

EMPLOYEE HANDBOOK



Solid Waste Authority of Palm Beach County, Florida



Effective: October 1, 2014
Amended: As Indicated

Human Resources Department
561-640-4000 ext. 4400

All previous editions of Solid Waste Authority Employee Manuals and/or Handbooks are considered obsolete and superseded by issuance of the Solid Waste Authority Employee Handbook effective October 1, 2014 as amended.

“The Solid Waste Authority Employee Handbook contains only general guidelines and information. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, any questions concerning the applicability of a policy or practice should be addressed to your immediate Supervisor or the Human Resources Department. Neither this handbook nor any other Solid Waste Authority document confers any right, either expressed or implied, to remain in Solid Waste Authority’s employ. Nor does it guarantee any fixed terms or conditions of employment. No supervisor or other representative of the Solid Waste Authority has the authorization to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.”

“The procedures, practices, policies, and benefits described here may be modified or discontinued from time to time. Every attempt will be made to inform you of any changes as they occur. However, as an employee, it is your responsibility to keep current of all Solid Waste Authority policies and procedures. It is your responsibility to review policies and procedures in detail and to request any clarification needed from your supervisor or the Human Resources Department. As is the case with all Solid Waste Authority policies, management has the exclusive right to interpret policies contained in this handbook. Violation of Solid Waste Authority policies or procedures may result in disciplinary action, including termination of employment.”

Additional hardcopies of the Solid Waste Authority Employee Handbook have been provided to each Department and may also be requested from the Human Resources Department. An electronic copy of the Solid Waste Authority Employee Handbook is available on the Solid Waste Authority’s intranet.



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GENERAL PROVISIONS

I. WELCOME

Whether you have just joined the Solid Waste Authority of Palm Beach County as a new employee or have been an employee for a while, we are confident you will find our agency a dynamic and rewarding place to work. We believe that our employees are our most valuable resource and each employee contributes to our success. The demand for our services continues to grow and the residents of Palm Beach County have come to expect nothing less than excellence from the Solid Waste Authority! Your job is important and deserves your professionalism and best performance. We are so glad that you have joined our team.

There are several important things to keep in mind about this Employee Handbook:

- ❖ First, it supersedes any previous manuals or handbooks.
- ❖ Second, it contains only general information and guidelines. It is not intended to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions regarding a particular policy or procedure, please contact the Human Resources Department for clarification.
- ❖ Third, neither this Employee Handbook nor any other Solid Waste Authority document confers any contractual right, either expressed or implied, to remain an employee of the Solid Waste Authority. Simply stated, employment with the Solid Waste Authority is at-will which means an employee can be discharged, at any time – for any reason or no reason – with or without cause. Nothing within these policies shall be interpreted to conflict with, modify or eliminate the Solid Waste Authority’s right to terminate any employee at any time, at-will. These policies are not intended to be a contract of employment or a legal document. No Solid Waste Authority representative or employee is authorized to modify this policy for any employee or to enter into any agreement contrary to the at-will policy.
- ❖ Finally, the contents of this Employee Handbook constitute only a summary of the policies and employment rules in effect at the time of publication. The Solid Waste Authority reserves the right in its sole discretion to change, modify or amend the rules and regulations in the handbook. Each employee is charged with the responsibility to know, understand and abide by the rules and regulations set forth in the Handbook. Employees are also subject to individual department rules and regulations

You may access the Employee Handbook on the Solid Waste Authority Employee Intranet or by requesting a printed copy from your Supervisor or the Human Resources Department. If you have questions about the policies in this handbook, please contact your Supervisor or the Human Resources Department. Once again, welcome to our team! We hope that your experience at the Solid Waste Authority will be rewarding and enjoyable.

II. ABOUT THE SOLID WASTE AUTHORITY OF PALM BEACH COUNTY

The Solid Waste Authority of Palm Beach County is the governmental agency responsible for providing an economical and environmentally conscious integrated solid waste management system for Palm Beach County, FL. The Solid Waste Authority provides solid waste disposal, recycling services and programs to Palm Beach County’s 1.4 million residents and businesses. The Solid Waste Authority also provides solid waste and recycling collection services to the residents and businesses in unincorporated Palm Beach County through private haulers under exclusive franchise agreement.

Our Mission

The mission of the Solid Waste Authority is to manage the materials discarded by residents and businesses of Palm Beach County, in a manner consistent with its legislative mandate, applicable local, state, and federal ordinances, regulations and laws.

The plan through which the Solid Waste Authority accomplishes its Mission, represents a county-wide, integrated and coordinated set of environmentally responsible and economical solid waste management programs.

Programs developed and implemented by the Authority in accordance with its plan, provide for:

- ❖ Integrating solid waste transportation, processing, recycling, resource recovery, and disposal technologies.
- ❖ Informing the public about solid waste management issues.
- ❖ Protecting the environment.

Form of Government

The Solid Waste Authority is a Dependent Special District governed by the seven elected County Commissioners of Palm Beach County, Florida.

Funding

Funding for the Solid Waste Authority is obtained through a system of user fees. The primary funding mechanism is the non-ad valorem special assessment that is included on the annual property tax bill of all Palm Beach County property owners. Additional revenue sources include tipping fees, electric sales, recycling revenue, and interest income.

The System

The Solid Waste Authority has built an award-winning integrated system of facilities that combine recycling, converting waste to energy through incineration, and landfilling to effectively manage the County's waste.

III. PURPOSE OF THESE RULES

This SOLID WASTE AUTHORITY OF PALM BEACH COUNTY, EMPLOYEE HANDBOOK, authorized by the Solid Waste Authority Governing Board on June 11, 2014, with an effective date of October 1, 2014, providing for future updates, hereinafter referred to as the "Employee Handbook" sets forth the policies and procedures applicable to all employees of the Solid Waste Authority. The objective is to provide reasonable, fair, and equitable treatment for all Solid Waste Authority employees and to ensure that the citizens served by the Solid Waste Authority derive the benefits and advantages which can be expected from a competent staff of employees.

IV. CONDUCT

As public employees, you must carry out your duties fully, faithfully and ethically. Using your position for private benefit is a breach of the public trust. You cannot use your position in any way when you know or should know with the exercise of reasonable care that it would result in a *special* FINANCIAL BENEFIT to:

1. You;
2. A household member, spouse or domestic partner or their outside business or employer;
3. Your relatives or their outside business or employer;
4. An outside employer or business of yours or your spouse or domestic partner or someone who you know works for that business;

5. A customer or client of your outside employer or business;
6. Someone who owes you, or who you owe, at least \$10,000, NOT including a loan you might have with a financial institution;
7. A non-profit organization where you or your spouse serve as an officer or director.

You cannot use your official position, property or resource within your trust to CORRUPTLY secure a special benefit, privilege or exemption for any person.

As a general rule you cannot enter into any contract or other transaction to provide goods or services to the Solid Waste Authority. This includes any contract or transaction between the Solid Waste Authority and *you, your outside employer, or any business you may own* (ownership defined as a minimum of 5 percent of the business' assets).

An *outside employer* includes any business that employs you for compensation and is not another government agency. An *outside business* includes any business located in Palm Beach County or which does business with or is regulated by the Solid Waste Authority.

You cannot accept payment or reimbursement of any travel expenses from any *contractor, vendor, service provider, bidder or proposer* doing business with the Authority.

No person can offer, give or accept a contingency fee which is dependent on the passage or defeat or other decision by the Governing Board, a Board appointed body or committee, or an employee authorized to act on its behalf. This does not apply to real estate brokers, attorneys representing clients in judicial proceedings or formal administrative hearings, and salespeople who are paid by commission as part of a compensation package which is ordinary and customary within the industry.

No person applying for employment or seeking a contract with the Solid Waste Authority may make any false statement, submit any false document, or knowingly withhold information about wrongdoing in connection with their employment or application.

As a public employee, you cannot disclose or use information gained through your job, but not available to members of the public, for personal gain or benefit, or the personal gain or benefit of others.

You cannot ask for or accept a gift of *any value* in return for, or because of, the way you perform your duties as a public employee. This includes thank you gifts or tips for an official public action or legal duty performed, withheld or violated.

You cannot solicit gifts of any value from someone you know is a vendor, lobbyist, principal or employer of a lobbyist doing business with the Solid Waste Authority if the gift is for your financial benefit, the benefit of your relative or household member or another employee.

Over the course of the calendar year, you cannot accept a gift worth more than \$100 in the aggregate from a person *who you know or should know* with the exercise of reasonable care is a vendor, lobbyist, or any principal or employer of a lobbyist who sells or leases real or personal property, provides goods or services or lobbies your public employer.

Any violations of the provisions of this policy shall be subject to review and appropriate disciplinary action. If the employee has any doubt as to the application of the policy as it relates to a specific action, the action in question should be discussed with the Human Resources Director.

V. POSITIONS COVERED BY THESE RULES

The rules established in the Employee Handbook shall apply to all employees of the Solid Waste Authority of Palm Beach County, unless otherwise provided for.

VI. EXECUTIVE DIRECTOR EXEMPTION

The Executive Director of the Solid Waste Authority reports directly to the Governing Board of the Solid Waste Authority. The terms and conditions of the Executive Director's employment are contractual. Except as required by law or contract, the Executive Director is exempt from the provisions of the Employee Handbook, including but not limited to those provisions related to performance, compensation and conduct.

VII. AMENDMENT AND REVISION OF RULES

The Solid Waste Authority's Governing Board delegates authority to the Executive Director to amend and revise any policy or procedure in the Employee Handbook, or any part thereof, that does not result in monetary or economic impact. Policy changes resulting in monetary impact may be reviewed and approved as part of the annual budget process for Governing Board approval, or at any other Governing Board meeting.

VIII. APPLICATION OF THE RULES

Except as otherwise provided, all positions existing and hereinafter created within the Solid Waste Authority's service shall be subject to the rules and procedures of this Employee Handbook.

IX. IMPLEMENTATION

Except as otherwise provided herein, the responsibility for implementing and administering the provisions of the Employee Handbook is vested in the Executive Director or designee.

SECTION 1

EQUAL EMPLOYMENT OPPORTUNITY

AMERICANS WITH DISABILITIES ACT (ADA)

1.1 Equal Employment Opportunity

The Solid Waste Authority has a long-standing commitment to providing a work environment free from all forms of discrimination and harassment. All aspects of employment policies and practices are based on the requirements of the job without regard to race, color, religion, sex (including pregnancy discrimination and sexual harassment), national origin, ancestry, age, marital status, disability, veteran status, sexual orientation, familial status, gender identity or expression, or any other protected group. Unlawful discrimination including unlawful harassment will not be tolerated. Veterans' Preference will be given to eligible veterans and spouses of eligible veterans in accordance with Florida Statutes §295.07 and Florida Administrative Code 55A-7.

This policy applies to all terms, conditions and privileges of employment, as well as the use of all Solid Waste Authority facilities. Example of policies and procedures include: recruitment and hiring, training, placement, promotion, transfer, demotion, layoffs, compensation, benefits, termination and all other privileges, terms and conditions of employment.

Each member of management is responsible for creating an atmosphere free of discrimination and harassment. All employees are responsible for respecting the rights of their coworkers and maintaining a work environment free of discrimination and harassment. Any employee, who believes that he/she or another Solid Waste Authority employee has been subjected to harassing or discriminating conduct, should immediately contact the Director of Human Resources. The Director of Human Resources or his/her designee will promptly investigate. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action up to and including discharge. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. False and malicious complaints of harassment, discrimination or retaliation may result in disciplinary action up to and including termination.

1.2 Americans with Disabilities Act (ADA) of 1990

Title I of the Americans with Disabilities Act of 1990 and subsequent amendments, prohibits discrimination in employment against a qualified individual with a disability, and obligates employers to make reasonable accommodation for the disability unless reasonable accommodation would impose an undue hardship upon the employer. Employees or applicants, of the Solid Waste Authority, who are or become disabled as defined by the Americans with Disability Act, may request a reasonable accommodation that will enable them to participate in the application process or to perform the essential job functions. Such request shall be coordinated through the Human Resources Department.

SECTION 2

EMPLOYMENT AT-WILL

The Solid Waste Authority is an at-will employer. The Solid Waste Authority may terminate an employee at any time, for any reason whatsoever, with or without cause, and with or without notice.

No Solid Waste Authority representative is authorized to modify this policy for any employee or to enter into any agreement contrary to this policy. Management and supervisory personnel may not make any representations to employees or applicants concerning the terms or conditions of employment with the Solid Waste Authority which are not consistent with this policy. Any such representations are null and void.

This policy may not be modified by any statements contained in employee handbooks, employment applications, Solid Waste Authority recruiting material, Solid Waste Authority memorandums, or other materials provided to employees in connection with their employment. Those documents do not create an express or implied contract of employment for a definite period.

Nothing contained in this EMPLOYEE HANDBOOK, other employee handbooks, employee applications, Solid Waste Authority memorandums, or other materials provided to employees in connection with their employment may restrict the Solid Waste Authority's right to terminate any employee at any time, at will.

DISCRIMINATION, HARASSMENT, RETALIATION and BULLYING

The Solid Waste Authority is committed to a work environment free from all forms of discrimination and conduct considered to be harassing, bullying, coercive or disruptive. It is the policy of the Authority to comply with all applicable anti-discrimination statutes. As an Equal Opportunity Employer, the Authority is committed to exercising fair employment practices in all terms and conditions of employment for all employees and applicants regardless of race, color, religion, sex (including pregnancy discrimination and sexual harassment), national origin, ancestry, age, marital status, disability, sexual orientation, familial status or gender identity or expression, or any other protected group.

3.1 Prohibited Conduct

The Authority prohibits any form of unlawful discrimination, harassment or retaliation, in accordance with federal, state or local law. The Authority is also committed to protecting employees against bullying in the workplace.

Any established incidents of discrimination, harassment, retaliation or bullying by an employee will result in immediate and severe disciplinary action, up to and including termination. It shall be the responsibility of every employee and particularly every management and supervisory employee to bring to the Solid Waste Authority's attention, any evidence of discrimination, sexual harassment, retaliation or bullying so that the matter can be investigated promptly and effectively. Each member of management is responsible for creating an atmosphere free of discrimination, harassment, retaliation and bullying.

3.2 Discrimination

It is a violation of this policy to discriminate in the provision of employment opportunities, benefits or privileges, to create discriminatory work conditions, or to use discriminatory evaluation standards in employment settings based on an individual's race, color, religion, sex (including pregnancy discrimination and sexual harassment), national origin, ancestry, age, marital status, disability, sexual orientation, familial status or gender identity or expression, or any other protected group.

3.3 Harassment

The Authority prohibits any form of unlawful harassment including harassment based on an individual's race, color, religion, sex (including pregnancy discrimination and sexual harassment), national origin, ancestry, age, marital status, disability, sexual orientation, familial status or gender identity or expression, or any other protected group. Harassment is generally defined as conduct that creates an intimidating, hostile, or offensive environment, unreasonably interfering with an individual's work performance or adversely affecting an individual's opportunities within the workplace.

Examples of harassment include, but are not limited to:

- Verbal harassment, including abusive derogatory comments, demeaning jokes, or slurs;
- Physical harassment, including physical interference with normal work or movement;
- Visual harassment, including displays of derogatory demeaning posters, cartoons, cards, graffiti, gestures or drawings.

3.4 Sexual Harassment

The Solid Waste Authority prohibits any form of sexual harassment.

