leave taken to the nearest one-quarter of an hour. Falsification of an attendance and leave report is grounds for disciplinary action up to and including dismissal and may also subject an employee to criminal prosecution.

At the end of a pay period, each employee should total his or her work and leave hours, confirm the accuracy of the time submitted. Employees are expected to verify their leave balances periodically to ensure that correct amounts and type of leave were recorded accurately in all Town payroll systems.

Position Descriptions

[See TODOP 21-004 for additional information](#)

Employees are assigned to job classes in accordance with the Town wide pay and classification plans. The classification pay plan will include all classification specifications and pay ranges.

Each position within the Town has a written position description that outlines the position's essential duties and responsibilities and is the basis for performance expectations. Position descriptions are reviewed periodically by the supervisor and updated as necessary to ensure the essential duties and responsibilities are accurately

described. Supervisors may also revise positions descriptions as work needs change. Employees may be asked to assist in this task. Prior to becoming effective, a position description is reviewed and approved by Human Resources classification staff and the Human Resources Director.

Work Schedules

[See TODOP 22-001 for additional information](#)

The work week will begin at 12 a.m. on Thursday and end at 11:59 p.m. the following Wednesday. Those employees who are normally scheduled to work hours that are split between Wednesday and Thursday will split their hours between work weeks. Employees are classified as being full-time when normal work hours are 35 hours or greater per work week. Employees who work 34 or fewer hours per week are classified as part-time. Supervisors are responsible for notifying employees as soon as possible of scheduling changes subject to notice requirements under any collective bargaining agreement.

Meal Periods

[See TODOP 22-001 for additional information](#)

When a meal period is part of the workday, the period must be at least 30 minutes. In some special situations employees may be directed to work during their meal periods. In such instances meal periods are considered time worked. The Town requires all supervisors to provide non-exempt employees a meal period.

Work Breaks

[See TODOP 22-001 for additional information](#)

Full-time employees may be permitted a work break of up to 15 minutes during the first half of the work shift and again during the second half of the work shift. An employee cannot combine, accumulate or use this time to cover late arrival or early departure from duty. Supervisors have discretion and control over the terms and conditions of their employees work hours. Work breaks are considered time worked and employees and supervisors must ensure this privilege is not abused and does not interfere with established work schedules. Nothing in this provision shall be construed to be inconsistent with any collective bargaining provision governing work breaks. Smoking is limited to official work breaks, lunch periods and other non-work time.

Full-time Regular Service employees work a 37 and one-half hour work week, unless another work schedule is approved. Employees who work shifts must accept the shift assigned. Overtime or on-call service may be needed and in such cases, employees are required to be available.

Employees filling positions designated “included” are paid at the rate of one and one-half times the regular hourly rate of pay of all hours of actual work over 40 hours in the seven-day workweek in accordance with the federal Fair Labor Standards Act. Supervisors should adjust hours of work within the workweek to reduce or eliminate overtime payment when feasible. Nothing in this section should be read to be inconsistent with any pay provisions governing the overtime payment and hours worked as delineated in any current and ratified collective bargaining agreement.

Employees filling positions designated “excluded” are expected to work the hours necessary to fulfill their job responsibilities. Each position within the Town has a written position description that outlines the position’s essential duties and responsibilities and is the basis for performance expectations. Position descriptions are reviewed periodically by the supervisor and updated as necessary to ensure the essential duties and responsibilities are accurately described. Supervisors may also revise position descriptions as work needs change. Employees may be asked to assist in this task. Prior to becoming effective, a position description is reviewed and approved by the Human Resources Department.

Registration, Licensure and Certification

Certain job classifications or work assignments require the maintenance of an active license registration or certification. Each employee is responsible for maintaining the required license (including driver’s license), registration or certification and for notifying the supervisor of any change of status. Failure to maintain the required license, registration or certification, or to notify the supervisor of a change of status, may either result in removal from the job classification or position or in dismissal.

Employment Opportunities

[See TODOP 21-001 for additional information](#)

The Town recognizes the importance of promoting employees within the Town. Employees who are interested in information about Town employment opportunities should review the job opportunity announcements advertised through NeoGov: <http://agency.governmentjobs.com/Davie/default.cfm>

A Town of Davie employment application must be submitted for each position.

If the job classification and position is covered by a collective bargaining agreement, the employee may be eligible to file a request for reassignment, transfer, or promotion through NeoGov. To meet the Town’s needs, staff may be reassigned or transferred to a different position or work location. Notice requirements of any collective bargaining agreement will be met as applicable.

Promotions

[See TODOP 21-010 for additional information](#)

It is the policy of the Town of Davie to encourage promotions, whenever possible, in keeping with professional standards and in the best interest of the Town. Every employee, regardless of race, color, religion, national origin, age, sex, handicap, marital status, or citizenship status as set forth in the Florida Statutes, Chapter 760.01, will have the opportunity for advancement based solely on the individual's abilities and qualifications.

Transfers

[See TODOP 21-009 for additional information](#)

It is the intent of the Town of Davie to provide for the transfer (position movement from one position to another position of equal pay grade) of employees from one job to another, either at their own request or as a result of a decision by management when it is mutually beneficial to the organization and the employee. The Town Administrator may assign an employee to another department when it is in the best interest of the Town.

Demotions

[See TODOP 21-008 for additional information](#)

It is the policy of the Town of Davie to provide Department Directors with the authority to demote employees for just and reasonable cause. The demotion may be in the form of a reduction in pay; and/or a lesser job classification in consultation with the Human Resources Director and Town Administrator.

A regular or probationary period employee, may, because of his or her inability to satisfactorily perform the duties and responsibilities required, be demoted to a job classification with a lower maximum pay rate in the pay grade assigned to such job classification, if such position is available. Such demotion may also be made upon the employee's written request with the approval of the Town Administrator and Human Resources Director.

Demotions may also be made in lieu of layoff or on a voluntary basis at the election of the employee and with the approval of the Department Director and Human Resources Director.

A regular or a probationary period employee may be demoted for violations of the Town's Standards of Conduct, including but not limited to Poor Performance as defined by the Operating Procedure on Disciplinary Actions. Such demotion may be

accomplished by a reduction in the pay rate of the employee's present pay grade or the employee's reduction to a job classification which has a lower pay grade established.

A promoted employee currently serving a probationary period following a promotion may be demoted for inability, failure to meet probationary standards, or discipline. Such demotion shall be in accordance with the appropriate Operating Procedure on Demotion.

Employee Personnel Records

[See TODOP 20-011 for additional information](#)

Each employee's official personnel file and employment information is located in the Human Resources Department.

The personnel records of employees are public records and are open to inspection and copying by anyone who desires access to these files, as provided in Chapter 119, F.S. (Public Records Law). For detailed information about who qualifies for an exemption to public record disclosures, please see Section 119.07, F.S., and other relevant statutes. Exceptions to this law are the home addresses, telephone numbers, and photographs of current or former employees in certain positions that are sworn, certified or otherwise designated by the law. Other exemptions include both the home and employment telephone number and address of employees who are the spouse or child of a current or former employee in a position that is sworn, certified or otherwise designated by the law, as well as the name and location of the day care facility used by the children of such employees. Additional exceptions are provided for other specifically identified persons including some crime victims, in Chapter 119.07 F.S. If you do not fall into one of these categories and you believe you qualify for an exemption from the Public Records Law, please contact Human Resources Department to have your records properly flagged.

The social security numbers of all current and former employees are exempt from public records, as provided by the Public Records Law of Florida and the Freedom of Information Act, Title 5 United State Code, section 552a.

An employee's personal data should be accurate and current at all times.

It is the responsibility of each employee to advise his or her Human Resources Department of any changes to personal data such as:

- Mailing address,
- Telephone numbers,
- Name and number of dependents, and
- Individuals to be contacted in the event of an emergency.

Medical records are exempt from public records, as provided by the Public Records Law of Florida and the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Code of Conduct

[See TODOP 20-004 for additional information](#)

It is the responsibility of the employee to conduct him/herself in a professional manner and to adhere to established policies and procedures. Failure to meet Town of Davie standards and follow established procedures may lead to disciplinary action up to and including dismissal of employment. The Town has a Code of Conduct operating procedure and it applies to all employees employed by the Town. All employees are expected to remember that they are public service employees and to conduct themselves accordingly. The Town expects its employees to comply with the following conduct provisions:

Employees will not act in any manner that may discredit the Town of Davie, its public officials, fellow employees, or themselves. Employees will avoid conduct and speech which may undermine the efficiency and/or reputation of fellow employees and Town departments, divisions, offices, policies, programs, and actions; or that interferes with the reasonable supervision or proper discipline of the Town.

Employees will direct and coordinate their efforts to establish and maintain the highest level of efficiency, morale, and achievement.

Employees will conduct themselves in such a manner that promotes the greatest degree of harmony among various departments/agencies in the Town.

Employees will not make any false statement or certification of these policies, or in any manner, commit or attempt to commit any fraud preventing the impartial execution of the provisions of these policies with regard to employment, promotion, or any other terms or conditions of employment.

Employees found in violation of our Code of Conduct may be subject to disciplinary action up to and including dismissal. All employees are responsible for becoming aware of and familiar with the policies and procedures which govern their employment with the Town of Davie. All Town of Davie policies and procedures as well as this Employee Handbook shall be made available on the Town's intranet.