Sexual harassment is generally defined as unwelcomed sexual advances, comments, gestures, contact of a sexual nature, request for sexual favors or verbal and/or physical harassment of a sexual nature. Additionally, sexual harassment can be where conduct of a sexual nature creates an offensive, hostile or intimidating work environment and prevents an individual from effectively performing their duties. Sexual harassment is considered a form of discrimination on the basis of sex.

Sexual harassment also includes, but is not limited to:

- Display of sexually demeaning objects, pictures or cartoons in areas accessible to employees or members of the public;
- Implied or direct threats or insinuations that an individual's refusal to submit to sexual advances will adversely affect the individual's employment status, evaluation, wages, advancement, assigned duties or career development.
- Solicitation of sexual activity by promise of rewards to the individual's performance, evaluation, wages, advancement, assigned duties or career development.
- Unnecessary touching, patting, pinching or brushing another's body or clothing;
- Stalking, telephone, including texting, or computer harassment, or sexual assaults.

Sexual harassment may occur among co-workers or when a person who is in a position to control, influence or affect another individual's job or career standing uses this power to either coerce the subordinate into sexual relations or punish the subordinate for refusal to participate in sexual activity.

Consenting relationships may constitute sexual harassment under this policy when a professional power differential exists between employees and a romantic or sexual relationship develops and there is a potential of abuse of power, even in relationships of apparent mutual consent.

All supervisory personnel are responsible for compliance with this policy and must take prompt and effective action to stop sexually harassing behavior that they become aware of which is defined as any behavior that is repeated, unwanted, systematic and directed toward an individual or group that intimidates, degrades, offends or humiliates.

3.5 Workplace Bullying

The Solid Waste Authority prohibits any form of workplace bullying which is defined as any behavior that is repeated, unwanted, systematic and directed toward an individual or group that intimidates, degrades, offends or humiliates. Workplace bullying may be intentional or unintentional, however it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration if and/or when disciplinary action is taken.

Examples of bullying include, but are not limited to:

- Verbal bullying - spreading rumors or innuendo about a person or their family; ridiculing or maligning a person or their family; persistent name calling which is hurtful, insulting or humiliating; using an employee as the butt of jokes; abusive and offensive remarks; persistent criticism or questioning of the job performance or work product of an employee(s) who does not fall within the supervisory or managerial responsibility of the offending employee.

- Physical bullying – pushing; shoving; kicking; poking; tripping; assault, threat of physical assault; damage to a person’s work area or property.
- Exclusion – socially or physically excluding or disregarding a person in work related activities.
- Cyberbullying – use of Authority communication equipment to engage in bullying contrary to this policy.

3.6 Retaliation

No hardship, no loss of benefit, and no penalty may be imposed on any employee as punishment for filing or responding to a bona fide complaint of discrimination or harassment, or for appearing as a witness in the investigation of a complaint of discrimination or harassment.

Retaliation or attempted retaliation of this kind is a violation of the policy and will be subject to severe disciplinary action up to and including termination.

3.7 Employee Responsibility

All employees of the Solid Waste Authority must share the responsibility of understanding and preventing discrimination, harassment, retaliation or bullying. However, no satisfactory investigation or resolution of complaints can occur without the initiative and continuous cooperation of the injured person. Any employee who believes they have been the subject of discrimination, harassment, retaliation or bullying, either by a supervisor, co-worker, vendor or other should report the alleged act immediately to the Human Resources Director, or their Supervisor, Manager, Director or Chief. If a complaint involves a Supervisor, Manager, Director, or Chief, the complaint should be filed directly with the Human Resources Director. An investigation of all complaints will be conducted promptly and effectively.

The Solid Waste Authority endeavors to handle all such complaints in strict confidence to the extent permitted by law.

The Solid Waste Authority recognizes that the resolution of whether a particular action or incident constitutes a violation of this policy requires a factual determination based on all facts and circumstances. Each complaint will be investigated thoroughly and objectively to determine whether there is a reasonable belief that unlawful conduct has occurred. In the event an employee knowingly files a false claim, appropriate disciplinary action will be taken.

Employees are encouraged to raise questions they may have regarding discrimination, harassment, retaliation and bullying and to discuss them with their Supervisor, Manager, Director, Chief or the Human Resources Director.

Additionally, employees who have observed or have knowledge of any situation they believe may constitute discrimination, harassment, retaliation or bullying, as defined in this policy, have a responsibility to report the information as provided in this policy or to report it to any other member of management.

SECTION 4

DEFINITIONS

As used in this Handbook, unless the context clearly requires otherwise, the following words shall have the following meanings:

Authority – The Solid Waste Authority of Palm Beach County.

At- Will Employment – The right of the Solid Waste Authority to terminate an employee at any time, for any reason whatsoever, with or without cause, and with or without notice.

Chief – an individual responsible for the management and direction of several departments.

Class or Classification – The grouping of positions which are essentially similar in type of work performed, difficulty and responsibility, into a designed pay range or grade.

Compensatory Time – Time off with pay in lieu of overtime pay for hours worked in excess of the normal workweek.

Demotion – The movement of an employee from one position to a position assigned to a lower pay grade/range.

Department Director – an individual responsible for management and direction of a department.

Disciplinary action – The process by which the Authority disciplines employees. Disciplinary action may result in an oral warning, written reprimand, demotion, suspension, termination, or any combination thereof.

Discharge – The action taken by the Authority against an employee to terminate his or her employment with the Authority.

Domestic Partner – A person of the same or opposite sex with whom the employee maintains a significant personal and familial relationship outside of a legally recognized marriage, and meets the requisites for a valid domestic partnership as established by County ordinance.

Employee Dispute Resolution (EDR) – The process by which a regular status employee can request review of any disciplinary action.

Exempt employee – Employees who are excluded from the overtime provisions of the Fair Labor Standards Act.

Fiscal year – The period beginning October 1st of each year and ending September 30th the following calendar year. *Note: Pay increases and other related changes at the beginning of a Fiscal Year will become effective on the first day of the pay period in which October 1st occurs.*

FLSA – The Federal “Fair Labor Standards Act”, as amended.

Introductory period – The initial period of close supervision and evaluation that a new, rehired, promoted or demoted employee must serve in order for the Authority to assess their ability and adaptation.

Job Description – A written description of the essential characteristics of a job classification and work requirements that distinguish it from other job classifications.

Non-exempt employee – Employees covered by the Fair Labor Standards Act for minimum wage and overtime payments.

Orientation – A program to acquaint new employees with the Authority’s functions and to provide a clear understanding of duties.

Overtime – As defined by the Fair Labor Standards Act, as amended.

Pay grade/range – A salary range with a minimum and maximum pay rate.

Pay and Classification Plan – The systematic arrangement of individual positions and duties into classes of work based upon common factors and assignment of a pay grade/range.

Performance evaluation – The process by which a supervisor evaluates individual employee performance.

Promotion – The movement of an employee from one position to a position assigned to a higher pay grade/range.

Reclassification – Movement (upward or downward) in pay grade/range assignment resulting from a modification of job duties.

Reduction in Force (RIF) - Involuntary termination of employment for non-disciplinary reasons including, but not limited to adverse economic or other conditions such as change in program priorities, workloads, and reorganizations, elimination of operations and shortage of funds.

Regular status employee – an employee who has completed the initial introductory period.

Resignation – The action of choice taken by an employee to terminate his employment with the Authority.

Seniority – An employee’s length of continuous service into a regular status position dating from the last date of hire with the Authority.

Solid Waste Authority Governing Board – The Palm Beach County Board of County Commissions, sitting as the Solid Waste Authority Governing Board.

Supervisor – An individual with the responsibility to assign, direct and review the work of one or more subordinates.

Suspension – The separation without pay of an employee for a specified period of time.

Temporary employee – A position funded for a period not to exceed six (6) consecutive months that does not offer benefits or regular status.

Termination – The terminology used to indicate separation of employment for any reason.

Transfer – The movement of an employee from one position to a position in the same pay grade/range.

SECTION 5

HUMAN RESOURCE ADMINISTRATION

5.1 Employee Records

The Human Resource Director is responsible for maintaining centralized personnel records.

5.2 Employee Changes

All changes to an employee's status will be coordinated through the Human Resources Department and recorded on forms developed for that purpose by the Human Resources Department. Human Resources will obtain the required approvals and maintain the documentation in the employee's personnel file.

5.3 Employee Classification

Employment classifications are based on job requirements and responsibilities. They are used to promote consistency and uniformity. The Solid Waste Authority has adopted a comprehensive pay and classification plan which encompasses all fulltime positions within the Authority's service.

5.4 Pay and Classification Plan

The Pay and Classification Plan of the Solid Waste Authority groups positions which are essentially similar in type of work performed, difficulty and responsibility, into designated pay ranges and grades. The plan provides a list of job titles, descriptions of the nature and requirements of the work in each class, and the allocation of specific positions to the appropriate classes and a minimum and maximum salary rate for each position. An employee's salary may *not* exceed the maximum of the salary range for his or her position.

Refer to Section 12, Employee Performance Evaluations (12.2, Lump Sum Payments).

At the direction of the Executive Director or designee, it is the responsibility of the Human Resources Department to amend the classification specifications when necessary so that specifications for each class will accurately reflect the current duties and responsibilities of the position.

Positions may be considered for reclassification as provided in *Section 17, Reclassification and Pay Grade Assignment*, when there is a significant change in the duties and responsibilities, an inequity exists or competitive pay surveys indicate a change in grade level is necessary.

Recommendations for reclassification shall be made by the Human Resources Director to the Executive Director or designee for approval.

SECTION 6

RECRUITMENT and NOTICE of VACANCY

All decisions regarding recruitment, selection and placement of employees are made without regard to race, color, religion, sex (including pregnancy discrimination and sexual harassment), national origin, age, marital status, disability, veteran status, sexual orientation, familial status, gender identity or expression, or any other protected group.

6.1 Recruitment – General

The Human Resources Department is responsible for initiating and coordinating all recruitment procedures with the hiring department.

6.2 Recruitment Area

Individuals shall be recruited from a geographic area as wide as is necessary to obtain qualified candidates for the various types of positions.

6.3 Notice of Vacancy/Internal Posting

When a vacancy occurs within a department, the Department Director shall notify the Human Resources Department and request a replacement to fill the position. Approval from the Executive Director or designee is required prior to Notice of Vacancy being issued.

In the event a vacancy is to be filled above the entry level, consideration will be given to promoting a current Solid Waste Authority employee, into the position, who has made proper application and who is qualified to perform the essential functions of the position and has the minimum job related qualifications. *Refer to Section 13, Internal Job Postings and Promotion.*

6.4 Application Files

Applications accepted will be retained in accordance with Florida Statutes, Chapter 119 and State of Florida General Records Retention Schedule, GS1-SL.

SECTION 7

HIRING and SELECTION

All decisions regarding recruitment, selection and placement of employees are made without regard to race, color, religion, sex (including pregnancy discrimination and sexual harassment), national origin, age, marital status, disability, veteran status, sexual orientation, familial status, gender identity or expression, or any other protected group. Veterans' Preference will be given to eligible veterans and spouses of eligible veterans in accordance with Florida Statutes §295.07 and Florida Administrative Code 55A-7.

7.1 Hiring and Selection – General

The Human Resources Department is responsible for initiating the steps required and for completing the hiring process for each employee who is offered a position with the Solid Waste Authority.

All applicants shall be directed to the Human Resources Department for consideration of available positions.

All interviews shall be coordinated and conducted by the Human Resources Department in cooperation with the hiring department.

All persons employed as drivers of a commercial motor vehicle must meet the minimum age requirements as established by Federal Regulations. All others shall be a minimum age of 18.

Any material misrepresentation or omission by an applicant will be sufficient grounds for denial of employment or dismissal if hired and discovered later, at the sole discretion of the Solid Waste Authority.

7.2 Background Checks and References

The Human Resources Department will conduct background checks on potential employees in compliance with the Fair Credit Reporting Act (FCRA) and may utilize a Consumer Reporting Agency. Information obtained will be used for employment purposes only as defined under the Fair Credit Reporting Act. Employment will be conditional pending satisfactory completion of a background check.

7.3 Testing

The Solid Waste Authority, through the Human Resources Department, may test specific and essential applicant skills that are required to perform the duties of the position. Such tests may be designed for both outside recruitment and promotional purposes. All testing shall be consistent with State and Federal regulations concerning employee selection, including the Americans with Disabilities Act (ADA) of 1990, and subsequent amendments.

7.4 Selection and Notification of Offer

The Supervisor and/or Department Director in cooperation with the Human Resources Department shall select the applicant whose qualifications most ideally meet the requirements of the vacant position and make a recommendation for appointment. If approved, the Human Resources Department shall notify the successful applicant of the offer of employment.

7.5 Starting Salary

It is the policy of the Solid Waste Authority that the starting salary be the base of the pay range for the position when the experience and qualifications of the selected applicant meet, but do not exceed, the minimum qualifications for the position. A starting salary above the base of the pay range, but not above the first quartile of the range, may be considered based on experience relevant to the position, education, overall knowledge and additional certifications or licenses that exceed the minimum requirements. A starting salary above the first quartile of the range may not be offered unless authorized in writing by the Human Resources Director and the Executive Director, or designee.

7.6 Post-Offer Medical Examination

Upon acceptance of a conditional offer of employment, a prospective employee may be required to undergo a comprehensive medical examination to determine the ability to perform the essential functions of the position. This examination shall be coordinated by the Human Resources Department at the expense of the Solid Waste Authority.

7.7 Post-Offer Drug Testing

Upon acceptance of a conditional offer of employment, applicants for mandatory testing positions will be drug-tested in accordance with Department of Transportation, 49 CFR, Part 40. Refusal to submit to testing or the confirmation of a positive test will disqualify the applicant from consideration for hiring.

7.8 Disqualification of Applicants

The hiring Supervisor and/or his/her superior, in consultation with the Human Resources Department, may remove from further consideration at any time the application of an applicant who is not deemed to possess the minimum job related qualifications, or who has made false statements of any material fact or practiced deception in the application, or who fails any phase of the post-offer process, or who fails to accept appointment or report for duty within the time prescribed in the offer.

7.9 Reporting for Duty

All new employees shall report to Human Resources on the first day of work for orientation.

7.10 Hiring Former Employees

Former employees may be considered for reemployment provided they have the qualifications for the position, had a good work history while previously employed by the Solid Waste Authority and left in good standing as determined by the Supervisor in consultation with the Human Resources Department.

A former employee who is rehired shall be deemed a new hire for purposes of tenure and computation of benefits. Former employees are required to serve an introductory period unless specifically waived by the Human Resources Director.

Employees who retired through the Florida Retirement System and are seeking employment may be hired subject to the requirements of the Florida Retirement System and/or Florida Statute. The Solid Waste Authority shall not be obligated to rehire candidates who have retired through the Florida Retirement System.

7.11 Hiring Temporary Employees and Student/Intern Positions

A temporary employee, or student/intern, may be recruited to assist in the handling of peak workloads, seasonal employment, casual employment, or employment of an emergency nature for a period of time **not to exceed six consecutive months** or for completion of a specific task or project.

A student/intern position is a curriculum-related work assignment, which may be paid, or unpaid depending on the department and what is required of the student/intern for the position.