Training

[See TODOP 21-005 for additional information](#)

- Compliance Training
- New Employee Training
- Supervisor Training
- All Employees Training
- Professional and Leadership Development Training

Compliance Training. As a Town employee, there are training courses that you are required by law, statute, and/or by Department operating procedure or policy to complete. These courses are designed to inform you of your rights and responsibilities while working at the Town.

New Employee Training. Orientation is a formal welcoming process that is designed to make the new employee feel comfortable, informed about the Town, and prepared for his or her position. All new employees of the Town are required to complete a three phase orientation process.

Phase I is an introductory orientation session. This session introduces new employees to the Town, its Mission, Vision, Values, and Strategic Priorities. It allows new employees to review and sign required forms, receive information on the new employee process and complete required training.

All employees must attend a general orientation in Human Resources which includes an orientation to the organization as well as a benefits orientation, when applicable.

Phase II is the Work-Unit Orientation. The new employee's supervisor will complete the Work-Unit orientation with the new employee, which includes a verification that Phase one was completed. Also, employees are presented with all codes, keys, and procedures needed to navigate within the workplace. The new employee's supervisor then introduces the new hire to staff throughout the organization, reviews their job description and scope of position, explains the Town's evaluation procedures, and helps the new employee get started on specific functions. Work-Unit orientation enables new employees to learn their assigned jobs and to develop the skills required for efficient job performance.

Phase III is department-required training. The respective department or local training coordinator will provide details about additional requirements.

All employees are encouraged to take advantage of available Town opportunities for professional development.

Employees will be asked to participate in continuing education and training programs when such instruction is considered necessary for satisfactory job performance.

Performance Evaluation Program

[See TODOP 21-006 for additional information](#)

It is the policy of the Town of Davie that all employees have a clear understanding of the responsibilities of their current position and that an evaluation of those responsibilities is done in a timely, fair and equitable manner and that evaluations are conducted on at least an annual basis. Probationary employees should expect evaluations will be conducted for each new probationary employee at the completion of three (3), six (6), and nine (9) months of the probationary period, and upon completion of the twelve (12) month mark. Employees should receive an annual appraisal measuring his or her ratings on core and job specific performance standards including any deficiencies noted during the appraisal period.

The performance of each employee is the key to the overall success of the Town in carrying out its programs and mission. Employee performance is evaluated periodically during the year. Employees are given specific performance expectations. Performance planning is designed to not only measure current performance but to also improve continued job performance, enhance communication and create more efficient and effective work-units and programs, increasing productivity within the Town.

Reclassifications

[See TODOP 21-011 for additional information](#)

It is the intention of the Town of Davie that departments assign work within the scope of allocated positions and their classifications. However, when a position's duties change or will change substantially due to the operational needs of the department or for other reasons beyond the control of the department, the job will be re-evaluated by Human Resources and a determination will be made whether the position needs to be classified to another grade/title. Reclassifications that do not result in any additional budget impact will need to be approved by Human Resources in accordance with the reclassification process. In addition, a current job description will need to be developed and/or updated and must be kept on file in Human Resources. Reclassifications that will result in an increase to the budget will need to be approved by Human Resources, Town Administration, and the Town Council.

COMPENSATION

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Compensation

The Town expects all employees have their paychecks directly deposited to their financial institution by means of Electronic Funds Transfer as a condition of employment. Employees must enroll in Direct Deposit within 30 days of employment. The Budget and Finance Department shall assist employees who may have difficulty in obtaining a direct deposit account.

Definitions:

“Employees”

An “employee of the Town is a person who regularly works for the Town on a wage or salary basis. “Employees” may include exempt, non-exempt, regular full-time, regular part-time, and temporary persons, and others employed with the Town who are subject to the control and direction of the Town in the performance of their duties.

“Exempt”

The Fair Labor Standards Act (FLSA) is the federal labor law that covers minimum wage provisions, overtime pay, the Equal Pay Act, child labor laws, and other employment laws. For further information, you are directed to <http://www.dol.gov/dol/asp/public/programs/handbook/minwage.htm>. Employees whose positions meet specific criteria established by the FLSA and who are exempt from overtime pay requirements shall be classified as exempt.

“Non-exempt”

Employees whose positions do not meet FLSA criteria and who are paid one and one-half their regular rate of pay for hours worked in excess of 40 hours per week. Nothing in this section shall prohibit a supplement to overtime rate of pay pursuant to a collective bargaining agreement.

Salary Deductions

Federal withholding tax, Medicare and Social Security contributions are withheld from the salaries of all employees. Voluntary miscellaneous deductions for employees may include such things as insurance plans, credit unions, deferred compensation, and dues to certified organizations, charitable campaigns, and medical and dependent daycare reimbursement accounts. Other deduction plans may be implemented with approval by both the Human Resources Department and Budget and Finance Department. Child support payments and other court-ordered deductions are implemented as ordered.

Some employees with dependents and limited incomes may be eligible for an Earned Income Tax Credit, resulting in a reduction of federal withholding tax. Employees with questions should contact the Budget and Finance Department, payroll division.

Employees may access their Employee Earnings Statement at E-Suite located at <https://esuite.davie-fl.gov/eSuite.HR.Portal/> . It is important that each employee verify the deductions from his or her salary from the Employee Earnings Statement, immediately report any errors, questionable deductions or non-deductions to the Human Resources Department, since failure to do so could result in the loss of benefits.

Regular Pay is received for scheduled hours worked when an employee actually works those hours. The scheduling of work is the responsibility of the department, division, or area in which the employee works. The Town recognizes that there may be situations and circumstances where modified work schedules would be beneficial to employees and to the Town. The supervisor may also consider an employee's request to vary the eight-hour work day schedule (arrival/departure). An employee should consult with the supervisor or the Human Resources Department for more information regarding flexible work schedules.

Employees in positions that are classified as being exempt according to Fair Labor Standards Act will be compensated on a salary basis and are therefore not entitled to call-out or overtime pay. Of course, salaried employees are expected to work in an amount necessary to accomplish Town objectives and may be requested to work beyond 80 hours in a pay period without additional compensation. Some salaried employees may be entitled to extraordinary pay during leave for disasters or other emergency conditions.

Employees in positions that are classified as non-exempt according to the Fair Labor Standards Act are compensated on an hourly basis and are therefore entitled to call-out, and overtime pay. Overtime must be approved in advance of the work performed.

Shift Rotation

[See TODOP 22-001 for additional information](#)

Whenever a shift rotation occurs, no employee shall work a double shift unless, in the sole discretion of the Department Director or designee, it is deemed absolutely necessary. Employees rotating from one shift to another shall be entitled to at least eight (8) hours of off duty time before returning to work.

Tardiness

[See TODOP 22-001 for additional information](#)

Employees are expected to faithfully observe their working hours, report for work on time, and be regular in attendance. However, each employee shall be allowed up to two (2) occurrences of tardiness of no longer than six (6) minutes per occurrence, during a twelve (12) month period with no disciplinary action.

Administrative Leave for Inclement Weather

[See TODOP 22-001 for additional information](#)

If there is an inclement weather day which interferes with operations of a department/division or unit, the supervisor will determine if employees remain at the work site or be reassigned to other duties/functions, or be allowed to go home, utilize vacation leave or other paid leave, and receive the appropriate compensation and adjustment to leave balance; or be allowed to go home and be placed on leave without pay.

Overtime

[See TODOP 22-002 for additional information](#)

It shall be the policy of the Town of Davie to compensate employees in accordance with the Fair Labor Standards Act for hours worked over forty (40) hours in a work week; and for such time declared as overtime pursuant to any collective bargaining agreements. Overtime pay will be at the rate of one and one half times the regular rate of pay for each hour worked in a work week in excess of forty hours.

All overtime, regardless of the amount, must be approved in advance by the Department Director or designee.

Holidays that fall during an employee's normally scheduled workweek and are not worked will be used in the calculation of the overtime rate of pay. In the case where an employee works on a holiday, either the holiday pay or the actual hours worked, whichever is greater, will apply towards the calculation of overtime, but not both, i.e. in the case where an employee works on a holiday, they will be paid Holiday Pay, and their overtime rate of pay. Jury Duty will be used in the calculation of overtime; however, vacation and sick leave hours will not be used in calculating the overtime rate of pay. Holidays that fall on days the employee is not normally scheduled to work and the employee does not work, the holiday will not be used in calculation of the overtime.

To the extent possible, the Town agrees to distribute overtime in an equitable manner, among qualified unit personnel normally assigned to perform such assignments.

Supervisors can direct employees to work overtime; however, supervisors shall reconsider such request if a family emergency exists. However, in no event can an employee refuse overtime if the Town Administrator, Department Director or designee, determines such overtime is necessary to meet operational requirements with the exception of pre-approved Family Medical leave as defined by the Family Medical Leave Act.

Call-In Pay

[See TODOP 22-002 for additional information](#)

For any non-exempt employee who gets “called in”, there will be a minimum of three (3) hours of call in pay for any employee who is called to work outside his/her regularly scheduled hours of work.

Nothing in this section shall abridge any right under any Collective Bargaining Agreement (CBA).