A temporary employee, student/intern shall not be employed beyond six (6) consecutive months and shall not be entitled to Solid Waste Authority benefits including retirement, unless otherwise provided by law.

If the status of a temporary employee is changed to regular status, the employee shall be considered a new hire at the time status is changed. The hire date into regular status will be the official date for the purposes of all employee benefits. Time spent in non-regular status does not count toward calculating entitlement to benefits.

The provisions of this section shall not apply to temporary reassignments of a regular employee or to a restructuring of an employee's class specification.

7.12 Hiring Part-Time Employees

This section is reserved.

7.13 Requests for Employee Information/Public Records

All requests, whether verbal or written, for information on current or former employees' must be directed to the Human Resources Department.

Except as provided by law, Solid Waste Authority employee files are open to public inspection, in accordance with Florida Statutes, Chapter 119.

SECTION 8

NEPOTISM

The Solid Waste Authority permits the employment of qualified relatives of employees provided the employment does not, in the opinion of the Solid Waste Authority, create actual or perceived conflicts of interest. For purposes of this policy, “relatives” are defined as individuals who are related by blood, marriage or adoption to the employee, including but not limited to, spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, cousin, or corresponding in-law or “step” relation.

The Solid Waste Authority will exercise sound business judgment in the placement of related employees in accordance with the following guidelines:

- Individuals who are related as defined above are permitted to work in the same Solid Waste Authority facility, provided that no direct reporting or supervisory/management relationship exists.
- For purposes of this policy, “supervisory/management” position means any employee, regardless of job description or title, having the authority to influence the other’s employment, responsibilities, salary, career progress or other related management or personnel considerations.
- No relatives are permitted to work in the same department or in any other positions in which the Solid Waste Authority believes an inherent conflict of interest may exist.
- No relatives are permitted to work together in positions requiring the handling of money or which would compromise internal control.

If one employee marries another, or if two employees become related while working for the Solid Waste Authority, both may retain their positions provided the above conditions are met.

The Solid Waste Authority reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of a relationship between employees, even if there is no direct-reporting or authority involved.

SECTION 9

MEDICAL EXAMINATIONS

9.1 In-Service Examinations

When circumstances warrant, an employee may be required to undergo a medical examination to determine physical and mental fitness to perform the essential functions of the job. Drivers of commercial vehicles may be required to undergo an examination annually or as required by law.

An employee determined by the Executive Director or designee, to be physically or mentally unfit to satisfactorily continue in their assigned job may be demoted, transferred or separated from Solid Waste Authority service, subject to the requirements of the Americans with Disabilities Act (ADA) of 1990 and subsequent amendments, and other applicable law.

9.2 Off-Duty Accident or Illness

If an employee is absent from work due to an injury caused by an *off-duty* accident or an extended illness, a physician's statement of physical condition may be required to be submitted to the Human Resources Department prior to return to work. The Human Resources Department is responsible for coordinating return to work requirements.

All employees in safety-sensitive positions are required to receive return to work clearance from the Solid Waste Authority's designated medical physician.

A Supervisor or Department Director may also request a return to work note from the employee's physician for an absence of three or more continuous days. However, nothing in this policy shall restrict the Solid Waste Authority from requesting medical confirmation in the event an employee is considered to be abusing leave policies.

9.3 On-Duty Accident or Illness

Refer to the Solid Waste Authority Safety Manual.

9.4 Light Duty

The Solid Waste Authority does not provide "light duty" assignments for *off-duty* accidents or illness when the employee is unable to perform the essential functions of their position. During this absence, the employee shall be required to take accrued leave as provided by Solid Waste Authority policy.

SECTION 10

ORIENTATION

The Solid Waste Authority recognizes the importance of a proper orientation program so that an employee will have a clear understanding of duties, how to perform them, and the relationship of the position to the department and the overall operation of the Solid Waste Authority.

Orientation of a new employee begins with the completion of all hiring forms and an explanation of benefits and conditions of employment by the Human Resources Department, the Risk Management Department, Department Director, and the employee's immediate supervisor.

The employee's immediate supervisor shall accompany the employee through the area of employment and shall assure that the employee is introduced to coworkers and supervisors. The immediate supervisor shall also assure that the employee is provided proper supplies and a suitable working area and becomes familiar with job duties and responsibilities.

It is the responsibility of the Department Director during this process to assure that this procedure is followed and to ensure that the new employee is comfortable and familiar with the position.

SECTION 11

INTRODUCTORY PERIOD

11.1 Following Appointment (New Hire)

The introductory period following appointment is regarded as an integral part of the placement process and is used for evaluating overall performance, work quality, attendance and other job related factors. It permits careful observation of the employee's performance to either provide an effective adjustment of the new employee to the position or to terminate an employee whose performance has not met the required work standards.

All new-hire employees will serve a six-month introductory period. The supervisor will evaluate the employee's job performance and provide guidance in learning the job.

During the introductory period, the supervisor will complete a written evaluation of the employee's job performance at scheduled 30-day intervals. Management and professional employees may be evaluated at 90-day intervals, if approved by the Human Resources Director.

During the initial introductory period, unsatisfactory performance, at any time, may result in termination.

Supervisors may request extension of the introductory period, in 30-day intervals, due to circumstances which did not allow the employee to be fully evaluated during the initial introductory period or when there is a need for additional time to review and observe the employee's performance. Extended introductory periods will not exceed 90-day periods unless approved by the Human Resources Director.

New employees will begin accruing vacation and sick leave benefits on the first day of employment but are not eligible to use accrued sick or vacation leave during the introductory period. In the event of a personal hardship or serious illness, an exception may be considered if approved by the Chief and Human Resources Director.

New employees who terminate during the introductory period will not be paid for accrued vacation leave.

New employees are not eligible to use their personal day during the introductory period.

New hire employees are not eligible to use the Employee Dispute Resolution (EDR) procedure as provided in *Section 36, Employee Dispute Resolution*, during the introductory period.

No employee is eligible to be considered for additional promotions, transfers or demotion during the introductory period unless approved by the Department Director and Human Resources Director.

The cost of safety shoes, if issued, will be deducted from an employee's final paycheck if terminated, for any reason, during the introductory period.

Successful completion of the introductory period does not equate to an employment contract for any period of time. Employment at the Solid Waste Authority is at-will.

11.2 Upon Promotion, Transfer or Demotion

Promoted, transferred and/or demoted employees will be placed on a 90-day introductory period allowing them time to transition into their new job assignment. Supervisors will complete a written evaluation of the employee's job performance at 30-day intervals. Management and professional employees may be evaluated at 90-day intervals if approved by the Director and Human Resources Director.

The introductory period can be waived for promoted, transferred or demoted employees at the request of the supervisor, and approval of the Human Resources Director, if the employee has been performing the duties of the new position and/or has the required training and experience to perform in the new position.

Supervisors can request that a promoted, transferred or demoted employee's introductory period be extended for a period of 30 to 90 days if additional time is needed to observe and review the employee's work. Extended introductory periods will not exceed 90-day periods unless approved by the Human Resources Director

Promoted, transferred and/or demoted employees are eligible to use sick leave pursuant to Solid Waste Authority policy but may not take vacation leave unless approved prior to the promotion, transfer or demotion.

Promoted, transferred and/or demoted employees who are unable to satisfactorily perform their new duties during the introductory period may be terminated.

11.3 Performance Improvement Plan (PIP)

Any employee can be placed on a performance improvement plan (PIP) when their performance has deteriorated and the supervisor believes it necessary. Failure to perform satisfactorily during the improvement plan period may result in demotion, transfer or termination.

SECTION 12

EMPLOYEE PERFORMANCE EVALUATION

12.1 Performance Evaluation - General

The Solid Waste Authority may provide all regular status employees with constructive feedback on their job performance, at least annually, and indicate improvement areas and future goals.

The Human Resources Director will be responsible for maintaining and administering an Employee Performance Review Program.

Performance evaluations may be used to evaluate eligibility for merit increases (if granted), promotions and other financial incentives.

Merit increases, if granted, are typically given at the beginning of the fiscal year (October 1st) following a satisfactory performance review. The percentage of the merit increase will be determined based on labor market changes, economic conditions and the Authority's financial status. *Note: Pay increases and other related changes at the beginning of a Fiscal Year will become effective on the first day of the pay period in which October 1st occurs.*

As provided in *Section 11, Introductory Period (11.3 Performance Improvement Plan)* any employee can be placed on a performance improvement plan (PIP) when their performance has deteriorated and the supervisor believes it necessary. Failure to perform satisfactorily during the improvement plan period may result in demotion, transfer or termination.

Guidelines on the Employee Performance Evaluation Program are available through the Human Resources Department.

12.2 Lump Sum Payments

Any employee who reaches the maximum of their assigned salary range, for any reason, will receive a one-time lump sum payment of the amount that exceeds the maximum of the salary range. The lump sum payment will be used in the calculation of overtime during the pay period it was issued but *will not* be used in the calculation of *future* overtime or salary increases. The lump sum payment *will not* be added to the employee's base salary.

SECTION 13

INTERNAL JOB POSTIONS and PROMOTION

13.1 Internal Job Postings and Promotion – General

A promotion is defined as the movement of an employee from one position to a position assigned to a higher pay grade/range. The Solid Waste Authority seeks to employ the most qualified applicants while providing current employees with a variety of employment and promotional opportunities. As positions become available, employees will be given the opportunity to apply and be considered for the position.

While it is the Solid Waste Authority's philosophy to promote from within whenever possible, there are certain conditions that could cause a position to be filled without posting. Outside recruiting efforts may run concurrently with internal promotional opportunities, and the Solid Waste Authority may, at its discretion, either directly promote or transfer a qualified employee into an open position.

All job openings, internal postings, testing, interviews and offers will be coordinated and conducted by the Human Resources Department in cooperation with the hiring department. In-house interviews may be conducted during the employee's regular working hours and must be scheduled by the Human Resources Department through the requesting employee's Supervisor.

- Job openings will be posted at all Solid Waste Authority sites for a period of five (5) business days.
- Using a form provided for such purpose by the Human Resources Department, employees interested in a job opening or promotion which has been posted must submit the form to Human Resources or their immediate supervisor prior to the closing date indicated on the notice. Forms received after the closing date will not be considered without approval of the Human Resources Director.
- Employee eligibility for a job opening or promotion will be determined by the employee's qualifications to meet the requirements of the new job. In addition, employees must have held their current position for at least six (6) months to be eligible for consideration. Management retains the discretion to make exception to this policy.
- Employees who are candidates for job openings and promotions will normally be screened and selected based on attendance and work records, performance appraisals and job-related qualifications, including, in some instances, skills testing. In addition, employees seeking an open position may be required to have a medical examination if job-related and/or required for licensing purposes.
- Employees being considered for a vacancy will interview during regular Solid Waste Authority business hours in accordance with their immediate supervisor and the hiring department.
- Management may recommend employees as candidates for promotion or job opportunities.
- Positions filled from within may not become effective until a suitable replacement has been recruited for the promoted or transferred employee's position. Every effort will be made to ensure that the promotion/transfer takes place within a reasonable amount of time not to exceed three (3) weeks unless otherwise mutually agreed.

13.2 Exception to Notice of Vacancy/Internal Posting

Supervisors may request an exception to Notice of Vacancy/Internal Posting when they have qualified and/or trained candidates within the same division. Exceptions require the joint approval of the Department Director and the Human Resources Director.

13.3 Pay upon Promotion

Pay rates for promotions require the joint approval of the Chief and Human Resources Director and will be based on the pay grade of the position, and the employee's qualifications, education, experience, knowledge, skills and abilities within the following guidelines:

- 1) Promotions to a pay grade of one (1) or two (2) levels higher will result in an increase of 5% to 7%, or adjustment to the minimum of the new pay grade, whichever is higher.
- 2) Promotions to a pay grade more than two (2) levels higher will result in an increase of 8% to 10%, or adjustment to the minimum of the new pay grade, whichever is higher.

Increases outside of the above guidelines will require the approval of the Executive Director or designee.

Consideration of overtime, or other premium pay compensation, may be used in calculating the increase. Lead pay will be considered only if the employee will be assuming supervisory responsibilities in the new position.

Promoted employees are subject to an introductory period as provided in Solid Waste Authority policy.

SECTION 14

DEMOTION

14.1 Demotion – General

A demotion is defined as the movement of an employee from one position to a position assigned to a lower pay grade/range. The Solid Waste Authority may provide for demotion in cases when an employee is not meeting performance requirements, as a disciplinary action for misconduct, when higher-level duties and responsibilities have been removed or at the request of the employee.

An employee who is demoted may be placed in a position assigned to a lower pay grade for which the employee meets the minimum qualifications.

14.2 Pay upon Demotion

Pay rates for demotions require the joint approval of the Chief and Human Resources Director. Upon demotion, an employee's rate of pay will be set at an appropriate level within the new pay grade and based on the same criteria that are used when the position is filled from the outside. Length of service and past performance, as well as the employee's ability to perform the duties of the new position will be other factors considered in establishing the new rate of pay.

The employee's new base rate of pay may not exceed the maximum amount for the position to which a demotion is made.

Demoted employees are subject to an introductory period as provided in Solid Waste Authority policy.

SECTION 15

TRANSFER

15.1 Transfer – General

A transfer is defined as the movement of an employee from one position to a position in the same pay grade/range. The Solid Waste Authority may provide for the transfer of employees, either at their own request or as a result of a decision by management when it is beneficial to the agency and/or the employee.

Reasons for transfer may include, but are not limited to: fluctuations in department workloads, more efficient utilization of personnel, increased development opportunities, conflicts, and reasons of health and/or personal situations. Transfers can be within the same department, between departments or wherever Management determines to be in the best interest of the Solid Waste Authority.

An employee requesting a transfer must meet the minimum qualifications of the position. In addition, an employee must have been performing in a satisfactory manner in his/her current job for a period of six (6) months immediately prior to the request for transfer. Exceptions must be approved by the Department Director and Human Resources Director.

15.2 Pay upon Transfer

When an employee is transferred to a classification which is allocated to the same pay range as his/her present classification, there will be no change in the rate of pay.

Transferred employees are subject to an introductory period as provided in Solid Waste Authority policy.

SECTION 16

ACTING in a HIGHER CAPACITY

A regular employee who is temporarily assigned to a higher classification for more than ten (10) consecutive workdays is eligible for a temporary pay increase at the same rate and guidelines as provided under *Section 13, Internal Job Postings and Promotion*.

Temporary assignments to a higher classification shall not exceed a period of six (6) months.

When the employee is re-assigned back to their original classification, pay will be adjusted to the original salary and modified with any intervening increases.

There will be no overtime pay if the employee is acting in an exempt position.

SECTION 17

RECLASSIFICATION and PAY GRADE ASSIGNMENT

17.1 Classification – General

As provided in *Section 5, Human Resource Administration (5.4, Pay and Classification Plan)* the Pay and Classification plan of the Solid Waste Authority groups positions which are essentially similar in type of work performed, difficulty and responsibility into designated pay ranges and grades. The plan provides a list of job titles, descriptions of the nature and requirement of the work in each class, and the allocation of specific positions to the appropriate classes.