The Pay Plan

[See TODOP 22-003 for additional information](#)

It is the intent of the Town of Davie to maintain a Pay Plan which shall provide the basis of compensation for employees. The Pay Plan takes into account the following:

- Relative difficulty and responsibility existing between the various jobs.
- Prevailing rates of pay for similar types of work in private and public employment.
- Availability of candidates for recruitment to the various jobs.
- Economic conditions of the area.
- Financial policies of the Town of Davie Town Council.

Acting Assignments and Classification Pay

[See TODOP 22-004 for additional information](#)

It shall be the policy of the Town of Davie to compensate employees who take on the responsibilities of a higher level position for an interim or temporary period of time.

When an employee is given additional responsibilities which are anticipated to last more than thirty (30) consecutive workdays, the employee may receive supplemental payment of up to 5% of his or her base rate for the duration of the temporary or interim assignment. Temporary pay increases above 5% must be approved by the Town Administrator or designee. Nothing in this provision shall be read inconsistent with any collective bargaining agreement provision on Acting Assignments.

All interim or temporary assignments of this nature will have a beginning date and an ending date and shall last no more than six (6) months. When the assignment ends, the supplemental payment will cease.

Emergency Pay and Reporting

[See TODOP 22-005 for additional information](#)

Employees who work during an “emergency” may be eligible to receive emergency pay in accordance with the Town Operating Procedure for Leave for Disasters and other Emergency Conditions. All employees of the Town of Davie may be required to work before, during, or after an emergency. All employees are required to call their Supervisor, Department Director, or employee hotline (954) 797-1116 in order to receive instructions on where and when to report. Employees who fail to contact one of the above during an emergency will be subject to immediate disciplinary action up to and including dismissal.

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EMPLOYEE BENEFITS

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Bereavement Leave

[See TODOP 23-001 for additional information](#)

Regular full-time employees shall be granted three (3) days bereavement leave, in accordance with this policy, for death of a member of the employee's immediate family, or up to five (5) days to attend the funeral/memorial services for a death of an immediate family member outside of the State of Florida. Immediate family shall be defined as spouse, parent, child, grandparent, grandchild, sister, brother, legal guardian, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, fiancé, niece, nephew, stepparent, stepchild, registered domestic partner pursuant to Broward (or applicable) County ordinance or any relative living in same household at time of death or otherwise approved by the Town Administrator or designee.

The Town reserves the right to require documentation supporting all approvals of bereavement leave after an employee returns to work.

Civil Leave

[See TODOP 23-002 for additional information](#)

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 the Town will be granted civil leave and given time off with pay for the actual time spent on jury duty or court appearance.

Employees subpoenaed to court as a witness for reasons not connected to their official position with the Town are not eligible for civil leave. Time used will be charged to employee's vacation or PTO leave or granted as leave without pay. Nothing in this provision shall modify any right established under any collective bargaining agreement.

Military Leave

[See TODOP 23-003 for additional information](#)

Absence for military service will be granted pursuant to the provisions of Section 115.09, 115.14 and 250.48, F.S. All such absences must be verified by official orders or appropriate military certification. The orders and other supporting documents must be submitted to the supervisor and/or the servicing Human Resources Department.

Active Military Service. An employee called to active duty will automatically continue coverage in any benefit plans the employee was enrolled in at the time of reporting for active duty, unless coverage is cancelled by the employee. For health insurance and basic life insurance, dental and short-term and long-term disability, the Town will

continue to pay its share of the premiums for coverage (if covered at time of deployment).

The employee will continue to be responsible for payment of the employee's share at the same level prior to starting active duty. The employee's payments will continue to be effected through continued payroll deductions or by personal check or money order.

Reservists called to active military service must notify the Town within ninety (90) days from the date of discharge from active service. The employee, or their authorized representative, is responsible for notifying the Town of the last day of active duty.

The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects the job rights of our (including part-time and probationary employees) who voluntarily or involuntarily leave employment positions to undertake military service. Further information regarding employment and reemployment rights under USERRA can be found on the Department of Labor's Web site at:
<http://www.dol.gov/compliance/laws/comp-userra.htm>.

Military Reserve Training and National Guard Leave. An employee, who is a commissioned reserve officer or reserve enlisted personnel in the United States military or naval service or member of the National Guard, is granted administrative leave on all days during which the employee is engaged in military training, in accordance with Section 115.07, F.S. Whether continuous or intermittent, this leave with pay shall not exceed 240 working hours in any one annual period beginning on January 1 and ending December 31.

Family Medical Leave Act (FMLA)

[See TODOP 23-004 for additional information](#)

The FMLA is a federal law that entitles eligible employees, including contract staff, up to 12 weeks of job protected leave in a twelve (12) month period for certain specified family and medical reasons. The Town's twelve (12) month period is measured prospectively from the date the employee's FMLA leave starts.

Eligibility Requirements. Employees who have been employed by the Town for at least a total of twelve (12) months, and have worked for at least 1,250 hours over the prior twelve (12) months are eligible for FMLA leave.

Eligible employees receive up to twelve (12) weeks of unpaid job-protected leave during a rolling 12-month period, for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's newborn child, or due to a recent placement of a child for adoption or foster care;

- To care for the employee's spouse, son or daughter, or parent, who must have a serious health condition; or
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job.

Military Family Leave. Eligible employees with a spouse, son or daughter, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their twelve (12) week leave entitlement for certain qualifying situations. Qualifying situations include attending certain military events, arranging for alternative childcare, handling certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered service member during a single twelve (12) month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness, incurred in the line of duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy or the service member is in outpatient status or is on the temporary disability retired list.

Definition of Serious Health Condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider, or based on one visit to a health care provider and a regimen of continuing treatment, or incapacity due to pregnancy or a chronic condition. Other conditions may meet the definition of continuing treatment.

Employee Responsibilities. In all cases, employees must make a written request for FMLA leave. The request must state the reason(s) for the leave, the duration of the leave, and the starting and ending dates of the leave. Employees must provide thirty (30) days advance notice of the need to take FMLA leave when the need is foreseeable. When thirty (30) days notice is not possible, the employee must provide notice as soon as practicable and must comply with the Department's normal call-in procedures. The Department may place an employee on FMLA when it is known that the employee meets the requirements for FMLA.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Department if the requested leave is for a reason for which FMLA leave was previously taken or certified.

A request for leave based on the serious health condition of the employee or the employee's spouse, child or parent must be supported by medical certification completed by an approved health care provider. The certification must state the date on which the health condition began, the probable duration of the condition and an estimate of the length of time the employee will need to be away from the workplace. The certification must state that the employee cannot perform the essential functions of his or her job or that their presence is required to care for a family member.

Employees also may be required to provide a certification and periodically a recertification supporting the need for leave. Also, employees may be required to provide a fitness-for-duty medical certification prior to returning to work.

Use of Leave. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to disrupt the Town's operations. Leave due to qualifying situations may also be taken on an intermittent basis.

Employees must use all of their sick leave, vacation leave and any other applicable Town leave during the course of the FMLA. When the duration of the leave is known, with approval of the Human Resources Director or designee, vacation, sick time, and other leave may be stretched out over the course of the entire leave in order to cover insurance benefit premiums during the twelve (12) weeks of FMLA. Use of the paid leave (i.e. sick, vacation, etc.) will apply toward the twelve (12) week entitlement and is not in addition to this entitlement

Benefits and Protections. During the approved period of family or medical leave the employee continues to be covered under the Town's insurance plans under the same conditions and coverage as would have been provided if the employee had been actively employed during the leave period. To maintain health care coverage, the employee must make the appropriate premium payments. The employee will return to work to the same or an equivalent position with equivalent pay, seniority, benefits and other terms and conditions of employment when the leave period ends.

Donation of Leave Time. If any employee has exhausted all accrued leave time and any available rights to a leave bank for leave which meets the eligibility criteria of the Family and Medical Leave Act, a fellow employee may donate accrued leave time to said

employee, provided the donating employee retains forty (40) hours of vacation and forty (40) hours of sick leave for his/her own personal use. The donated accrued leave will be converted, on a cash value basis, to sick or vacation leave, using the applicable conversion rate, for the employee to whom it is donated on a cash value basis. Donated leave will be used by the employee in the order in which it was donated. Any unused donated leave will be returned to those employees whose donated time was not used. The employee receiving donated leave shall be required to provide appropriate documentation supporting the purpose and duration of said leave. Donated leave will be counted against the employee's twelve (12) weeks of FMLA, if applicable. Because employees using donated leave would otherwise be in an unpaid status, employees using donated leave may not accrue additional paid leave. Employees using donated leave will be required to pay group health insurance premiums if donated leave extends for more than one month beyond paid family and medical leave. Donated annual leave may be used for any leave which meets the eligibility criteria of the FMLA. Donated sick leave may be used only for situations in which the employee could use his/her own sick leave.

For each instance of an employee's need for such leave, an employee may utilize donated leave for up to twelve (12) weeks. In exceptional cases involving an employee who has a very serious illness or injury, the Town Administrator or designee may, in his/her sole discretion, grant extensions for use of donated leave up to six months from the date the employee first began utilizing said donated leave. Additionally, with the approval of the Town Administrator or designee, an employee may use donated leave (subject to the six month year time limitation stated above) in the event an employee's spouse, child or parent suffers a catastrophic illness or injury that requires the employee to be absent from work to care for said spouse, child or parent.

If an employee is receiving employer-provided disability payments or applicable workers' compensation wage loss benefits, donated leave shall only be used as a supplement to provide the ill or injured employee with his/her regular pay. In addition, donated leave may not be used by an employee when light duty was offered by the town and refused by the employee.

Personal Leave

[See TODOP 23-005 for additional information](#)

Regular employees, having satisfactorily completed the initial one year probationary period, may be granted personal leave without pay for a period not exceeding six (6) months, provided that the Department Director deems such leave to be justified and not detrimental to the operations of the department. Personal leave, if approved, will run concurrent to any approved FMLA and the total leave shall not exceed six (6) months. In exceptional cases, leave may be extended, upon approval by the Department Director and the Director of Human Resources.

Sick Leave

[See TODOP 23-006 for additional information](#)

Sick leave is provided so that an employee will not suffer financial loss if the employee is unable to work because of illness or physical incapacity. Employees should not regard sick leave in the same manner as annual vacation leave. All regular full-time and part-time employees shall be eligible for and begin earning sick leave with pay. All regular full-time forty (40) hour employees shall earn sick leave at a rate of three and sixty-nine one-hundredths (3.69) hours biweekly. Employees may not utilize sick leave until the completion of three months. Sick leave may be accumulated up to a maximum of one thousand forty (1,040) hours. Regular part-time employees working at least twenty (20) hours per week shall accrue sick leave on a pro rata basis. Sick leave for regular part-time employees may be accumulated up to a maximum of five hundred twenty (520) hours. In the case of an extended illness where an employee has exhausted accrued sick leave, accrued vacation leave may be taken. Sick leave may be granted for the following reasons: Personal illness or physical incapacity of the employee resulting from causes beyond his/her control, illness or physical incapacity of a member of an employee's household or immediate family (spouse, child) that requires the employee's personal care and attention, enforced quarantine of the employee in accordance with health regulations imposed by the health authorities of the town, county, or state; or for the employee to attend a doctor or dentist appointment. Additionally, while on family and medical leave, sick leave may be granted when it is requested by an employee to care for his/her newborn, newly adopted child or placement of a foster child.

An employee in good standing at the end of his or her employment with the Town, either by resignation or layoff, shall be given the monetary value of fifty (50) percent of accumulated sick leave, and at retirement, the monetary value of seventy-five (75) percent of accumulated sick leave. In the case of a disability retirement, the employee shall be allowed to use up all accumulated sick leave and or vacation leave before the effective date of the disability retirement. No compensation for accrued sick leave shall be paid to employees who are dismissed for cause unless otherwise approved by the Human Resources Director.

Nothing in this section shall modify any collective bargaining agreement providing a greater amount of sick leave.

Vacation Leave

[See TODOP 23-007 for additional information](#)

All regular full-time and part-time employees will begin accruing vacation leave upon hire; however, employees may not use vacation time until they have successfully completed six (6) months of employment. Vacation leave may be granted by the Department Director in conformance with rules established in this policy. All

departments are required to maintain records of any absence from duty of their employees pursuant to the State of Florida Records Retention Schedule. All regular full-time employees are eligible for and begin earning vacation leave with pay as outlined below; however, an employee may not take vacation leave until the employee has completed six (6) months of service. Part-time employees working at least twenty (20) hours per week shall be eligible for leave credit earned by full-time employees on a pro rata basis.

Employees who work at least 40 hours per week with less than five (5) years of service accrue three and eight one-hundredths (3.08) hours biweekly, or ten (10) working days (eight-hour days) per year. Employees who work at least 40 hours per week have completed five (5) but less than ten (10) years of service accrue four and sixty-two one-hundredths (4.62) hours biweekly, or fifteen (15) working days (eight-hour days) per year. Employees who work at least 40 hours per week and have completed ten (10) years of service accrue six and fifteen one-hundredths (6.15) hours biweekly, or twenty (20) working days (eight-hour days) per year.

Vacation leave shall be cumulative; however, at the end of the fiscal year, and employee's vacation leave balance up to an amount equal to the amount of vacation leave hours accrued during that fiscal year shall be transferred to the following year. Employees with accrued vacation leave in excess of eighty (80) hours and who have utilized at least eighty (80) hours of leave time during the fiscal year, may be allowed to make an election during one month of the year (at the discretion of the Town Administrator or his or her designee) to sell the excess vacation leave time back to the Town, subject to available funds. An employee may request the Town Administrator or designee to provide an extension of those hours above the amount set forth herein for a period not to exceed twelve (12) months. All time sold will be deducted from the vacation time accumulation.

Employees retiring or resigning voluntarily who give reasonable notice of their intention to end their employment, and who have not taken their accrued vacation, may elect to either take their accrued vacation or be compensated for its value as of the employment end date, provided they have completed six (6) months of service. No compensation for accrued vacation shall be paid to employees who are dismissed for cause.

Paid Time Off (PTO)

There are some employees within the Town who receive a bank of hours commonly referred to as "PTO" rather than vacation and sick leave and the use, accumulation, and payment upon separation for those hours are determined by collective bargaining agreement. Those individuals should reference the appropriate collective bargaining agreement for further details.

Longevity Pay

[See TODOP 23-008 for additional information](#)

As recognition for long and faithful service to the Town, it is the policy of the Town of Davie to pay employees an annual longevity payment for continuous employment based on the schedule listed below. Longevity pay will continue as long as there are funds available and will be approved by Town Council each year through the annual budget process.

Non-Represented employees who have been continuously employed since on or before July 17, 1991 shall receive a \$2000 longevity bonus to be paid in December of each year. Employees who end their employment with the Town of Davie prior to the longevity amount being paid will receive a pro-rated amount based on their employment end date, relative to the fiscal year ending September 30.

Holidays

[See TODOP 23-011 for additional information](#)

The following are official holidays which will be observed by the Town:

- New Year's Day (January 1)
- Martin Luther King, Jr Day (3rd Monday in January)
- President's Day
- Memorial Day
- Independence Day (July 4)
- Labor Day (1st Monday in September)
- Veteran's Day (November 11)
- Thanksgiving Day (4th Thursday in November)
- Day after Thanksgiving Day (Friday after Thanksgiving)
- Christmas Eve Day (December 24)
- Christmas Day (December 25)
- ½ Day New Year's Eve (December 31)

All regular full-time employees shall receive eight (8) hours off with pay for each observed holiday if in pay status on the day prior to the holiday (hours of pay will be based on the employee's designated work schedule as delineated on his or her position description). Part-time employees may receive time off for a holiday on a prorated basis. When a holiday falls on Saturday, it will be observed on the preceding Friday. When a holiday falls on Sunday, the following Monday will be observed as the holiday. For regular employees in regular positions on a workweek other than Monday through Friday, the Department Director shall designate the work day that shall be observed. Seasonal and temporary employees will not be entitled to holiday pay. In the event that a holiday falls outside the employee's work week, or the employee is required to provide an essential service, and that employee's work week is not Monday through Friday, the

employee shall be compensated by receiving holiday pay. Any employee, whether or not they work on a designated holiday shall receive his/her regular rate of pay. Any employee who works on a designated holiday shall also receive holiday pay at one and one half (1 ½) times his/her regular rate of pay for all hours worked on the holiday. Nothing in this section shall be read to be inconsistent with any collective bargaining provision in currently ratified agreements.

Birthday/Quality Service Day

An employee must have been employed at least one (1) year and must have successfully completed the twelve (12) month probationary period to receive his/her birthday off with pay. The employee shall be able to utilize their birthday on the day of their actual birthday or another day within 60 days following the employee's birthday as mutually agreed by the employee and the Department Director.

An employee who has been employed at least one year, has successfully completed the twelve (12) month probationary period, has no written disciplinary notices, has no at fault accidents, and their overall performance evaluation is "meets standards" or better during the previous fiscal year, shall receive a Quality Service Day. The employee shall be able to utilize the Quality Service Day on a day within the fiscal year in which the Quality Service Day is credited as mutually agreed by the employee and the Department Director.

Deferred Compensation

As part of the Town of Davie benefit options for full-time and part-time employees, the Town offers a tax deferred "employee contribution" investment program to our eligible employees.

It is the policy of the Town to have available a broad range of investment options that have varying degrees of risk of return. The Town of Davie deferred compensation administrator has responsibility for insuring that:

- A variety of reasonable investment options are available.
- The information regarding these options is available to participants.
- The program investments costs are kept to a minimum.

The Town of Davie Deferred Compensation Program is a participant directed investment plan, pursuant to Internal Revenue Code Section 457. Participating employee's best know their retirement needs, time horizons and risk tolerance, therefore they must make their own investment decisions. An employer cannot know these needs or make appropriate investment decisions for the individual.

Joining the plan is easy. You can begin saving toward your retirement today. You may contact your Human Resources Department at anytime to participate or increase deferrals subject to IRS limitations, by contacting (954) 797-1100.

Savings Bonds

The Town of Davie offers the opportunity to invest in savings bonds and other Treasury securities through TreasuryDirect. This convenient and secure web-based system allows you to purchase, manage, and redeem electronic savings bonds online 24/7. Using TreasuryDirect, you can also purchase Treasury marketable securities (bills, notes, bonds, and TIPS) to expand your savings portfolio. After you establish a TreasuryDirect account at www.Treasurydirect.gov, the Town of Davie Payroll Division can establish payroll deposit to fund your account. To learn more about electronic savings through TreasuryDirect, and to take a guided tour of the system, you may visit www.Treasurydirect.gov.