17.2 Requests for Reclassification

Reclassification may involve an entire class of workers or a single position and result in a position being upgraded or downgraded to a new pay grade. A reclassification typically occurs when there is a significant change in the duties and responsibilities of an existing position, an inequity exists or when competitive pay surveys indicate a change in grade level is necessary. A Department Director will provide the Human Resources Director with a written request for reclassification and include supporting documentation. This documentation should be sufficient to support a reclassification by documenting actual job duties and tasks, providing sufficient information to allow the various factors in the position to be considered relative to the importance of the duties and responsibilities of other positions within the Solid Waste Authority. Reclassification should not take place independent of consideration of other positions within the overall classification system.

17.3 Recommendations for Reclassifications

Recommendations for reclassification shall be made by the Human Resources Director to the Chief and Executive Director or designee. Final approval for reclassification will be made by the Executive Director or designee.

17.4 Pay upon Reclassification

Employees who receive a job reclassification to a higher pay grade will receive a pay increase based on the following guidelines:

- a. 5% for a pay grade one (1) level higher
- b. 7% for a pay grade two (2) levels higher
- c. 8% for a pay grade three (3) or more levels higher

Exceptions to these guidelines require written justification and approval by the Executive Director or designee.

Employees who receive a job reclassification to a lower pay grade will not be subject to a pay reduction unless the employee's salary is above the maximum of the lower pay grade, in which case, the employee's salary will be adjusted to the new maximum.

SECTION 18

HOURS OF WORK, BREAKS and MEAL PERIODS

18.1 Workweek and Schedule

The normal workweek for most Solid Waste Authority employees is a 40-hour week beginning and ending at midnight on Friday. The actual days and hours worked by an employee may vary by department and shall take into account the needs and best interests of the Solid Waste Authority. Employees will be notified of their assigned working schedule by their immediate supervisor. Schedules are subject to change based on work load and service needs, however Supervisors will notify employees as soon as possible of scheduling changes. The Solid Waste Authority does not guarantee a minimum or maximum number of hours in any given pay period.

18.2 During a Declared Emergency

In the event of a disaster or an emergency, as declared by the Executive Director or designee, regularly scheduled hours and days of work are subject to change. Employees directed not to report for regular work assignments, may be compensated. During this period, employees should monitor the employee emergency phone number for information regarding work status and remain in contact with their immediate Supervisor or Department Director for further instructions.

18.3 Pay Period

The Solid Waste Authority pay period covers two 40-hour workweeks, with paychecks issued every other Thursday immediately following the end of each pay period. There are a total of twenty-six (26) pay periods in each calendar year. This pay schedule is subject to change in the event of a declared emergency or other unforeseeable interference. Employees will be notified in advance of a change.

18.4 Reporting for Work

Employees are required to report for work in sufficient time to start their assigned duties at the beginning of their work period.

18.5 Unauthorized Work

No non-exempt employee shall work prior to or after his/her scheduled work period hours or during meal breaks without prior authorization from his/her immediate supervisor.

18.6 Breaks and Meal Periods

It is the policy of the Solid Waste Authority to comply with state and federal laws regarding breaks and meal periods.

- All full-time non-exempt employees are permitted a 15-minute rest break for each four-hour work period. Breaks shall not be permitted at either the beginning or end of the workday to offset arrival and departure times. At the supervisor's discretion, both rest breaks may be combined with the lunch period, not to exceed 60 minutes. Employees who voluntarily work through their break periods will not be permitted additional compensation.
- All non-exempt employees who work an eight-hour day or more are permitted a non-compensable meal break of 30 minutes. Meal breaks are not counted as time-worked. Employees are to be completely relieved from duty during their meal break.

Employees who fail to return as scheduled from rest or meal breaks will be subject to disciplinary action and docking of pay.

TIME CLOCKS

19.1 Time Clocks – General

Employees whose daily hours are recorded by time clock are responsible for using it properly. Employees are required to punch in at the beginning of their assigned shift and punch out when they leave work.

19.2 Use of Equipment

Employees are to punch in and out at the time clock designated for their department/work location.

No employee shall attempt to punch in or out for another employee.

Tampering with, or misuse of time clocks may result in disciplinary action up to and including termination.

19.3 Work Time Rounding

Employees are required to record all of their time. If an employee fails to record their time, they are to notify their supervisor immediately.

Employees are expected to punch in no more than 7 minutes before start time and no later than 7 minutes after the end of their shift, unless prior supervisory approval was received.

For time keeping purposes, hours worked are recorded by the quarter hour, allowing 8 minutes to equal a quarter hour. This calculation should be performed only once on the total time worked each day.

Employees are expected to work their scheduled work hours every day. While occasional rounding of time is permitted allowing employees to clock in or out within seven (7) minutes of their scheduled arrival or departure time, this is the exception, rather than the rule. Repeated failure to clock in and out at the designated times may result in disciplinary action.

Minutes Worked	Hours Paid
1-7	00
8-22	.25
23-37	.50
38-52	.75
53-60	1.00

SECTION 20

OVERTIME and COMPENSATORY TIME

20.1 Overtime – General

Employees may be required to work more than the normal 40-hour week to meet operating needs. All overtime must be authorized and approved in advance by the employee's supervisor.

Eligibility for overtime pay is determined under the guidelines of the Fair Labor Standards Act (FLSA) as it pertains to public employers.

As a general rule, executive, administrative, professional and similar employees are *exempt* from the overtime provision of the FLSA and are not eligible to receive overtime compensation. The Human Resources Department maintains a list of all *exempt* positions within the Solid Waste Authority.

Overtime will be distributed as equally as possible within classifications and departments except where special skills, licenses, or other contributing factors, may cause fluctuations in overtime distribution.

All hours worked must be reported within the pay period. All overtime work must have the approval of the employee's supervisor on or before overtime is worked, and such approval must be properly documented on the authorized time sheet. Authorized overtime work will normally be compensated at time and one-half times the hourly rate to the nearest quarter hour or in compensatory time.

Vacation leave, sick leave, compensatory leave, personal day, holidays, compassionate leave, jury duty, civil leave, voting time, military leave, FMLA, disability leave, and workers' compensation are considered as time *not* worked for the purpose of calculating overtime.

20.2 Compensatory Time

The maximum accrual of compensatory time is eighty (80) hours for both non-exempt and exempt employees. The accrual of compensatory time shall be kept at a minimum. Use of compensatory time should be used in advance of accrued vacation in order to keep compensatory time balances as low as possible.

All non-exempt employees will be permitted to accrue compensatory time at the rate of 1 ½ hours for each hour worked. Employees may request compensatory time in lieu of overtime. The Solid Waste Authority will not direct that employees accrue compensatory time as opposed to paid overtime

Exempt employees may be given consideration for compensatory time at the rate of one (1) hour for each hour worked in excess of 40 hours in a workweek when such additional time is required in order to avoid or correct a serious problem, which if left unattended until normal working hours would result in a material loss of revenue or assets, a dangerous situation for employees or the public, or would cause unreasonable inconvenience to the system users.

Note: Straight time pay for exempt employees will only be considered when the additional time worked is the result of extraordinary or emergency circumstances and when it is demonstrated that such circumstances and/or work demands prevent the employee from taking compensatory time off within a reasonable period of time. Consideration of straight time pay for exempt employees requires the advance approval of the Executive Director of designee.

20.3 Accrual and Use of Compensatory Time

Request for using accrued compensatory time should be made in advance to the employees Supervisor. Every effort will be made to allow the employee to take the requested leave time, unless doing so would unduly disrupt Solid Waste Authority operations.

Upon termination of employment, non-exempt employees shall receive payment for all unused compensatory time. Exempt employees are not eligible for payment of unused compensatory time.

20.4 Holiday Pay

All non-exempt employees who are required to actually work on a designated holiday will be compensated at 1 ½ times their normal hourly rate for all hours worked on a holiday.

Exempt employees who are required to actually work on a *designated holiday* may, at the discretion of the Department Director or Chief, receive straight pay in addition to the holiday pay for those hours worked or receive compensatory time at the premium rate of 1½ hours for each hour actually worked.

20.5 Attendance at Meetings and Training

If directed and required, attendance at meetings, training or other similar activities, including travel time, which occurs outside of a non-exempt employee's regular work schedule, shall be considered as time worked for the purpose of calculating overtime.

Voluntary attendance, including travel time, for meetings, training or similar activities will be considered as time not worked for the purpose of calculating overtime.

Exempt employees are not eligible for compensatory time for any travel/training related activities.

20.6 Volunteering for Solid Waste Authority Events

Non-exempt employees who volunteer for a Solid Waste Authority function and work as a representative of the Solid Waste Authority, outside of their normal working hours, are eligible for compensatory time at the rate of 1 ½ hours for each hour worked.

Exempt employees who volunteer for a Solid Waste Authority function and work as a representative of the Solid Waste Authority, outside of their normal working hours, are eligible for compensatory time at the rate of one (1) hour for each hour worked.

Volunteering for a Solid Waste Authority function during an employee's regular working hours requires advance approval of the employee's supervisor.

20.7 Overtime during Declared Emergency

In the event of a declared emergency as designated by the Executive Director or designee, all hourly, non-exempt employees will continue to be compensated in accordance with the Fair Labor Standards Act.

At the discretion of the Executive Director or designee, exempt employees may be compensated at an hour for hour rate if required to report during a declared emergency. Advance approval of the Executive Director or designee is required.

SECTION 21

PREMIUM PAY PRACTICES

21.1 Lead Worker Pay

With approval of the Department Director, Supervisors may designate individuals for lead worker status to act with limited supervisory authority in the absence of the Supervisor or Assistant Supervisor. Lead workers may also be responsible for issuing job assignments and direction to other employees during the course of a work day as determined by the Supervisor.

When the need for a lead worker is identified, the Supervisor is required to post a notice of the lead worker opportunity for five (5) days at the facility to allow all interested employees a chance to apply. The Supervisor should contact Human Resources for assistance with posting and selecting lead workers.

Areas to be considered in selecting a lead worker include:

- Good employment record with Solid Waste Authority, including attendance and adherence to policies and procedures.
- Ability to direct and motivate a small group of employees.
- Ability to solve minor problems effectively.
- Ability to manage assigned administrative tasks.

Employees selected for lead worker status will receive a \$1.75 per hour salary adjustment.

Lead pay compensation is a premium payment and *will* be included in the calculation of overtime.

Lead pay compensation *will not* be calculated on time not worked to include vacation leave, sick leave, compensatory leave, personal day, holidays, compassionate leave, jury duty, civil leave, voting time, military leave, FMLA, disability leave, or any time off without pay.

Lead pay compensation *will not* be considered in the calculation of future pay increases such as merit or general wage adjustments.

Lead pay can be discontinued if the employee fails to perform, if the need no longer exists, or at the discretion of the Department Director and Supervisor.

21.2 Double Duty Pay

Employees holding a Class A or Class B Commercial Driver's License (CDL), who are on the Solid Waste Authority's authorized driver's list may qualify for additional compensation when they are designated dual assignments to operate large capacity trucks and also heavy equipment. Double duty assignment is at the discretion of the Solid Waste Authority.

Prior approval for double duty assignment is required by the Department Director, Risk and Safety Director and Human Resources Director.

The employees' work history and safety record will be reviewed prior to assigning double duty responsibilities.

Criteria for double duty assignment include:

- CDL Class A or CDL Class B with required DOT certification and responsible driving record.
- Ability and skill necessary to operate large capacity trucks and heavy equipment in a safe manner.
- Good work history and safety record with Solid Waste Authority.

Employees selected for double duty status will receive additional compensation based on the following license and operating requirements:

- Employees with a Class A CDL who are authorized to drive tractor trailers over the road and operate heavy equipment will receive an additional \$ 1.50 per hour compensation for double duty assignment.
- Employees with a Class A CDL who are limited to operating tractor-trailers on Solid Waste Authority property only and operate heavy equipment will receive an additional \$.80 per hour compensation for double duty assignment.
- Employees with a Class B CDL who are authorized to drive other large capacity trucks and operate heavy equipment will receive an additional \$.80 per hour for double duty assignment.

Double duty compensation is a premium payment and *will* be included in the calculation of overtime.

Double duty compensation *will not* be calculated on time not worked to include vacation leave, sick leave, compensatory leave, personal day, holidays, compassionate leave, jury duty, civil leave, voting time, military leave, FMLA, disability leave, or any time off without pay.

Double duty compensation *will not* be considered in the calculation of future pay increases such as merit or general wage adjustments.

Double duty can be discontinued if the employee fails to perform, if the need no longer exists, or at the discretion of the Department Director and Supervisor.

21.3 On-Call and Call-Back Pay

The Solid Waste Authority may designate employees periodically or rotationally to on-call or call-back duty during weekends, evenings or other off-duty hours.

During designated “on-call status”, an employee must be prepared to respond in a timely fashion to the required Solid Waste Authority facility or facilities.

For the purpose of this policy, the following definitions are established:

On-Call – The formal designation of an employee to be available for call-in during a specific period

Call-Back – The actual hours an employee, designated as being on-call, is required to report for duty

An employee directed to be on-call shall remain available to answer a telephone call from, or return a telephone call, within ten (10) minutes to the employee’s supervisor or Department Director. Failure to do so shall result in the forfeiture of all standby pay by the employee and may result in disciplinary action.

Advance notice of required “on-call status” will be given to employees whenever possible; however, employees should be aware that situations occasionally arise that do not permit advance notification. In such situations, the Supervisor will make every effort to notify the employee(s) as soon as possible.

Non-exempt employees placed in an “on-call status” will be compensated at the rate of \$25 per day, for each 24 hour assignment, including holidays.

Non-exempt employees who are “called-back” for duty will:

Be paid on a door to door basis at straight time and shall be guaranteed a minimum of two (2) hours pay. Compensation shall be made in addition to any “on-call pay.”

“On-call” compensation for non-exempt employees (\$25.00 per day) is *not* included in the calculation of overtime.

“Call-back” compensation for non-exempt employees is a premium payment and *will* be considered as time worked for purpose of calculating overtime.

Exempt employees are not eligible for “on-call” compensation.

Exempt employees who are “called back” for duty will receive compensatory time, for actual time worked, on an hour for hour basis.

On-call and call-back compensation will not be considered in the calculation of future pay increases such as merit or general wage adjustments.

21.4 Shift Differential Pay

Employees who work on second and third shifts, as defined, are eligible for shift differential pay. For the purpose of this policy, shifts are defined as:

- First shift from 7:00 a.m. to 3:00 p.m.
- Second shift from 3:00 p.m. to 11:00 p.m.
- Third shift from 11:00 p.m. to 7:00 a.m.

To accommodate various departmental scheduling needs, the second and third shifts start and stop times may vary by up to two (2) hours; however, to remain eligible for the premium pay, an employee must work the majority of scheduled hours in the shift schedule.

Employees assigned shift differential will receive a \$1.50 per hour salary adjustment.

Shift differential pay may not apply when employees are required to work in the event of an emergency situation, (hurricane, tornados, floods, etc.) unless they are regularly assigned to the second or third shift. Shift differential compensation is a premium payment and *will* be included in the calculation of overtime.

Shift differential compensation *will not* be calculated on time not worked to include vacation leave, sick leave, compensatory leave, personal day, holidays, compassionate leave, jury duty, civil leave, voting time, military leave, FMLA, disability leave, or any time off without pay.

Shift differential compensation *will not* be considered in the calculation of future pay increases such as merit or general wage adjustments.

Shift differential assignment can be discontinued if the employee fails to perform, if the need no longer exists, or at the discretion of the Department Director and Supervisor.