Health, Life and Supplemental Insurance

[See TODOP 23-010 for additional information](#)

Active full-time employees may participate in the Town Group Insurance Program health and life insurance plans, as well as a variety of supplemental insurance plans, including vision, dental, cancer, intensive care, accident, and disability subsequent to fulfilling the Town's eligibility waiting period. Employee premium contributions for these plans may be deducted on a pre-tax basis. Additional tax-savings benefits available to active employees include the Medical and Dependent Care Reimbursement Accounts.

The eligibility waiting period is defined as the completion of thirty (30) calendar days of full time employment.

The effective date of insurance will be the 1st of the month following the completion of the eligibility waiting period.

The Town maintains a Cafeteria Style Plan. Each employee will be given "Benefit Choice Dollars" each pay period to be used to help offset the cost of insurance. If the cost of the employee's insurance exceeds the Benefit Choice Dollar amount, the remainder will be deducted from the employee's pay. If the amount of insurance is less than the Benefit Choice Dollar amount, then that amount may be put into the medical flexible spending account if the employee makes an affirmative election (if the amount is \$10.00 or greater). If the employee makes no election or the amount is less than \$10.00; the employee will be entitled to the overage in an amount no greater than \$5.00 dollars.

Benefit Choice Dollars are not considered income for wage verification and tax purposes.

For coverage information please see provider's materials on the Town website or contact the Human Resources Department.

The Town does make available short-term and long-term disability benefits and ensures they are made available on a non-discriminatory basis to all eligible employees, as defined in the policy/benefit booklet provided by our current insurance provider(s).

The flexible spending program, under section 125 IRS rules, allows employees to set aside and use pre-tax dollars to pay for eligible health, dental, vision or dependent care expenses. The advantage of establishing a flexible spending account is that it allows employees to reduce taxes while increasing spendable income. The types of flexible spending accounts are the Unreimbursed Medical and Dependent Day Care Accounts. Unreimbursed Medical Accounts may be used to pay certain out-of-pocket medical and dental expenses not covered by the insurance plans. The Dependent Day Care Account may be used to pay those costs of dependent care that enable the employee (and spouse, if married) to work. Day care or after-school care expenses for a child under the age of 13 or the care of a spouse or adult dependent incapable of self-care are eligible for reimbursement under this program.

Wellness Program

The Town of Davie has established a health and wellness program designed to educate employees and promote physical and emotional wellbeing. Preventative healthcare is the key to keeping our staff healthy and happy and the Town is committed to consistently meeting that goal. As a result, a health and wellness program has been implemented where each month employees will have the opportunity to participate in a health awareness event. Each event is hosted by a specialist in his or her field such as biometric screenings, stress management and wellness courses, smoking cessation, yoga and an annual employee health and wellness fair.

As part of the wellness program the Town of Davie has partnered up with the American Heart Association's Start! We can fight heart disease and stroke by moving through workplace walking programs. Participating in this program can significantly improve your health. This program is voluntary.

Areas around the Town have been mapped out and are at the following locations:

- **Town Hall** – Start at Human Resources and proceed north around parking lot to rodeo arena, go east on 65th Way (road) and back to Human Resources. One time around = .25 miles.
- **Fire Administration** – Go west on Orange Drive to SW 74th and back = 1 mile

- **Pine Island Multi Purpose Building entrance** – Go around the parking lot. Head south to the yellow tennis sign and back and then 2 times around the parking lot (by the Multi Purpose Building) = 1 mile.
- **Police Department** – Around the lake twice = 1 mile.
- **Housing and Community Development** – From the front door to the last fence for Battens Farm, on Davie Road, and back = 1 mile.
- **Utilities** – The park behind the office has a walking trail and 3 times around the trail = 1 mile.

To join the Start! Walking Challenge, contact the Human Resources Department at (954) 797-1100 and take charge of your health!

Join with people in your department and challenge another department to see who gets the most walking mileage in one month. The Human Resources Department can supply you with the information to chart your progress. You can also register your team and chart your progress at: Startwalkingnow.org

Employee Assistance Program (EAP)

[See TODOP 23-009 for additional information](#)

The Town's Employee Assistance Program (EAP) is a confidential counseling service. This program provides responsive, caring and effective counseling to help balance employees' personal and professional life.

Information on EAP services is available on the Town's Intranet on the Human Resources page. For services contact **Care 24 at 1-888-887-4114**.

All EAP counselors are qualified mental health professionals. The EAP staff is available 24 hours a day, 365 days a year, for counseling, consultation, appointment scheduling, and referrals for all employees regardless of status.

Consolidated Omnibus Budget Reconciliation Act (COBRA)

Federal law (Public Law 99-272 Title X) also known as COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985 as amended) requires that the Town of Davie offer employees and their families the opportunity for a temporary extension of health and dental coverage at group rates in certain instances where coverage under the plan would otherwise end.

Employee's Rights. Employees of the Town of Davie, covered by the Group Health and Dental Insurance Plan, have a right to choose this continuation of coverage due to loss of group health coverage because of a reduction in hours of employment or the termination of employment for reasons other than gross misconduct. If the loss of

coverage is due to gross misconduct, continuation of coverage will not be offered.

Covered Spouse's Rights. The covered spouse of an employee has the right to choose continuation coverage if the loss of group health coverage is for any of the following reasons: death of the employee; termination of the employee's employment for reasons other than gross misconduct or a reduction in the employee's hours of employment; divorce or legal separation from the employee; or the employee becomes entitled to Medicare.

In the case of a covered dependent child of an employee, he/she has the right to continuation coverage if group health coverage is lost for any of the following reasons: death of the employee; termination of the employee's employment (for reasons other than gross misconduct) or a reduction in the employee's hours of employment; parent's divorce or legal separation; the employee becomes entitled to Medicare; or the dependent ceases to be a "dependent child" under the terms of the contract. Children may be covered to the end of the calendar year in which they reach the limiting age of twenty-six.

An employee also has a right to elect continuation coverage if he/she is covered under the plan as a retiree or spouse or child of a retiree, and lose coverage within one year before or after the commencement of proceedings under Title 11 (bankruptcy), United States Code.

Employee's Responsibilities. Under the law, the employee or a family member has the responsibility to inform the Town of Davie of a divorce, legal separation, or a child losing dependent status under the plan. This notification must be made within 60 days of the date of the qualifying event which would cause a loss of coverage. Notice must be in writing, and should be sent to: Town of Davie Human Resources Department, 6591 Orange Drive, Davie, FL 33314.

Continuing Education

[See TODOP 23-012 for additional information](#)

Employees are encouraged to continue their self-development in whatever field they may be employed. Regular full-time employees who wish to take college courses after work hours may be able to have the education expense for such courses reimbursed up to 80% with a limit of \$3,500 per fiscal year for no more than two (2) courses per semester, if there are sufficient funds budgeted and the employee demonstrates success as identified by the Tuition Reimbursement Policy. Additional benefits may be provided to employees under collective bargaining agreement

Take Home Vehicles and Vehicle Allowance

[See TODOP 23-013 for additional information](#)

Some Department Directors or Managers may have responsibility for one or more vehicles which may be utilized by employees within their Department and are responsible for monitoring usage of the vehicles, notifying Risk Management when vehicles are purchased and notifying the Procurement Manager if the vehicle is to be sold.

Town vehicles shall be driven with the utmost care. All traffic laws shall be obeyed and courtesy should be displayed by Town employees when operating these vehicles.

Vehicles shall not leave Broward County unless expressly authorized by the Department Director/Manager or Town Administrator to conduct official Town business.

Other employees with the need to utilize a vehicle while on duty will be:

Assigned a vehicle to use during working hours; or, reimbursed for properly documented mileage for the use of their personal vehicle for Town of Davie business. Employees must comply with the Operating Procedure under the Travel Reimbursement policy to obtain reimbursement. (Employees must maintain a daily mileage log which will be submitted on a monthly basis and which must be approved by the Department Director.)

It shall be the responsibility of the various departments, or employees in cases where vehicles are designated as take-home vehicles, to ensure that scheduled preventative maintenance intervals are followed.

EMPLOYEE ACCOUNTABILITY

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Management Rights

[See TODOP 20-002 for additional information](#)

All employees should understand that the Town of Davie has and will continue to retain, whether exercised or not, the right to operate and manage its affairs in all respects, and to exercise customary managerial functions including but not limited to:

- The right to determine the organization of Town Government;
- To determine and change work hours;
- To transfer employees within departments or into other departments and other classifications;
- To establish and change its policies, guidelines, practices, rules, and regulations;
- To assign duties and direct employees in accordance with the Town's needs and requirements and to carry out all ordinary administrative functions.
- To designate special hours and work rules which may be in conflict with these policies and guidelines for the person performing critical job functions such as Emergency Services or a job that directly affects public health and safety.
- To determine the purpose of each of its constituent departments and divisions;
- To exercise control and discretion over the organization and efficiency of operations of the Town;
- To set standards for service to be offered to the public;
- To direct, assign and supervise the employees of the Town;
- To schedule employees in positions with the Town;
- To suspend, demote, dismiss, or take other disciplinary action against employees
- To increase, reduce, change, modify, or alter the composition and size of the work force, including the right to relieve employees from duties because of lack of work or funds;
- To determine the location, methods, means, and personnel by which operations are to be conducted, including the right to contract and subcontract existing and future work;
- To establish, modify, combine, or abolish job pay positions;
- To determine the method and means for selection for initial hire and for promotions;
- To change or eliminate existing methods of operation, equipment, or facilities; and,
- To formulate, amend, or modify rules, regulations, and procedures.

The Town has the sole authority to determine the purpose and mission of the Town, to prepare and submit budgets to be adopted by the Town Council. Those inherent managerial functions, prerogatives and policy-making rights are not in any way, directly or indirectly, subject to any grievance procedure contained herein.

Standards of Conduct

[See TODOP 24-010 for additional information](#)

Employees within the Town of Davie perform a vast array of functions and deliver a wide variety of services. Some employees perform routine tasks in a safe office environment, while others engage in unpredictable life-threatening situations under the most demanding circumstances. Breach of a particular standard in one context might be less serious, while in another it might result in the loss of life or property. Accordingly, the Town of Davie shall have primary authority and responsibility for managing the conduct of its employees. If the Town of Davie deems it necessary to discipline an employee for violation(s), the Town may impose any discipline up to and including dismissal, taking into account the Town's unique mission and the individual facts and circumstances.

Employee performance deficiencies and breaches of good conduct shall be handled in a timely and equitable manner consistent with Town policies and operating procedures governing Standards of Conduct and any applicable collective bargaining agreement.

Department Directors, Town Administrator direct reports, probationary, part-time (if not covered by a collective bargaining agreement), seasonal, or temporary employees are at will employees and perform at the discretion of the Town Administrator. Those employees covered by collective bargaining agreement who are regular employees may be suspended or dismissed only for cause if so indicated under the respective collective bargaining agreement, which shall include but not be limited to, those items listed herein. All other employees who are not covered by a collective bargaining agreement may be dismissed as long as the action is not arbitrary and capricious as defined by having no factual basis whatsoever, which shall include but not be limited to those items listed below:

Examples under the categories listed below are not exhaustive.

- A. Poor performance. Employees shall strive to perform at the highest level of efficiency and effectiveness; they shall do more than "just get by."
 1. Employees are expected to be reliable and dependable, for example: to show up for work, ready to work, on a reliable basis; to observe established work hours and scheduled appointments; to complete work on time; and to obtain permission before being off work and to schedule leave in a manner that minimizes work disruption.

2. Employees are expected to be effective, for example:
to organize their work; to stay focused on job related activities during work hours; to provide the level of effort necessary to get the job done; to demonstrate willingness and ability to make decisions and exercise sound judgment; to produce work that consistently meets or exceeds expectations; to accept responsibility for their actions and decisions; to adapt to changes in work assignments, procedures, and technology; and to be committed to improving individual performance.

B. Negligence. Employees shall exercise due care and reasonable diligence in the performance of job duties.

C. Inefficiency or inability to perform assigned duties. Employees shall, at a minimum, be able to perform duties in a competent and adequate manner.

D. Insubordination. Employees shall follow lawful orders and carryout the directives of persons with duly delegated authority. Employees shall resolve any differences with management in a constructive manner.

E. Violation of law or operating procedures or policies. Employees shall abide by the law and applicable rules and policies and operating procedures. All employees are subject to Part III of Chapter 112, Florida Statutes, governing standards of conduct, which the Town shall make available to employees. The Town may determine that an employee has violated the law even if the violation has not resulted in arrest or conviction. Employees shall abide by both the criminal law, for example, drug laws, and the civil law, for example, laws prohibiting sexual harassment and employment discrimination.

F. Conduct unbecoming a public employee. Employees shall conduct themselves, on and off the job, in a manner that will not bring discredit or embarrassment to the town.

1. Employees shall be courteous, considerate, respectful, and prompt in dealing with and serving the public and co-workers.

2. Employees shall maintain high standards of honesty, integrity, and impartiality. Employees shall place the interests of the public ahead of personal interests. Employees shall not use, or attempt to use, their official position for personal gain or confidential information for personal advantage.

3. Employees shall protect town property from loss or abuse, and they shall use town property, equipment and personnel only in a manner beneficial to the town.

G. Misconduct. Employees shall refrain from conduct which, though not illegal or inappropriate for a town employee generally, is inappropriate for a person in the

employee's particular position. For example, cowardice may be dishonorable in people generally, but it may be entirely unacceptable in law enforcement officers. By way of further example, people are generally free to relate with others, but it may be entirely unacceptable for certain employees to enter into certain relations with others.

- H. Habitual drug use. The Town shall not tolerate violations of Florida's Drug Free Workplace Act, Section 112.0455, Florida Statutes, or other misuse of mood- or mind-altering substances, including alcohol and prescription medications.
- I. Conviction of any crime, including a plea of nolo contendere and a plea of guilty with adjudication withheld.

The Town is responsible for identifying instances of unacceptable behavior and for taking appropriate action. Before taking corrective action, the Town shall have evidence that the employee failed to comply with a standard or expectation. Each employee shall have reasonable access to a copy of the Town of Davie Handbook. The Town of Davie Handbook shall be electronically posted on the Town of Davie website. In addition to supervisory performance expectations, the Employee Handbook provides the Town's expectations in the Standards of Conduct and indicates the consequences for employees who do not meet those expectations. The employee shall acknowledge receipt and the statement shall be considered to be a part of the employee's official personnel file.

Supervisors and managers must consult with Human Resources before providing a Final Counseling Notice or discipline greater than a written reprimand to an employee (this does not include coaching and counseling memorandums).

When an employee is under investigation by the Town for violation of the Standards of Conduct or statute for which dismissal is a penalty, the delegated authority may place the employee on administrative leave when the employee's absence from the work location is essential to the investigation. Administrative leave may be used only when it is not possible to temporarily reassign the employee to other duties without detriment to the Town's interest. Risk Management must be notified in writing by the delegated authority anytime that an employee is placed on administrative leave while under investigation.

Employees not covered by any collective bargaining agreement may be dismissed with right of appeal only to the Personnel Board. Non-represented employees may not appeal demotions or suspensions.

A regular service employee who is serving a probationary period to which he or she has been promoted may be removed from that promotional position at any time during the probationary period by the delegated authority but must be returned to his or her former position, or a comparable position, if such a position is vacant. If such position is not

available, before dismissal, the delegated authority shall make a reasonable effort to retain the employee in another vacant position. This paragraph does not apply to dismissals for cause, nor does it create a right to "bump" an employee from an occupied position. This provision shall be read so as not to conflict with any collective bargaining agreement in effect prior to the enactment of this policy.

Forms of Discipline.

The following items are not considered discipline.

A. Counseling.

1. Counseling is used to help the employee recognize their failure to meet a performance expectation or conduct standard, accept the standard that is required and understand the consequences of failing to meet the expectation or standard. Supervisors should recognize that, in some instances, counseling might be appropriate; however, counseling should not be considered as an option for serious offenses.
2. Supervisors should be able to recognize a problem when it first begins to develop and immediately begin counseling the employee. Counseling should be constructive and done with a primary view toward helping the employee correct the problem.
3. Counseling is not considered a form of discipline but can be documented. The employee will be required to sign receipt for the documented counseling. If the employee refuses to sign, that refusal should be so noted by the supervisor.

B. Final Counseling Notice

1. A Final Counseling Notice is a personnel action to formally notify an employee of the specific conduct or performance standard violated and to advise the employee that continued misconduct may result in discipline up to and including dismissal.
2. If the employee's failure to meet the Town's Standards of Conduct warrants a Final Counseling Notice, the appropriate authority will notify the employee. Final Counseling Notice must be in writing and supervisor(s) should meet with the employee to advise the employee of deficiencies and necessary corrective action. The employee will be required to sign receipt for the Final Counseling Notice. If the employee refuses to sign, that refusal should be so noted by the supervisor.

Types of Disciplinary Action

[See TODOP 24-010 for additional information](#)

- A. Written Reprimand. This disciplinary action is taken to notify an employee, in writing, of the specific conduct or performance standard that was violated. If the supervisor determines that an employee's failure to meet the Town's Standards of Conduct warrants a written reprimand, the supervisor shall, after consultation with Human Resources:
1. Meet with the employee in private and advise that he or she is receiving a written reprimand;
 2. Cite the specific disciplinary standard(s) that was violated; and,
 3. Discuss the specific incident that prompted the discipline and indicate the corrective action that is expected. The employee will be required to sign receipt for the written reprimand. If the employee refuses to sign, that refusal should be so noted by the supervisor.
- B. Suspension. This is a severe form of disciplinary action to relieve the employee of his or her duties and place him or her on leave without pay. It may be imposed as the first discipline following the commission of certain offenses. If suspension is the initial discipline, care should be exercised to ensure the employee was aware of the seriousness of the offense.
- C. Demotion of Regular Service Employees. An employee may be involuntarily demoted in lieu of counseling or discipline when such demotion is warranted.
- D. Dismissal. Dismissal is the most severe discipline that may be imposed on an employee.

Discipline Process

[See TODOP 24-010 for additional information](#)

The following rule establishes procedures for suspension, reduction in pay, demotion, or dismissal of Regular Service employees who have satisfactorily completed at least a one year probationary period in their current position.