SECTION 22

EMPLOYEE BENEFITS

22.1 Employee Health Insurance and Other Coverage

Eligible employees are offered a variety of comprehensive benefits. These benefits are outlined in an Employee Benefits Highlight book that is issued annually by the Human Resources Department. A Summary Plan Description (SPD) for each medical and dental plan is provided on the Solid Waste Authority's intranet and also by hard copy, if requested. The current SPD is always the governing documents of record.

The Solid Waste Authority reserves the right to change providers, modify plan designs and adjust contribution rates at any time.

EDUCATIONAL REIMBURSEMENT PROGRAM

23.1 Education - General

Employees are encouraged to attend job-related educational courses during their off duty hours and obtain special recognition for professional certifications, licenses and work-related degrees obtained from a college, university or other approved accredited institution. Classroom schedules must not conflict with the employee's regular work schedule. Authorization for payment of any reimbursable costs under this program requires the approval of the Executive Director or designee.

23.2 Eligibility for Participation

All full time employees who have completed the initial introductory period are eligible to participate in the educational reimbursement program.

23.3 Tuition

An eligible education program is one offered by a college, university or other approved accredited institution for coursework that is directly related to the employee's current position, career field or a related higher position in the Solid Waste Authority. Only tuition reimbursement is provided under this program. Reimbursement for books and other fees will not be provided.

The Solid Waste Authority will not reimburse the cost of tuition which may have been advanced from other sources such as scholarships or grants. In the event of a partial scholarship or grant, reimbursement will be based upon the actual documented expense (that portion which has not been reimbursed to the employee) up to the maximum allowed by policy.

Prior to enrolling at a college, university, or other approved and accredited institution, an employee who wishes to be reimbursed for educational expenses must submit an application for educational assistance first to his/her department director for approval and then to the Human Resources Department. The application must be submitted to the Human Resources Department with Department Director approval prior to actual enrollment in the course.

No later than sixty (60) days from completion of the program and/or course, the employee must submit a certified transcript of grades to the Human Resources Department along with proof of payment.

Reimbursement will be paid under the following schedule:

- Undergraduate and Graduate Graded Courses are reimbursed at 100% for a Grade "C" or above.
- Ungraded courses, and pass/fail courses are reimbursed at 100% and require a certificate of completion or similar document.

Maximum reimbursement per calendar year, per employee shall not exceed \$1800 for undergraduate courses or \$2200 for graduate courses. The last scheduled day of the course shall be used to determine the calendar year for the purpose of computing annual dollar limits.

23.4 Developmental Job Training

Any course, seminar, or outside training deemed essential or required for the maintaining of standards or overall departmental efficiency which have been duly defined and authorized by the Department Director and/or Chief and approved in advance by the Executive Director or designee will be sponsored 100% by the Solid Waste Authority.

Reimbursement for Developmental Job Training courses may include:

Tuition/Registration	Books/Manuals	Activity Fees	Required Materials	Travel Expenses *
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*Pursuant to Solid Waste Authority travel policy.

Non-exempt employees will be compensated for actual hours of attendance when participation in training programs is required.

23.5 Compensation for Degrees, Professional Certifications and Licenses

Employees who are awarded a degree or gain education through license and certifications, while employed by the Solid Waste Authority, may be eligible for a one-time salary increase under the following guidelines:

Associate Degree – 3%	Bachelors Degree – 5%	Masters Degree – 7%
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The percentage increases for award of a degree are cumulative with a *maximum not to exceed 7%* total as provided above. (Example: An employee receiving a Bachelors Degree is eligible for a 5% one-time increase. If the same employee receives a Master Degree they are eligible for an additional 2% increase).

Certification – a certificate is administered by a professional association, which requires the demonstration of a certain level of knowledge or ability in one’s field.

Employees receiving a Professional Certification, that is not defined as a minimum requirement of the job, but will benefit the employee and Solid Waste Authority, are eligible for a one-time salary increase of up to a maximum of 5% as recommended by the Department Director and/or Chief.

License – a license is administered by a governmental entity, which requires the demonstration of a certain level of knowledge or ability in one’s field.

Employees receiving a recognized license in their career field, that is not defined as a minimum requirement of the job, but will benefit the employee and Solid Waste Authority, are eligible for a one-time salary increase of up to a maximum of 5% as recommended by the Department Director and/or Chief. There are no additional *pay increases* for re-certifications or license renewals.

Prior to scheduling any training or testing for a certification or license, the employee is required to obtain advance approval from the Department Director and Chief to determine if the certification or license requested is beneficial to the Solid Waste Authority.

If awarded, the percentage of salary increase for a certification or license will be directly related to the level of skill, complexity and effort required for the certification and/or license.

The Department Director may authorize reimbursement for fees to renew a license or certification if it is in the best interest of the Solid Waste Authority that the employee maintain the license or certification.

23.6 Agreement and Certification for Reimbursement by Employee

The application for Education Reimbursement Program participation shall include an agreement to be signed by the employee stipulating that the employee will remain in the Solid Waste Authority’s employ for a minimum of two full years after completion of the approved course. Should the employee’s services terminate during this period, voluntarily or involuntarily, the Solid Waste Authority shall be repaid for all paid reimbursement costs. To the extent possible, repayment shall be deducted from final pay upon separation at the discretion of the Executive Director or designee or repaid in monthly installments authorized and approved by prior arrangement.

Repayment/Reimbursement upon Termination

Less than one year – 100%	One to two years – 50%
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VACATION LEAVE

24.1 Vacation Leave - General

The Solid Waste Authority provides for accrual of vacation leave to full-time regular status employees as outlined below. Vacation accrual is calculated per pay period with accrual balances reflected in the employee's bi-weekly pay check. Employees are not eligible to take vacation leave that has not been accrued. Sick leave cannot be used to supplement unearned vacation.

24.2 Accrual Schedule – Full Time Regular Status Employees

Years of Employment	Vacation Leave Earned Per Pay Period
First Year	4.00 hours
Beginning of Second Year through completion of Fifth Year	4.62 hours
Beginning of Sixth Year	4.93 hours
Beginning of Seventh Year	5.24 hours
Beginning of Eighth Year	5.54 hours
Beginning of Ninth Year	5.85 hours
Beginning of Tenth Year	6.16 hours

24.3 Accrual and Use of Leave for New Employees – Introductory Period

New employees are eligible to accrue vacation leave but cannot take accrued leave until they have successfully completed the introductory period. New employees who terminate, for any reason, before completing the introductory period will not be eligible for payment of any accrued leave balances.

24.4 Accrual Schedule – Part-Time/Reduced Schedule Regular Status Employees

Part-time regular status employees will accrue vacation leave on a pro-rated basis determined by the number of hours worked. Employees who are working on an established reduced work schedule of at least twenty (20) hours per week are eligible to accrue vacation on a pro-rata basis.

Vacation leave accrual will not be earned for any pay period in which the employee is on an unpaid leave.

24.5 Accrual – Workers' Compensation

In the event an employee begins receiving workers' compensation benefits or disability benefits and is unable to return to work, vacation leave accrual will continue for a period of thirty (30) days, beginning on the date the employee was injured. After thirty (30) days, accrual will cease and may be held pending final resolution of the employee's return to work status.

24.6 Maximum Accrual and Carry-Over

Employees are limited to a 500 hour vacation accrual-carry over from fiscal year-to-year. Employees may continue to accrue vacation, up to a maximum of 660 hours (500 carry over + 160 which is the maximum amount an employee can accrue in a given year), and use vacation leave during the next fiscal year but cannot exceed the 500 hours maximum carry over from fiscal year-to-year. Accrual will stop when the maximum (660 hours) has been reached.

Employees with an accrual in excess of 500 hours at the end of a fiscal year will forfeit the total number of hours that exceed the 500 hour carry-over maximum.

24.7 Use of Vacation Leave

With the exception of emergency situations, request to use more than 40 consecutive hours of vacation leave must be submitted to the Supervisor at least two weeks in advance of the first day of the requested leave, unless otherwise required by Departmental procedures.

Requests to use less than 40 consecutive hours of vacation leave shall be submitted at least 48 hours in advance of the first day of leave, unless otherwise required by Departmental procedures.

No vacation may be taken without prior approval of the employee's supervisor. Each supervisor may designate certain months during which employees may not use vacation leave due to peak workloads. Supervisors are not required to grant vacation leave during the period requested if such absence will cause an unacceptable work load for the available work force. In situations of conflict, and in the absence of any other rationale, seniority may be the prime factor for consideration.

Any request for vacation leave may be denied by the Supervisor with final review by the Department Director if the attendance of the employee is required and in the best interest of Solid Waste Authority operations. Denial of requested vacation leave is at the sole discretion of Department Director.

In the event an employee requires same-day leave for an unforeseen or unanticipated reason, the employee shall notify their Supervisor at least one hour prior to the beginning of their scheduled start time. Failure to timely notify the Supervisor of such an absence could result in denial of paid leave for that day, absent extenuating circumstances.

Vacation leave requests shall be granted at the discretion of the supervisor based on the operational needs of the Solid Waste Authority; however, every effort will be made to accommodate employees. Insufficient notice may result in denial of vacation leave.

Vacation leave may be authorized to attend a funeral of friends or family not covered by the definition of immediate family in Solid Waste Authority's policy (*Section 27, Compassionate Leave*). Prior approval is required.

Vacation leave may be authorized for an employee's personal religious holidays which are not designated as a legal holiday by the Solid Waste Authority. Prior approval is required.

Vacation leave may be taken in a single continuous period, in separate weeks, or in days. Under unusual, necessary, infrequent or emergency circumstances, vacation leave may be granted by the employee's supervisor in a minimum of one (1) hour increments.

If a paid holiday falls within an employee's vacation period, the employee will receive holiday pay and will not be charged vacation leave time for the holiday.

No allowance will be made for illness or other compensable types of absence occurring during a scheduled vacation with the exception of compassionate leave.

An employee may not receive vacation leave pay in lieu of time off.

Vacation leave time is considered as *time not worked* for the purpose of calculating overtime.

In the event that a work schedule is issued, or leave is granted and subsequently an employee is *required* to work on a scheduled day off, or leave is rescinded, and the employee's reliance on that schedule or the granting of leave caused him/her to incur expenses that cannot be recovered or mitigated, at the discretion of the Executive Director or designee, the employee may be entitled to compensation. Compensation may only be considered if the employee, upon notice of the schedule change or the rescission of leave, communicates the economic impact to their Supervisor, and the Supervisor nonetheless *requires* the employee to report for duty, and only to the extent that the employee's out-of-pocket expenses cannot be recovered or mitigated.

It is the Supervisor's responsibility to make every effort to find another employee to accomplish the work, and to document in writing, that the employee's presence is essential and that the work cannot be performed by another employee. It is the employee's responsibility to make a reasonable effort to recover or mitigate the expense and to properly substantiate the expense and the efforts to mitigate the expense to the satisfaction of the Executive Director or designee.

24.8 DROP Vacation Payout

Employees who elect to participate in the Deferred Retirement Option Program (DROP) through the Florida Retirement System may elect the option to receive a one-time payment of accrued vacation leave when entering DROP to increase their Average Final Compensation (AFC). This option is available only to DROP participants.

As established by Florida Retirement System guidelines, employees entering DROP can receive a maximum payout of up to 500 hours accrued vacation leave.

Employees electing a lump sum payment of their vacation leave at the beginning of the DROP period will be eligible to receive a second lump sum payment upon termination from the DROP if the employee has earned additional vacation leave. However, the combined total of the hours of accrued vacation leave covered by the original payment at the beginning of DROP and the additional accrued leave covered by the second lump sum payment cannot exceed 660 hours.

Example: If an employee was paid for 300 hours at the beginning of DROP, the employee could be paid for an additional 360 hours of accrued vacation leave at the termination of DROP. DROP participants who elect not to be paid for vacation time when they enroll in DROP will be paid for their accrued vacation leave at the termination of DROP, up to a maximum of 660 hours.

For additional information on DROP and/or the Florida Retirement System, employees should contact the Human Resources Department.

24.9 Pay for Unused Vacation Leave

Upon termination, employees may be eligible to receive payment for the balance of any unused vacation leave in their accrual account up to a maximum of 660 hours.

In the event of an employee's death, final payment for 100% of accrued vacation leave will be made to the employee's beneficiary, estate or as otherwise provided by law.

SICK LEAVE

25.1 Sick Leave – General

The Solid Waste Authority provides for accrual of sick leave to full-time regular status employees as outlined below. Sick leave accrual is calculated per pay period with accrual balances reflected in the employees bi-weekly pay check. Employees are not eligible to use sick leave that has not been accrued.

Eligible employees can use accrued sick leave for paid time off due to a personal injury or illness, well-care, medical/dental appointments or for members of their immediate family, including qualified domestic partners and their children.

25.2 Accrual Schedule – Full Time Regular Status Employees

Sick leave allowance for regular full-time employees will be earned at the rate of four (4) hours for each bi-weekly pay period for which the employee receives compensation totaling at least eighty (80) hours.

25.3 Accrual and Use of Leave for New Employees – Introductory Period

New employees are eligible to accrue sick leave based on the above schedule but cannot take accrued leave until they have successfully completed the introductory period. New employees who terminate before completing the introductory period will not be eligible for payment of any accrued leave balances.

25.4 Accrual Schedule – Part-Time/Reduced Schedule Regular Status Employees

Part-time regular status employees will accrue sick leave on a pro-rated basis determined by the number of hours worked. Employees who are working on an established reduced work schedule of at least twenty (20) hours per week are eligible to accrue sick leave on a pro-rata basis.

Sick leave accrual will not be earned for any pay period in which the employee is on unpaid leave.

25.5 Accrual – Workers' Compensation

In the event an employee begins receiving workers' compensation benefits or disability benefits and is unable to return to work, sick leave accrual will continue for a period of thirty (30) days, beginning on the date the employee was injured. After thirty (30) days, accrual will cease and may be held pending final resolution of the employee's return to work status.

25.6 Maximum Accrual

Employees can accrue a maximum of 360 hours of sick leave.

25.7 Use of Sick Leave

An employee shall notify their Supervisor at least one hour prior to their scheduled start time when same day leave is requested due to illness or injury. Failure to notify the Supervisor may result in denial of paid sick leave. Sick leave may be authorized to attend a funeral of friends or family not covered by definition of immediate family in Solid Waste Authority policy, *Section 27, Compassionate Leave*. Prior approval is required.

Sick leave must be used in one (1) hour increments.

Sick leave is considered as *time not worked* for the purpose of calculating overtime.

Employees are not eligible to receive pay in excess of 40 hours for any week, which includes “time not worked” as defined by Solid Waste Authority policy. Sick leave may be limited to unused accumulated sick time and:

- 40 hours or the number of regular hours scheduled for that pay period week less:
 - Time worked, and
 - Any other paid time off

At the request of the employee, accrued vacation leave may be used as sick leave when all accrued sick leave has been exhausted.

Supervisors may request medical justification from an employee who, in the opinion of the Supervisor, abuses the sick leave policy. Unanticipated or excessive use of sick leave prior to, or immediately after a holiday, or scheduled vacation may result in disciplinary action.

25.8 Sick Leave Conversion

All regular status employees, with at least one (1) year of continuous service as of September 30th of each year, may be given the option to convert or accumulate their unused annual accrual of sick leave as follows:

- Convert 7 days (56 hours maximum) of accrued sick leave, less any sick time used during the fiscal year ending with the last pay period prior to September 30th of such year, to payment at 2/3 of the employee’s rate of pay and accumulate any balance of sick leave accrued during this period not so converted, or
- Accumulate any unused annual accrual up to a maximum of 45 days (360 hours) and receive payment at 2/3 of the employee’s rate of pay for any time in excess of the 45 days, if any.