The delegated authority shall provide the employee with written notice of intent to take the action at least 5 calendar days prior to the date such action is to be taken. The notice shall include the Standard(s) of Conduct violated and a description of the facts and identify any documents on which the charges are based.

Subsequent to such notice, and prior to the date the action is to be taken, the affected employee shall be given an opportunity to appear before the Department Director or official taking the action to answer orally and in writing the charges against him or her. The Human Resources Director or designee shall be present.

The delegated authority taking such action shall, in addition to furnishing notice of intent to take such action, furnish the employee with written notice of final action. The written notice of final action shall include the same reasons for taking the action as included in the notice of intent letter. New charges may not be added to the final notice letter unless another written notice of intent letter is provided to the employee.

The written notice of final action shall advise the employee of appeal rights under Section 2-120 of the Code of Ordinance, under any applicable collective bargaining agreement, and under any other applicable statutory provisions, such as Parts I, VI or VII of Chapter 112, F.S. If the employee appeals to the Personnel Board, the request for appeal must be in writing and submitted to the Town Clerk within five (5) days after the effective date of the action. In the event of the dismissal of a Department Director, aide to the Town Administrator, probationary, part-time, seasonal or temporary employee, the action shall not be appealable but be final and binding.

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EMPLOYEE RELATIONS

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Grievances

[See TODOP 20-014 for additional information](#)

For detailed information, employees may either go on-line to the Town's website or contact human resources for a copy of the Town's Rule, regarding the Personnel Board.

An employee whose position is covered by a collective bargaining contract should review the applicable bargaining agreement because the procedure for filing a grievance is different than initiating an action with the Personnel Board.

All Regular Service employees who have satisfactorily completed a 1-year probationary period in their current position have the right to appeal his or her dismissal to the Personnel Board or applicable collective bargaining agreement, if employee's position is covered under any contract. Appeals to the Personnel Board must be filed within 5 business days from receipt of the notice of the action to appeal; appeals under the collective bargaining agreements must be filed within 10 business days from the notice of the action to appeal; but the employee must make only one election and cannot change that election once he or she has proceeded. Some employees may have the right to appeal actions that result in suspension, reduction in pay or demotion pursuant to collective bargaining agreements.

Collective Bargaining

The Town respects the right of each employee to choose or reject membership in, or representation by, an organization in matters of collective bargaining.

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**RISK
MANAGEMENT,
WORKERS'
COMPENSATION &
SAFETY**

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Risk Management Responsibility

[See TODOP 25-003 for additional information](#)

The Town of Davie Risk Management Program is assigned responsibility for the administration of claims on property and liability, workers compensation, and litigated liability and workers' compensation claims. To effectively process insurance reimbursable claims, lines of authority need to be established to assure proper flow of information and decision-making.

All incidents involving damage to Town property, damage to property owned by others, injuries to others, or work-related injury or illness to employees shall immediately be reported to Risk Management.

Additionally, any notice of claim, lawsuit, or summons and complaint received by any department will be forwarded to the Risk Manager within 24 hours of receipt.

Workers' Compensation Leave

[See TODOP 25-001 for additional information](#)

All Town employees and volunteers may be covered by workers' compensation through the Town's self-insured plan should they be injured while on the job.

All employees are required to report work-related injuries to their supervisor as soon as possible and always within 24 hours of the injury/accident or of acquiring knowledge of the injury or accident.

For medical emergencies call 911 and then report the incident to your supervisor. For minor injuries, the employee or volunteer should be treated by the Town's approved medical provider. After an incident is reported, the employee must complete and submit the First Report of Injury form and any relevant department incident forms to Risk Management. If the employee is unable, the supervisor is responsible for completing the First Report of Injury form and submitting it to Risk Management. Once a claim has been filed, the Town's Third Party Administrator will arrange for any additional medical treatment that is necessary or follow up treatment if required. Risk Management will follow-up with the employee if necessary.

Should an injured employee be taken off work for a workers' compensation injury by an authorized doctor for more than one (1) work day or one (1) shift, the employee must notify his/her department of the "no return to work" status prior to the beginning of the next work day. Time loss due to on the job injuries is also classified as authorized Family Medical Leave Act (FMLA) leave time.

Medical Examinations

[See TODOP 21-002 for additional information](#)

Any full-time and part-time employee who has been conditionally offered a regular position, including, but not limited to those being reemployed, recalled or reinstated, may be required to receive a medical examination that includes a drug screening prior to the first day of employment. The examination shall be performed by a physician designated by the Town of Davie.

In addition, it is the intent of the Town of Davie to have employees examined by a physician whenever the Town determines it is in the best interest for the protection of the employees or the Town. All employees are encouraged, but not required, to have physical examinations periodically during their employment and to participate in wellness programs.

Drug-Free Workplace

[See TODOP 20-013 for additional information](#)

The Town's Drug-Free Workplace Policy implements, in part, section 112.0455, F.S., known as the "Drug-Free Workplace Act", and applicable federal regulations under the Federal Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.) The purpose of the policy is to establish and maintain a drug-free workplace. Town employees shall not unlawfully use drugs.

As defined by the Act, "drug" means alcohol, including distilled spirits, wine, malt beverages and intoxicating liquors, amphetamines, cannabinoids, cocaine, phencyclidine (PCP), methaqualone, opiates, barbiturates, benzodiazepines, methadone, propoxyphene, or a metabolite of any of the above substances.

Employees who unlawfully use drugs or who are under the influence of illegal drugs while in the workplace are not suitable for Town employment. Employees who have drug problems are strongly encouraged to seek help through the Town's Employee Assistance Program.

An employee who has a drug problem may participate in an Employee Assistance Program (EAP) or alcohol and drug rehabilitation program at the employee's own expense or through coverage under a health insurance plan. For services through the Town's EAP provider contact Care 24 at 1-888-887-4114.

All information, interviews, reports, statements and memoranda received by the Town in association with the EAP are confidential and are not used or received in evidence, obtained in discovery, or disclosed in any public or private proceeding, except in accordance with the Drug-Free Workplace Act.

Types of Drug Testing

See [TODOP 20-013](#) and [21-002](#) for additional information

The following types of drug testing are authorized under section 112.0455, F.S., the Drug-Free Workplace Act:

Job Applicant Testing. The Town may require job applicants who are offered safety-sensitive or special risk positions to submit to a drug test. The town will use a refusal to submit to a drug test or positive confirmed drug test results as a basis for refusal to hire the job applicant. The list of classes or positions designated safety-sensitive or special risk is available in the Human Resources Department. Special risk means required as a condition of employment to be certified under Chapter 633 or Chapter 943, F.S. All job announcements for safety-sensitive or special risk positions include a notice that drug testing is required.

Reasonable Suspicion. The Town may require an employee to submit to drug testing when there is a reasonable suspicion of drug use. Reasonable suspicion drug testing is only required upon the recommendation of a supervisor who is at least one level of supervision higher than the immediate supervisor of the employee suspected of drug use. Among other things, such facts and inferences may be based upon: (1) observable phenomena while at work, such as direct observation of drug use or the physical symptoms or manifestations of being under the influence of a drug; (2) abnormal conduct or erratic behavior while at work or a significant deterioration in work performance; (3) a report of drug use, provided by a reliable and credible source, which has been independently corroborated; (4) evidence that an individual has tampered with a drug test, (5) information that an employee has caused, or contributed to, an accident while at work, (6) evidence that the employee has used, possessed, sold, solicited, or transferred drugs while working or on the employer's premises, or while operating the employer's vehicle, machinery, or equipment. Nothing in this provision shall contravene any provision of any collective bargaining agreement.

Routine Fitness for Duty. The Town may require an employee to submit to a drug test if the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the employer's established policy or that is scheduled routinely for all members of an employment classification or group. Supervisors of these individuals are required to submit to a drug test in the same manner.

Follow-up Testing. If an employee in the course of employment enters an EAP for drug related problems, or an alcohol and drug rehabilitation program, the Town may require the employee to submit to a drug test as a follow-up to such program, and to undergo random drug testing for up to two years thereafter.

Employee and Job Applicant Protections

The results of drug testing of applicants, volunteers and employees by the Town are confidential. Due to these confidentiality requirements, the laboratory authorized to conduct the drug test provides all positive and negative test results to the Medical Review Officer (MRO). The MRO shall provide the test results to the Human Resources Department.

All materials related to the applicant's, volunteer's or employee's challenge or explanation are confidential and maintained in Human Resources for a minimum of one year from the date a test was administered. At the end of the required time period, the records are maintained in accordance with the retention schedule in effect at that time.

An employee or job applicant who receives a positive confirmed test may confirm drug results under any collective bargaining provision or Florida Statute 112.0455 (14) and (15), F.S.

Employees and job applicants have the right to consult the testing laboratory for technical information regarding prescription and non-prescription medication. The name and address of the laboratory conducting the drug testing are provided at the time of the test.

If an employee or job applicant refuses to submit to a drug test, the Town may dismiss or discipline the employee or refuse to hire the job applicant.

Any Town employee who is disciplined or an individual who is a job applicant and is not hired pursuant to these provisions may file an appeal with the Public Employees Relations Commission within 30 calendar days of receipt of the notice of discipline or refusal to hire; applicable Personnel Board within five days, or if applicable, a collective bargaining grievance pursuant to section 447.401, F.S.

Any Town employee or applicant, alleging a violation of the act that is not remediable by the Public Employees' Relations Commission or an arbitrator, or Personnel Board, and who is seeking relief, must initiate a civil action for injunctive relief or damages, or both, in a court of competent jurisdiction within 180 days of the alleged violation.

It is the employee's or job applicant's responsibility to notify the laboratory of any administrative or civil action brought pursuant to the Drug-Free Workplace Act.

List of Brand or Common Names of Drugs

The following is a list of all drugs for which the Town will test, described by brand names or common names, as applicable, as well as by chemical names.

Alcohol. All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content.

Amphetamines. Obetrol, Biphetamine, Desoxyn, Dexedrine, Didrex, Lonamine, Fastin.

Cannabinoids. Marinol (Dronabinol, THC), Marijuana.

Cocaine. Cocaine HCL topical solution (Roxanne).

Phencyclidine . Not legal by prescription.

Methaqualone. Not legal by prescription.

Opiates. Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin.

Barbiturates. Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Bustisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad.

Bezodiazepines. Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstarn, Halcion, Paxipam, Restoril, Centrax.

Methadone. Dolophine, Metadose.

Propoxyphene. Darvocet, Darvno N, Dolene.

Any questions regarding this drug testing policy statement should be directed to the Human Resources Department.

Nothing in this list prohibits steroid testing for certain classes of employees for pre employment screening.

Safety Program

[See TODOP 25-002 for additional information](#)

The Town's goal is to perform the tasks of government operation and public service without incidents/accidents. In order to furnish a safe working environment for its employees, it is the policy of the Town to maintain a comprehensive decentralized safety program, with each department responsible for carrying out its own safety program within the parameters of the Town-wide safety mission.

Each Town employee is expected to take an active part in the safety program. This can be accomplished by working in a safe, accident-free manner and following safety rules and guidelines as outlined by the employee's department and other Town safety policy and procedures including the Town of Davie Safety Policy and Procedure Manual. In addition employees shall offer suggestions on any matter concerning safety. Employees shall report ALL unsafe conditions, accidents, and injuries to their supervisors. The

Town pledges that no such report will result in retaliation, penalty, or other disincentive. For additional information concerning the Town's Safety Program, information is accessible on the Town's Intranet.

If an employee wishes to report a safety concern confidentially, they may contact Risk Management at (954) 797-1110.

APPENDIX

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Appendix A: Equal Employment Opportunity Acknowledgement Form



Town of Davie Equal Employment Opportunity (EEO) Policy SOP #20-006

ACKNOWLEDGEMENT OF RECEIPT

The Town of Davie is committed to providing every applicant and employee with a workplace free from prohibited discrimination or harassment.

Every employee is required to read and become familiar with the *Town of Davie Equal Employment Opportunity Policy*.

The Equal Employment Opportunity (EEO) Policy may be accessed by visiting the Town of Davie Human Resources Department webpage.

Any questions you may have regarding this policy should be directed to:

Macciano Lewis
Assistant Town Administrator- Town of Davie
6591 Orange Drive
Davie, Florida 33314
954-797-2099
TODEEOoffice@davie-fl.gov

Please sign this Acknowledgement of Receipt form to confirm receipt of instructions to access the updated Town policy and procedures. Failure to sign this form does not relieve an employee of the responsibility to understand and adhere to the provisions of the Town's policy and procedures.

A copy of the signed form will be placed in our personnel file.

Employee's Name (Please Print)

Employee's Signature

Date

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Appendix B: Drug Free Workplace Policy Acknowledgement Form



TOWN OF DAVIE DRUG-FREE WORKPLACE ACKNOWLEDGEMENT FORM

Concerned for the health and well-being of Town of Davie employees, this policy declares the Town of Davie as a drug-free workplace. The Town has determined that drugs, including alcohol, taken for non-medical purposes have no place on the job. This policy addresses legal and illegal use of drugs, penalties/repercussion, rehabilitation availability, and conditions for violation. This policy will be in direct compliance with the Drug-Free Workplace Act of 1988.

Taking or being under the influence of any controlled substance or intoxicant, without a prescription, during work time will not be tolerated. It will be prohibited for an employee to unlawfully manufacture, distribute, dispense, possess or use controlled substances in the workplace.

Use of any legally obtained medication to the point where such use adversely affects the employee's job performance is prohibited. Use of alcoholic beverages during working hours or prior to or during the use of a Town of Davie vehicle or equipment is strictly prohibited.

Use or possession of any illegal drugs, including those drugs not legally obtained is strictly prohibited and will result in disciplinary action which may include immediate dismissal.

The Town of Davie may require an employee to submit to drug and/or alcohol tests in certain circumstances including but not limited to: Job Applicant Testing, Reasonable Suspicion, Routine Fitness for Duty, Follow-up Testing, or in accordance with any applicable Collective Bargaining Agreement.

Drug means:

Alcohol. All liquid medications containing ethyl alcohol (ethanol); Amphetamines. Obetrol, Biphetamine, Desoxyn, Dexedrine, Didrex, Lonamine, Fastin; Cannabinoids. Marinol (Dronabinol, THC), Marijuana; Cocaine. Cocaine HCL topical solution (Roxanne); Phencyclidine. Not legal by prescription; Methaqualone. Not legal by prescription; Opiates. Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin; Barbiturates. Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Bustisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad; Benodiazepines. Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstarn, Halcion, Paxipam, Restoril, Centrax; Methadone. Dolophine, Metadose.

Any employee who unlawfully manufactures, distributes, dispenses or possesses illegal drugs in the workplace is subject to disciplinary action up to and including dismissal.

I hereby acknowledge receipt of a copy of the Town of Davie's Drug-Free Workplace Policy Statement and a list of all drugs for which this Department tests, described by brand names or common names, as applicable, as well as by chemical name. I understand that the names, addresses and telephone numbers of Employee Assistance Programs and local alcohol and drug rehabilitation programs are available through my servicing human resources office.

I have read the Town of Davie's Drug-Free Workplace Policy Statement and understand my compliance with this policy is a condition of employment. I also understand that this signed receipt of the Town of Davie's Drug-Free Workplace Policy Statement will become a permanent part of my personnel file.

Print Name: _____

Signature: _____

Date: _____

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Appendix C: Outside Employment Request Form



ADDITIONAL EMPLOYMENT OUTSIDE TOWN OF DAVIE GOVERNMENT

PART I - To be completed by all Town of Davie employees providing notification of additional employment outside of established work hours.

A. Town of Davie Employment

Employee Name _____ Position Title _____ Department _____

Regularly Scheduled Workdays each Week:

Monday Tuesday Wednesday Thursday Friday Saturday Sunday

Regularly Scheduled Hours: from _____ a.m. p.m. to _____ a.m. p.m.

B. Outside Employment

Effective Date: _____ Ending Date: _____

Name of Employer: _____ Position Title: _____

Nature of Business: _____

Employment Location (address): _____

Manager's Name: _____ Telephone Number: _____

Description of Duties to be Performed:

Regularly Scheduled Workdays each Week:

Monday Tuesday Wednesday Thursday Friday Saturday Sunday

Regularly Scheduled Hours: from _____ a.m. p.m. to _____ a.m. p.m.

I certify that I have reviewed the definition of Conflict of Interest as defined in Chapter 112, Part III, Florida Statutes, and that this additional employment does not constitute such a conflict, and, further that, if my private employer does have a relationship with or is under contract with any organization under contract to the Town of Davie. This additional employment will not adversely affect my availability to perform my official duties with the Town of Davie to include any overtime required and that at no time will Town space, personnel or equipment be used in these outside activities. Finally, I understand that, if a determination is made that additional employment outside of Town government interferes with the best interests of the Town, I will immediately cease this outside employment. I understand I may be subject to disciplinary action in accordance with Town of Davie policy for noncompliance with TODSOP 24-004 or Chapter 112, Part III, F.S.

I also understand that this approval is good only for the employer mentioned above and that the Town reserves the right to revoke this permission at any time.

Employee Signature _____ Date _____

Supervisor Signature _____ Date _____

Director or Manager Signature _____ Date _____

HR Director Signature _____ Date _____

Recommend Approval Disapprove Request

Approved Disapproved

Approved Disapproved

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**RECEIPT OF
EMPLOYEE
HANDBOOK AND
LOYALTY OATH**

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TOWN OF DAVIE EMPLOYEE HANDBOOK ACKNOWLEDGEMENT OF RECEIPT

The Employee Handbook contains important information about the Town of Davie, and I understand that I should consult with my supervisor, Department Director, or Human Resources Department regarding any questions not answered in the handbook.

Since the information, policies, and benefits described herein are subject to change at any time, I acknowledge that revisions to the handbook or policies may occur. All such changes will generally be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

Furthermore, I understand that it is my responsibility to comply with the policies contained in this handbook and any revisions made to it. I further agree that if I remain with the Town of Davie following any modifications to the handbook, I thereby accept and agree to such changes.

I hereby acknowledge receipt of a complete copy of the Town of Davie's Employee Handbook on the date listed below. I understand that I am expected to read the entire handbook. Additionally, I understand that it is my responsibility to review the handbook in detail and request any clarification needed from my supervisor or human resources personnel.

I also understand that this signed acknowledgment of receipt will become a permanent part of my personnel file.

Print Name: _____

Signature: _____

Date: _____

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