This convertible sick leave may alternatively be converted to vacation leave (subject to existing policy) at the rate of 2/3 at the option of the employee. Sick leave that is converted to vacation leave will be held in a separate accrual bank and must be used during the following fiscal year. *Unused* sick leave that was *converted* to vacation will be forfeited at the end of the fiscal year or upon termination for any reason.

Payment for converted sick leave will be made during the month of October. The current rate of pay to be used for these conversions will be the employee’s rate of pay in effect on the first day of the pay period in which October 1st occurs during the fiscal year in which payment is made.

25.9 Payment for Unused Sick Leave upon Termination

Upon termination for reasons other than willful misconduct, employees may be eligible to receive the balance of accumulated sick leave, at their current rate of pay, as follows:

- Employees with five (5) years of service will receive payment for 25% of accumulated sick leave balance;
- Employees with ten (10) years of service will receive payment for 50% of accumulated sick leave balance.
- Employees who have at least ten (10) years of service with the Solid Waste Authority and are retiring through the Florida Retirement System are eligible to receive payment for 100% of accumulated sick leave balance.

In the event of an employee’s death, final payment for 100% accrued unused sick leave will be made to the employee’s beneficiary, estate or as otherwise provided by law.

SECTION 26

HOLIDAYS

The Solid Waste Authority recognizes national holidays as designated. A schedule of designated holidays will be published and distributed annually by the Human Resources Department.

26.1 Designated Holidays

- New Year's Day
- Martin Luther King Day (3rd Monday in January)
- President's Day (3rd Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4th)
- Labor Day (1st Monday in September)
- Veteran's Day (November 11th)
- Thanksgiving Day
- Day after Thanksgiving (Floating Holiday)
- Christmas Day (December 25th)
- Floating Holiday (determined annually)
- Personal Day *

**The Personal Day holiday must be scheduled in advance through the appropriate Supervisor and must be used before the end of the last pay period in the fiscal year it was earned. Only full-time regular status employees are eligible for the Personal Day holiday. Employees who begin employment after March 1st of the year and have not completed the introductory period are not eligible for a Personal Day holiday in that year. If eligible, the Personal Day holiday will only consist of 8 hours. Employees may supplement the Personal Day with accrued leave time as appropriate.*

Other than National Holidays celebrated on Mondays, designated holidays that occur on a Saturday will normally be observed on the Friday preceding the holiday. Holidays occurring on a Sunday will normally be observed on the Monday immediately following the holiday.

Employees must be in active pay status or on pre-approved, scheduled leave on the day before and the day after a designated holiday to be eligible for holiday pay. If an employee is absent on one or both of these days because of illness or injury he/she may be required to submit medical justification for the absence. Failure to provide requested documentation may result in loss of holiday compensation.

If a designated holiday occurs during an authorized vacation period, the holiday is not charged against the employees vacation accrual balance.

Employees on an unpaid leave of absence are not eligible to receive holiday pay.

26.2 Hours of Work, Schedule - Holidays

Full-time employees, who are regularly scheduled to work a 10 hour/4 day work week (or other designated schedule), will be compensated holiday pay for the regularly scheduled assigned hours (for example, a 10 hour work day schedule is eligible for a 10 hour paid holiday) if the holiday falls on one of their scheduled workdays. Holidays that fall outside of the employee's regular work schedule will be paid for eight (8) hours holiday pay.

A designated holiday is considered as *time not worked* for the purpose of calculating overtime.

Exempt employees who are required to actually work on a designated holiday may, at the discretion of the Department Director or Chief, receive straight pay in addition to the holiday pay for those hours worked or receive compensatory time at the premium rate of 1 ½ hours for each hour actually worked.

26.3 Temporary and Part-time Employees

Part-time employees who work at least 20 hours or more per week will receive holiday pay on a pro-rated basis.

Temporary employees are not eligible for holiday pay.

SECTION 27

COMPASSIONATE LEAVE

27.1 Compassionate Leave – General

In the event of a death in an employee’s immediate family, regular status full-time employees and employees in the introductory period, may take compassionate leave up to three (3) days (24 work hours) for a funeral within the State of Florida or five (5) days (40 work hours) for a funeral held outside the State of Florida.

If requested, an employee may be granted up to four (4) hours of compassionate leave, during regular scheduled working hours, to attend the funeral of a current or former employee provided such absence would not create a hardship on the Solid Waste Authority’s operation.

At the employee’s request, additional time needed for compassionate leave can be charged to the employee’s vacation or sick leave accrual.

All compassionate leave must be approved by the appropriate Supervisor. Supervisors may request the employee provide written notification indicating the name of the deceased, relationship to employee, and dates of requested compassionate leave.

Regular full-time and introductory status employees are eligible for compassionate leave.

27.2 Immediate Family

For purposes of this section, “immediate family” includes the employee’s spouse, child, including stepchildren, registered domestic partner and their children, parent, step-parent, grandparent, sibling, including step/half sibling, grandchildren, aunt, uncle, mother/father-in-law, brother/sister-in-law, son/daughter-in-law.

Compassionate leave is considered as *time not worked* for the purpose of calculating overtime.

JURY DUTY, CIVIL LEAVE and VOTING TIME

28.1 Jury Duty

Leave with pay is granted to an employee who is required to report for jury duty on a regular scheduled workday. Employees shall inform their supervisor that they have been notified to report for jury duty within 24 hours of receiving such notice. Additionally, an employee must communicate daily with his/her supervisor while on jury duty leave. An employee is expected to be on the job if excused from jury duty early or if the employee is not required to be present in court. An employee must provide his/her supervisor with a "Verification of Attendance" form or other documentation showing he/she performed the duty to receive jury duty leave.

There will be no compensation by the Solid Waste Authority for days an employee serves jury duty on his/her regularly scheduled day off or for hours served outside of employees regular scheduled working hours.

Payment received by the employee for jury duty, except for mileage reimbursement, must be endorsed to the Solid Waste Authority.

Employees on jury duty are expected to work as much of their regularly scheduled shift as jury duty permits. When an employee is released from jury duty with at least three (3) hours remaining on his/her regularly scheduled work day, the employee shall return to work and report to his/her supervisor. Employees assigned to 2nd and 3rd shifts may be excused from their regular hours if required to be in court for the majority of a regular business day.

28.2 Civil Leave

Civil leave is not granted for court appearances when an employee is engaged in personal litigation or voluntarily serves as an expert witness. Vacation or compensatory leave or leave without pay may be granted for this purpose.

28.3 Voting Time

Employees are expected to use early voting before or after working hours on Election Day or on weekends prior to Election Day. However, in unusual circumstances, when it is not possible for an employee to vote before or after his/her regular working hours, the Solid Waste Authority will provide the employee with a reasonable amount of time off, not to exceed two (2) hours, during the regular work day for voting.

Jury duty, civil leave and voting time are considered as *time not worked for* the purpose of calculating overtime.

FAMILY MEDICAL LEAVE ACT (FMLA)

29.1 FMLA – General

The Solid Waste Authority provides eligible employees with job-protected unpaid family and medical leave in compliance with the Family and Medical Leave Act (FMLA). Questions regarding this policy should be directed to the Human Resources Department.

29.2 Employee Eligibility Requirements

- must be employed by the Authority for 12 months;
- must have worked at least 1,250 hours during the 12-month period immediately before the date when leave is requested to start;
- leave purpose meets the requirements outlined below.

29.3 Type of Leave Covered

Eligible employees may receive up to twelve (12) workweeks of family medical leave in a rolling twelve (12) month period:

- for the birth and care of a newborn child during the first year;
- for the placement of a child for adoption or foster care during the first year; (*leave should be taken in one single period; intermittent or reduced schedule leave is at discretion of the Authority*);
- to care for an employee's spouse, registered domestic partner, son, daughter, or parent with a serious health condition;
- to take medical leave when the employee is unable to perform the essential functions of their job because of a serious health condition; or
- for qualifying exigencies arising out of the fact that the employee's spouse, registered domestic partner, son, daughter, or parent is a covered military member on active duty, or has been notified of an impending call or order to active duty, in support of a contingency operation.

Eligible employees may receive up to twenty-six (26) workweeks of military caregiver leave during a single twelve (12) month period:

- to care for a covered service member with a serious injury or illness, incurred in the line of duty, who is the spouse, registered domestic partner, son, daughter, parent, or next of kin to the employee.

Spouses who are both employed by the Solid Waste Authority are limited to a combined total amount of FMLA family leave as provided under FMLA regulation §825.201(b) and FMLA regulation §825.127(f), if applicable.

The Solid Waste Authority reserves the right to provisionally designate leave as FMLA leave upon written notice to the employee. Qualifying workers' compensation and/or disability leave will be designated as FMLA leave.

29.4 Definitions

The following definitions apply for purposes of this policy.

- **Covered servicemember** – a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty.
- **In loco parentis** – persons with day to day responsibility to care for and financially support a child, or who stood in loco parentis to the employee when the employee was a child.
- **Next of kin** – nearest blood relative other than the covered servicemember’s spouse, parent, son or daughter in the following order of priority – blood relatives who have been granted legal custody, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless another blood relative has been designated in writing by the covered servicemember.
- **Parent** – a biological, adoptive, step or foster parent, or any other individual who stood in loco parentis to the employee when the employee was a child.
- **Qualifying exigencies** – includes short notice deployment; military events and related activities; certain childcare activities arising from the call to duty; making financial and legal arrangements to address a covered military member’s absence; attending counseling, the need for which arises from the active duty or call to active duty status of the covered military member; taking up to fifteen (15) calendar days of leave to spend time with a covered military member who is on short-term temporary rest and recuperation leave during deployment; attending certain post-deployment activities, including attending arrival ceremonies and other official ceremonies or programs sponsored by the military within 90 days of active duty status and addressing issues arising from the death of a covered military member.
- **Registered domestic partner** – a relationship between two individuals in accordance with the requirements established by County Ordinance 2006-002.
- **Serious health condition** – a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by licensed health care provider.
- **Serious injury or illness** – one that was incurred by a servicemember in the line of duty on active duty that may render the servicemember medically unfit to perform the duties of his or her office, grade, rank or rating.
- **Son or daughter** – a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and “incapable of self-care because of a mental or physical disability” at the time that FMLA leave is to commence.
- **Spouse** – a husband or wife as defined or recognized under law.

29.5 Employee Notice and Certification

For leave that is foreseeable, the employee must provide the Human Resources Director or designee with at least thirty (30) days notice. If the need for leave is not foreseeable, the employee is required to provide as much notice as is practical once the need for leave becomes known;

Non-military FMLA leave must be supported with required medical certification. The employee must periodically report on their medical status and intent to return to work.

Leave for a qualifying exigency must be supported by a copy of the covered military member's active duty orders or other related documents.

Failure to provide the required documentation by the due date given, at least 15 calendar days from receipt of notice, may result in the denial or delay of FMLA.

Employees taking consecutive leave must make contact with their immediate supervisor or the Human Resources Director or designee at least once every thirty (30) days.

The Authority may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if the employee seeks an extension of his or her leave. Otherwise, the Authority may request recertification every six months in connection with an FMLA absence.

Employees taking intermittent or reduced schedule leave must follow departmental procedures for requesting leave.

Certification forms and other documents required under this section are available through the Human Resources Department.

29.6 Substitution of Accrued Paid Leave

Employees eligible for FMLA are required to use accrued paid leave benefits concurrently with FMLA unless other benefits apply such as workers compensation or disability. Any leave taken under this policy, paid or unpaid, will be counted against the employee's FMLA leave entitlement.

29.7 Measuring the twelve (12) month FMLA period

The "12-month period" (non-military FMLA leave) is a "rolling" measurement (backward from the date an employee uses any leave under this policy).

The "single twelve (12) month period" to care for a covered servicemember with a serious injury or illness begins on the first day the employee takes leave and ends twelve (12) months later. This leave is not calculated using the "rolling" 12-month period as defined for non-military FMLA leave.

29.8 Intermittent Leave or Reduced Leave Schedule

Under some circumstances, employees may take FMLA leave intermittently – taking leave in separate blocks of time for a single qualifying reason – or on a reduced leave schedule – reducing the employee's usual weekly or daily work schedule. Intermittent leave can be taken for whole or partial days and must be medically necessary. Employees taking intermittent or reduced schedule leave must attempt to schedule the leave so as not to disrupt departmental operations.

If intermittent leave or reduced leave is provided, the Solid Waste Authority may temporarily transfer the employee to another position for which the employee is qualified with equivalent pay and benefits that better accommodates the leave.

29.9 Health Insurance Coverage and Benefits

The Solid Waste Authority will maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work.

The Solid Waste Authority may recover premiums paid to maintain health coverage.

Leave benefits (sick, vacation, personal) will not accrue during unpaid FMLA.

Employees on approved leave under this policy are entitled to any unconditional pay increases that occurred while on FMLA leave, such as general wage adjustments.

29.10 Returning to Work and Job Restoration

When leave is taken because of the employee's own serious health condition, the employee is required to furnish medical documentation releasing them back to work. Employees in safety sensitive and/or driving positions may be required to obtain additional medical clearance.

Upon return from FMLA leave, an employee will be returned to the same or equivalent job with equivalent pay, benefits and other terms and conditions of employment.

An employee's use of FMLA leave cannot result in the loss of any employment benefit that the employee earned or was entitled to before using FMLA leave.

Any employee who fails to return to work as scheduled after FMLA leave or is unable to perform the essential functions of their job with or without accommodation, will be subject to termination.

An employee on FMLA leave is not protected from actions that would have affected him or her if the employee was not on FMLA leave (i.e. reduction of overtime, elimination of a shift or reduction in force).

29.11 Paid Parental Leave (PPL)

The Solid Waste Authority of Palm Beach County will provide eligible employees up to a maximum of six (6) consecutive weeks (240 hours) of paid parental leave following the birth, adoption or qualified foster care placement of a child/children. Paid parental leave is available to both male and female employees.

Eligible employees will be entitled to paid parental leave as follows:

- 100% of base salary for the six (6) consecutive weeks (240 hours) of leave.

An eligible employee who is the birthing mother may receive an additional two (2) weeks (80 hours) of paid leave at the 100% base wage rate if it is deemed medically necessary for the birthing mother to recover from cesarean section delivery and/or other documented medical complications associated with the birth.

Paid parental leave must be utilized immediately following the birth, adoption, or qualified placement of a child/children. Paid parental leave cannot be taken intermittently.

Paid parental leave will run concurrently with any qualifying Family Medical Leave and be counted toward the 480 hours of job protected leave allowed within a rolling 12-month period under the FMLA. All requirements for FMLA (while running concurrently with paid parental leave) must be followed in accordance with federal law, in accordance with the Solid Waste Authority Employee Handbook, and in accordance with any other associated Solid Waste Authority policies.

Paid parental leave will not be extended beyond the six (6) weeks following the birth, adoption or qualified placement of a child/children unless otherwise provided in this policy.

If a multiple birth, adoption or qualified placement occurs (e.g., the birth of twins or adoption or placement of siblings) the total amount of paid parental leave granted for that event will not be increased.

If both parents work for the Solid Waste Authority, each is entitled to a six (6) consecutive week leave period which can be taken concurrently or separately, but must conclude within the first twelve (12) weeks immediately following the birth, adoption or qualified placement of a child/children.

Paid parental leave will be paid on a biweekly basis according to the Solid Waste Authority's regularly scheduled payroll calendar.

If a holiday occurs during the paid parental leave, the employee will receive holiday pay in lieu of paid parental leave, but a holiday will not extend the duration of the leave.

The number of paid parental leave periods each employee may take is unlimited over the duration of his or her Solid Waste Authority employment, however an employee is only eligible for one (1) period of paid parental leave in a rolling 12-month period, regardless of whether more than one birth, adoption, or qualified placement event occurs within that rolling 12-month time frame.

Annual leave and sick leave will continue to accrue during the period of paid parental leave.

The Solid Waste Authority will maintain all benefits for eligible employees during the paid parental leave period just as if the employee were taking any other Solid Waste Authority paid leave such as paid vacation leave or paid sick leave. All applicable payroll deductions will continue during the leave.

If approved, applicable short term disability benefits may commence after paid parental leave is concluded and sick leave accrual is exhausted. Employees should review their short-term disability benefits for clarification.

Eligibility

To be eligible for paid parental leave, an employee must:

- Have worked for the Solid Waste Authority at least twelve (12) consecutive months;
- Have worked at least 1,250 hours during the 12-month period immediately before the date when paid parental leave is to start.

An eligible employee includes a mother, father, step parent, legal guardian, individual who is in loco parentis, or certified domestic partner of the parent at the time of the birth or date of the adoption or qualified placement of the child. An eligible employee will be required to furnish proof of status of in loco parentis or legal guardianship.

Exclusions

Surrogate mothers and sperm donors are excluded from coverage under this policy as are parents who elect to place their newborn child/children for adoption or whose newborn child/children is involuntarily placed in foster care.

Procedure

Employees must provide his or her supervisor and the Human Resource Department with as much advance notice as possible of the request for paid parental leave but not less than thirty (30) days prior to the proposed date of the leave.

The employee must complete the required FMLA forms including the “Request for Paid Parental Leave” and provide all documents as necessary to substantiate the request.

Written notice is not required in the event of a medical emergency.

An eligible employee will be required to furnish appropriate adoption or qualified foster care placement documentation, such as a letter from the respective agency, or from the attorney in cases of private adoptions.

Employees are not authorized to work at any other employment during paid parental leave.

Upon separation of employment, employees will not be paid for any unused paid parental leave.

An employee shall reimburse the Solid Waste Authority in an amount equivalent to the value of the paid parental leave taken either directly, or through deductions from his or her final pay check if the balance is sufficient to cover the amount owed, or through a combination if they voluntarily terminate and fail to return to work for a period of time equivalent to the amount of paid parental leave taken. Example: An employee who receives paid parental leave for a period of six (6) weeks must return to work for a full six (6) weeks or will be responsible for re-payment of the difference. The Director of Human Resources for the Solid Waste Authority, at the direction of the Executive Director or designee, is authorized to make any necessary administrative changes to this policy, including but not limited to, notification requirements, eligibility and documentation requirements.

MILITARY LEAVE

30.1 Military Leave - General

Military leave is provided under this policy pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA) Chapter 43 of Title 38 United States Code (U.S.C.), and Florida Statutes, Chapters 115 and 250.

30.2 Reserve Military Training

Any Solid Waste Authority employee who is in the military reserve forces or National Guard and are ordered to a Unit Training Assembly (UTA), a Multiple Unit Training Assembly (MUTA) or Active Duty for Training (ADT) shall be granted leave in accordance with Florida Statutes, Chapter 115.

Employees on Reserve Military Training will receive full base pay for a period not to exceed 240 hours in any one calendar year.

Any absence for training purposes in excess of the 240 working hours shall be charged to the appropriate accrued paid leave, or to leave without pay if an employee has no leave accumulated.

All health insurance benefits and other benefit provisions extended to a Solid Waste Authority employee shall continue in accordance with USERRA and Chapters 115 and 250, Florida Statutes. The employee will be required to continue paying the employee contribution cost for medical coverage.

Military leave with pay shall not be granted to an employee who *voluntarily* extends the training time or who is required to spend additional training time caused by excessive absences to reserve meetings during the preceding year.

An employee called to Military Reserve Training shall notify his/her Supervisor when put on alert for call-up. Prior to the commencement of active military leave, a copy of notice of duty assignment or service orders shall be provided to the Human Resources Department.

30.3 Active Military Leave

Any employee who enters "active duty" in the Armed Forces Reserve or National Guard shall be granted "active military leave" for the period of Active Military Service. As used herein, "active duty" does not mean time spent by an employee in Reserve Military Training.

Period of Active Military Service means the continuous interval during which the employee is in active military service, as specified in section 115.08(2), F.S., and which, regardless of how many times the employee receives new or amended orders before being released by the military and returning to work, shall constitute a single period of authorized military leave for purposes of remaining in pay status for the first 30 days of active military service, as contemplated by Chapter 115, F.S., and Chapter 250, F.S.

While on active military leave, the employee will receive full base pay for the first 30 calendar days in any one calendar year. This leave commences upon receipt of their initial orders for federal active duty and ends no more than 30 days following their release or discharge from the Military or upon return to work, whichever occurs first. If the employee chooses to exercise their USERRA rights and requests to extend their leave beyond the 30 days allotted in statute before returning to work, they may continue on military leave without pay for the additional 30 to 60 days, as applicable under USERRA or with approval of the Solid Waste Authority Governing Board, the Solid Waste Authority may supplement the military pay of its employees called to active duty in an amount necessary to bring their total salary, inclusive of their base military pay, to the level earned at the time they were called to active military duty. The employee is required to provide satisfactory evidence of the military pay received.

Solid Waste Authority Employees who volunteer or are drafted and serve in active military service (non-reservists); who are members of the reserves or the National Guard and are called to federal active duty (reservists); or who are Florida National Guard members called to state active duty; shall be placed on military leave in accordance with Chapter 115, F.S., or Chapter 250, F.S., as applicable, and will have reemployment rights and benefits in accordance with the provisions of USERRA or of the Florida Uniformed Servicemembers' Protection Act in Chapter 250, F.S., as applicable.

All health insurance benefits and other benefit provisions extended to a Solid Waste Authority employee shall continue in accordance with USERRA and Chapters 115 and 250 of Florida Statutes. The employee will be required to continue paying the employee contribution cost for medical coverage.

Employees on active duty are eligible to receive any general wage increase awarded to Solid Waste Authority employees.

If, while on active duty, a merit increase is due, the employee should be given a performance review if he/she was working at least six (6) months of the rating period. If the employee was absent a majority of the rating period, the employee may not receive a merit increase.

Employees on active military leave will not accrue vacation and/or sick leave accrual while on active duty.

An employee called to Active Military Training shall provide advance written or verbal notice of all military duty, unless notice is impossible, unreasonable, or precluded by military necessity.

SECTION 31

DOMESTIC VIOLENCE LEAVE

Employees who have been employed for three months or more may request and receive up to three (3) working days of unpaid leave in any twelve-month period if the employee, or a family household member, is a victim of domestic or sexual violence.

An employee requesting leave under this policy must, before receiving the leave, exhaust all accrued vacation, sick or personal leave which is available to the employee.

“Domestic violence” means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

“Family or household member” means spouses, former spouses, registered domestic partner, former registered partner, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

Employees may use leave under this policy for the following:

- 1) To seek an injunction for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence;
- 2) To obtain medical care or mental health counseling, or both, for the employee or a family or household member to address physical or psychological injuries resulting from the act of domestic violence;
- 3) To obtain services from a victim-services organization, including, but not limited to, a domestic violence shelter or program or a rape crisis center as a result of the act of domestic violence;
- 4) To make the employee’s home secure from the perpetrator of the domestic violence or to seek new housing to escape the perpetrator;
- 5) To seek legal assistance in addressing issues arising from the act of domestic violence or to attend and prepare for court-related proceedings arising from the act of domestic violence.

Except in cases of imminent danger to the health or safety of the employee, or to the health or safety of a family or household member, an employee seeking leave under this policy must provide the Human Resources Department with reasonable and sufficient advance notice of the leave along with documentation establishing the need for leave.

The Solid Waste Authority will not terminate, demote, suspend, retaliate, or in any other manner, discriminate against an employee for exercising his or her rights under this policy. Employees should contact the Human Resources Department for additional information.

SECTION 32

SAFETY, SECURITY, APPEARANCE and UNIFORMS

32.1 Safety and Security - General

Employees are expected to conduct their work activities in a way that does not impair the safety of the public, other employees, or themselves. Employees should be aware of security procedures for their work area, and follow them to assure that Solid Waste Authority assets, customer property and the personal property of Authority employees are protected

32.2 Employee Safety Manual

The Solid Waste Authority Safety Manual is the document that establishes the policies and procedures to assure a safe work environment. Employees are responsible for being familiar with the overall safety procedures of the Authority, as well as any specific safety procedures associated with their job assignments.

The Director of Risk Management and Safety is responsible for developing and maintaining the Safety Manual. All supervisory and management personnel, as well as the Risk Management Department, are responsible for monitoring the safety performance of employees. Disciplinary actions taken for violations of safety policies and/or procedures will follow those established and outlined in the Employee Handbook, *Section 35, Code of Conduct and Progressive Discipline*.

32.3 Assignment of Solid Waste Authority Vehicles

It is the policy of the Authority to own and maintain automobiles for use by its employees for the purpose of carrying out Authority related business. The assignment of a vehicle to an employee will be for the exclusive benefit of the Authority and will follow the established Vehicle Assignment Policy. A complete copy of the Solid Waste Authority's Vehicle Assignment Policy can be found in the Safety Manual.

32.4 Appearance – Workplace and Representing Solid Waste Authority

All Solid Waste Authority employees are expected to dress appropriately for their assigned duties and responsibilities. Clothing should be neat and clean and appropriate for the work environment.

Employees are expected to maintain a neat and clean physical appearance particularly those in positions where considerable public contact is required.


32.5 Uniforms and Solid Waste Authority Clothing

The Solid Waste Authority may provide uniforms for field and operational positions for safety and comfort. Employees who are provided uniforms are required to wear the uniform during scheduled on-duty hours.

The Solid Waste Authority will not purchase additional clothing for those employees who are serviced by the uniform laundry service. The only exception will be for articles of clothing not available on a rental laundry basis.

The Solid Waste Authority will purchase shirts with the SWA logo only for employees who have **regular official** public contact **outside** the Administration Building or are required to wear a uniform while performing their job. Shirts **will not** be purchased by the Authority for those employees who do not fall under this guideline unless prior approval is obtained by the Executive Director or designee.

Purchase of pants, shorts or jackets worn as part of a uniform may also be purchased for those with daily official public contact outside the Administration Building.



The purchase of shirts with the SWA logo is limited to a maximum of five (5) per year for those employees who are *required* to wear the shirts on a daily basis.

The purchase of shirts with the SWA logo is limited to a maximum of two (2) per year for those employees with periodic public contact outside the Administration Building.

Any quantity over the 2-shirt or 5-shirt limit will require approval by the Executive Director or designee.

The cost per shirt shall not exceed a maximum dollar amount as established by the Executive Director or designee. Questions regarding the purchase of SWA logo shirts and restrictions should be addressed to the Purchasing Department.

SECTION 33

DRUG FREE WORKPLACE

The Solid Waste Authority is committed to maintaining a Drug-Free Workplace and has established a comprehensive Drug Free Workplace Policy, as provided in Florida Statutes (FS) §112.0455 (the Drug Free Workplace Act) and §440.102, (Workers' Compensation), et seq. Employees are required to be thoroughly familiar with this program and its requirements. Employees operating a commercial motor vehicle for the Solid Waste Authority are required to maintain a Commercial Driver's License (CDL) and are subject to the specific regulations established by the Department of Transportation, 49 CFR, Part 40.

33.1 Drug Free Workplace - General

Employees are hereby notified that it is a condition of employment for each employee to refrain from reporting to work or working while impaired by the use of any drug, illegal or legal, including alcohol.

As provided in this policy, an employee who refuses to submit to a drug/alcohol test, or are tested and has a positive confirmation of drug or alcohol use, will forfeit their eligibility for workers' compensation benefits, as provided by law, and will be subject to discipline up to and including termination of employment. Job applicants who refuse to submit to a drug test or who test positive for drugs will not be considered for employment.

The use, sale, purchase, possession, manufacture, or distribution of illegal drugs or the unlawful misuse of lawful substances, including alcohol on Solid Waste Authority property, while at or on duty, while conducting the Authority's business or while operating the Authority's vehicles or machinery is a violation of this policy and will result in discipline, up to and including termination.

33.2 Drug Free Workplace - Definitions

CDL-required position: A position with Solid Waste Authority that requires the maintenance of a Commercial Driver's License as a condition of employment.

"Chain of custody" refers to the methodology of tracking specified materials or substances for the purpose of maintaining control and accountability from initial collection to final disposition for all such materials or substances and providing for accountability at each stage in handling, testing, and storing specimens and reporting test results.

"Confirmation test," "confirmed test," or "confirmed drug test" means a second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen, which test must be different in scientific principle from that of the initial test procedure and must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.

"Drug" means substances such as alcohol, including distilled spirits, wine, malt beverages, or intoxicating liquor; any prescription or non-prescription amphetamines, cannabinoids, cocaine, phencyclidine (PCP), or opiates, or a metabolite of any of these substances as indicated in a NIDA 5 Panel drug screen.

"Initial drug test" means a sensitive, rapid, and reliable procedure to identify negative and presumptive positive specimens, using an immunoassay procedure or an equivalent, or a more accurate scientifically accepted method approved by the United States Food and Drug Administration or the Agency for Health Care Administration as such more accurate technology becomes available in a cost-effective form.

"Job applicant" means a person who has applied for a position with an employer and has been offered employment conditioned upon successfully passing a drug test, and may have begun work pending the results of the drug test. For a public employer, "job applicant" means only a person who has applied for a special-risk or safety-sensitive position.

“Mandatory-testing position” means, with respect to the Authority, a job assignment that requires the employee to maintain a Commercial Drivers License (CDL), as defined in U.S. Department of Transportation 49 CFR, Part 40.

“Medical review officer” or “MRO” means a licensed physician, employed with or contracted with an employer, who has knowledge of substance abuse disorders, laboratory testing procedures, and chain of custody collection procedures; who verifies positive, confirmed test results; and who has the necessary medical training to interpret and evaluate an employee’s positive test result in relation to the employee’s medical history or any other relevant biomedical information.

“Prescription or nonprescription medication” means a drug or medication obtained pursuant to a prescription as defined by FS §397.311 (33) or a medication that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.

“Employee assistance program” means an established program capable of providing expert assessment of employee personal concerns; confidential and timely identification services with regard to employee drug abuse; referrals of employees for appropriate diagnosis, treatment, and assistance; and follow-up services for employees who participate in the program or require monitoring after returning to work. If, in addition to the above activities, an employee assistance program provides diagnostic and treatment services, these services shall in all cases be provided by service providers pursuant to FS §397.311 (28)

33.3 Crimes Involving Drugs

All employees who are arrested, convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug are required to report the arrest, conviction, plea or sentence, in writing, to the Human Resources Director within forty-eight (48) hours of the occurrence. Failure to comply with this policy will result in disciplinary action up to and including termination.

33.4 Reporting Use of Prescription or Non-Prescription Medications

An employee or job applicant will be able to confidentially report the use of prescription or non-prescription medications, both before and after being tested. As provided in FS §440.102(3), employees and job applicants have the right to consult the testing laboratory or the MRO for technical information regarding prescription or non-prescription medications clearance from the Authority’s Medical Review Officer may be required before an employee can return to work while taking prescription medication.

The Authority may decline to approve an employee to work if, as a result of taking prescribed medication, the employee is unable to safely and effectively perform the essential duties of their position, with or without accommodation, as determined by the Solid Waste Authority.

33.5 Procedures for Testing

Testing under this policy shall be as provided in FS §440.102 and/or in U.S. Department of Transportation 49 CFR, Part 40.

33.6 Types of Testing

Post-Offer. Applicants for mandatory testing positions must submit to a post-offer drug test as provided in U.S. Department of Transportation 49 CFR, Part 40. The Authority will withdraw the offer of employment if the applicant refuses to submit to the test or receives a confirmed positive test result.

Reasonable Suspicion. An employee may be required to submit to testing when the Solid Waste Authority has reasonable suspicion that an employee is using or has used drugs, in violation of the Solid Waste Authority’s Drug Free Workplace policy. “Reasonable suspicion testing” is drug testing based on a belief that an employee is using or has used drugs in violation of policy, drawn from specific objectives and articulable facts and reasonable inferences drawn from those facts in light of experience.

Reasonable suspicion testing requires the recommendation of a supervisor who is at least one level of supervision higher than the immediate supervisor of the employee in question. Circumstances which constitute a basis for reasonable suspicion testing may include but are not limited to:

- a) Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug;
- b) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
- c) A report of drug use, provided by a reliable and credible source;
- d) Evidence that an individual has tampered with a drug test during his or her employment with the Authority;
- e) Information that an employee has caused, contributed to, or been involved in a workplace accident. An accident is defined as any incident in which either property was damaged or an injury was sustained by a Solid Waste Authority employee or a third party requiring medical attention beyond basic first aid.
- f) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the Authority's premises or while operating the Authority's vehicle, machinery, or equipment.

Post Accident. A post accident drug and alcohol test will be performed if the accident occurs while the employee was performing safety-sensitive functions as defined in U.S. Department of Transportation 49 CFR, Part 40 and the accident meets certain criteria:

Type of Accident	Citation Issued to Safety-Sensitive Driver	Test Must be Performed by Employer
Human Fatality	Yes	Yes
	No	Yes
Bodily injury with immediate medical treatment away from the scene	Yes	Yes
	No	No
Disabling damage to any motor vehicle requiring tow away	Yes	Yes
	No	No

If testing is required, it is the responsibility of the supervisor and/or Risk Management to arrange for testing as soon as possible.

Random testing for mandatory testing positions. Employees who are required to maintain a commercial drivers license are subject to random drug testing as provided in U.S. Department of Transportation, 49 CFR, §382.305.

Follow-up drug testing. All employees who have entered an employee assistance program or rehabilitation program for drug and/or alcohol abuse will be required to submit to follow-up drug and/or alcohol testing at least once a year for a 2-year period after completion of the program. Advance notice of a follow-up testing date will not be given.

33.7 Drugs for Which the Solid Waste Authority will Test

Alcohol	Amphetamines	Cannabinoids	Cocaine	Phencyclidine (PCP)	Opiates
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Detection levels for both drugs and alcohol will be consistent with the most current State and Federal regulations for drug testing.

33.8 Over the Counter/Prescription Drugs which Could Alter/Affect Drug Test Results*

Alcohol (All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).

Amphetamines (Obetrol, Biphetamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastine)

Cannabinoids (Marinol ,Dronabinol, THC)

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, Emprin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, dilaudid (Hydromorphine), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc.)

Barbituates (Phenobarbitol, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebral, Butabarbital, Butalbital, Phenrinin, Triad, etc.)

Benzodiazepines (Activan, Azene, Clonopin, dalmine, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.

Methadone (Dolphine, Metadose)

Propoxyphene (Darvocet, Darvon N, Dolene, etc.)

Due to the large number of obscure brand names and constant marketing of new products, this list cannot and is not intended to be all-inclusive.

33.9 Testing Standards

Alcohol Testing. Alcohol testing shall be conducted using saliva devices or breath testing using evidential breath testing (EBT) and non-evidential breath testing devices approved by the National Highway Traffic Safety Administration (NHTSA). For CDL holders, an initial screening shall be conducted first and any result less than 0.02 will be considered a negative test. If the alcohol concentration is 0.02 or greater, a second confirmation breath test must be conducted to determine blood alcohol content (BAC). Alcohol testing will be accomplished through the use of a certified Breathalyzer Operator/Technician, and performed in compliance with established procedures.

Drug Testing. The initial screen for all drugs shall use an immunoassay that meets the requirements of the Food and Drug Administration for commercial distribution. All specimens identified as positive in the initial test will be confirmed by a second test (confirmation test) using gas chromatography/ mass spectrometry (GC/MS) or an equivalent scientifically acceptable method of confirmation. A urine sample shall be collected with due regard to the privacy of the individual providing the sample, and in a manner reasonably calculated to prevent substitution or contamination of the sample. For CDL holders, split specimen procedures shall be utilized as required by federal law.

33.10 Positive Test Results

If a drug test is confirmed positive, the MRO is required to contact the covered worker prior to reporting the results of the test to the employer. If the donor provides a plausible explanation for the positive test result (i.e., legal use of prescription or nonprescription medication) as determined by the MRO, the MRO will report the test result as negative to the employer. To make such a determination, the employee or applicant shall provide to the MRO, within five (5) working days of the test, authorized physician verification for a current prescription for any drug or medication identified.

33.11 Consequences of a Confirmed Positive Test

As provided in this policy, an employee who has a positive confirmation of drug or alcohol use, will forfeit their eligibility for workers' compensation benefits, as provided by law, and will be subject to discipline up to and including termination of employment.

33.12 Confidentiality

Except as otherwise required by law, all information, interviews, reports, statements, memoranda, and drug test results, written or otherwise, received by the Solid Waste Authority through a drug testing program are considered confidential communications and may not be disclosed except as provided for in Florida Statutes §112.0455 and §440.102.

33.13 Voluntary Notification

The Solid Waste Authority provides an Employee Assistance Program (EAP) through its current insurance carrier where employees may voluntarily seek treatment for drug or alcohol abuse. An employee who has not previously tested positive by the Authority for drugs or alcohol, and who voluntarily seeks treatment for a drug or alcohol problem, shall not be disciplined or terminated solely on the basis of seeking such treatment, however seeking such assistance does not excuse unsatisfactory attendance and job performance.

Any employee may voluntarily seek assistance for help with an alcohol or drug problem. Employees subject to mandated random testing must request assistance for a drug or alcohol problem prior to having their name selected for random testing.

The employee may voluntarily inform the Solid Waste Authority's Human Resources Director or Employee Benefits Manager of a drug or alcohol dependence and may be granted an unpaid leave of absence, or use any other accrued leave, if necessary, for the purpose of undertaking rehabilitation treatment. The employee must cooperate fully with the EAP treatment process and will not be permitted to return to work until a written authorization release from the SAP (Substance Abuse Professional) is presented verifying that the employee is rehabilitated and capable of returning to work. The Authority will require the employee to submit to random drug and alcohol testing as recommended by the SAP. A future confirmed positive test will result in immediate termination.

No employee shall be dismissed, disciplined, or discriminated against solely upon voluntarily seeking treatment for a drug related problem if the employee has not previously tested positive for drug use, entered an employee assistance program for a drug related problem, or entered a drug rehabilitation program.

33.14 Employee Assistance Program

Employee Assistance Program is administered confidentially by the Authority's insurance carrier.
Other resources available are:

1-800-356-9996 Al-Anon
1-800-527-5344 American Council of Alcoholism Helpline
1-800-COCAINE Cocaine Hotline
1-800-NCP-CALL National Council on Alcoholism
1-800-662-HELP National Institute on Drug Abuse
1-800-843-4971 National Institute on Drug Abuse
1-305-321-9400 Seafeld (Law Enforcement Treatment Center)

33.15 Coordination with Human Resources and Risk Management

This Drug-Free Workplace and Alcohol Policy is subject to applicable law and all action taken by members of the management staff pursuant to these rules must be coordinated through the Human Resources Director and/or Director of Risk Management to ensure compliance with all applicable laws.

SECTION 34

TOBACCO FREE WORKPLACE

The Solid Waste Authority is committed to providing a safe and healthy workplace and to promoting the health and wellbeing of its employees. The Solid Waste Authority recognizes the right of its employees to work in an environment free of tobacco smoke in compliance with the Florida Clean Indoor Air Act of 1985. The right to a smoke-free environment in the workplace takes precedence over individual desires to smoke.

The Solid Waste Authority also recognizes the rights of employees who choose to smoke to make personal decisions without interference, as long as these decisions do not interfere with the rights of other employees. Such employees may smoke during designated breaks only in designated smoking areas outside of Solid Waste Authority buildings.

Smoking shall be prohibited in all Solid Waste Authority owned or leased facilities and vehicles/equipment in order to provide a healthy work environment for all employees and the visiting public.

34.1 Definitions

For the purpose of this policy, “tobacco” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, cigarillo, hookah, and any other smoking product, and any smokeless tobacco, including electronic e-cigarettes or spitless tobacco also known as dip, chew, snuff, snus, orbs, and strips, sticks.

34.2 Designated Smoking Areas

Tobacco use is strictly prohibited in Solid Waste Authority buildings, including offices, hallways, waiting rooms, restrooms, lunch rooms, elevators, and meeting rooms, and in Solid Waste Authority vehicles.

Smoking is permitted in outdoor designated areas only.

This policy applies to all employees, clients, contractors, and visitors.

SECTION 35

CODE of CONDUCT and PROGRESSIVE DISCIPLINE

35.1 Code of Conduct and Progressive Discipline – General

The Solid Waste Authority's progressive discipline policy and procedure is designed to provide a structured corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Although internal consistency in administering discipline is desirable, numerous factors should be considered in determining the appropriate discipline to be assessed. Some of the factors involved include time intervals between offenses, effectiveness of prior disciplinary actions, willingness to improve, overall work performance, job attitudes and disciplinary actions previously taken with other employees for similar offenses. Some infractions may be more serious in one case than in another because of the employee's responsibilities. A repetition of the same offense or other serious offenses indicates that more severe disciplinary measures may be necessary. Certain offenses are of such a serious nature that immediate termination is appropriate for the first offense.

Incidents of misconduct differ in individual cases regardless of how apparently similar to other incidents. The Solid Waste Authority reserves the right to treat each occurrence on an individual basis without creating a precedent for cases which arise in the future.

When circumstances permit, Supervisors and/or Directors shall practice "progressive discipline" by administering gradually increasing discipline for successive employee misconduct. Each level of progressive discipline shall be fully documented for permanent inclusion in the employee's personnel file.

Employees with a commercial drivers license (CDL) are subject to the rules and regulations, as established and amended, of the U.S. Department of Transportation Federal Motor Carrier Safety Administration in addition to those established by Solid Waste Authority.

35.2 Reporting of Arrests, Convictions and Notice to Appear

All employees are required to report, in writing, any and all felony or misdemeanor arrests, convictions, or notices to appear (hereinafter referred to as arrest) within forty-eight (48) hours of the occurrence. The employee is required to provide any and all documentation related to the arrest to their Supervisor and/or Department Director. The Department Director will consult with the Human Resources Director to determine whether the arrest bears a significant relationship to the required duties performed by the employee.

Failure to report an arrest, conviction or notice to appear, as provided, may result in disciplinary action, up to and including termination.

Employees who are placed under arrest and/or charged with any crime related to employment, or which implies a likelihood of potential harm to employees or the general public may be placed on unpaid suspension until the charges are resolved or may be terminated.

35.3 Code of Conduct - Violations

The following are examples of infractions of rules of conduct and policy violations that may result in disciplinary action, up to and including termination. It is not possible to list all forms of policy violations and misconduct that are considered unacceptable in the workplace. The list is not intended to be exhaustive and should not be construed as a limitation of the Solid Waste Authority's right to discipline for any reason up to and including termination.

Department policies and procedures may also include causes for which disciplinary action may be taken.

Conduct that may result in *immediate termination* includes but is not limited to:

- Dishonesty, violation of the law, or significant risks to the Solid Waste Authority operations or to the safety or well-being of oneself or others.
- Workplace violence.
- Except as provided by law, possession of or display of firearms, explosives or other weapons on Solid Waste Authority property or in Solid Waste Authority vehicles, equipment or while conducting Authority business.
- Use or threatened use of a weapon.
- Willful disregard of duties or neglect in the performance of assigned duties.
- Gross incompetence in the performance of assigned duties.
- Theft, willful neglect, intentional unauthorized removal, and/or misuse of Solid Waste Authority property, funds, equipment, material(s) and/or supplies or the property of another employee, vendor or general public.
- Use of or being under the influence of, alcoholic beverages, illegal narcotics and/or controlled substances while on duty.
- Solicitation or receipt from any person, or participation in, any fee, gift or other valuable item in the course of work, when such fee, gift or other valuable item is given in the hope or expectation of receiving a favor or better treatment than that accorded other persons.
- Falsification or destruction of Solid Waste Authority records, including employment applications, accident reports, work records, purchase orders, time sheets or any other report, record or application.
- Misusing or damaging Solid Waste Authority property or equipment.
- Making false claims or misrepresentation in an attempt to obtain accident benefits, and/or workers' compensation.
- Immoral, unlawful or improper conduct or indecency, either on or off the job, which impacts the employee's relationship to his/her job, fellow workers, or the reputation of the Solid Waste Authority.
- Being absent from duty for a period of two (2) consecutive working days without proper authorization and/or notice.
- Failure to return from an authorized leave of absence without notice, within 2 days after expiration of leave.
- Loss of or failure to maintain any licenses, certification or other credentials required for assigned position.
- Pleading guilty or nolo contendere, or being found guilty by a jury or court of a felony, regardless of whether or not adjudication is withheld and probation imposed.

Conduct which constitutes cause for *discipline* includes, but is not limited to:

- Violating any Solid Waste Authority policy as outlined in this manual, departmental policy, procedure or any other approved rules and regulations of the Solid Waste Authority.
- Violation of safety rules, practices and procedures.
- Scavenging on Authority property.
- Insubordination by refusal to perform work assigned or to comply with written or verbal instructions of supervisory personnel.
- Quitting work, wasting time, loitering or leaving assigned work area during assigned working hours without permission.
- Taking more than specified time for meals or rest periods.
- Productivity or efficiency which does not meet required standards or performance.
- Failure to perform and/or neglect of assigned duties.
- Excessive interruption of work for personal reasons.
- Unexcused/unauthorized absence.
- Excessive tardiness or unauthorized failure of an employee to be present punctually for all and any part of the employee's assigned hours.
- Excessive absenteeism.
- Unlawful gambling during working hours or on Solid Waste Authority property at any time.
- Smoking in unauthorized areas or equipment.
- Discourtesy to persons with whom the employee comes in contact while in the performance of duties.
- Disruptive conduct including but not limited to: engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the attention of others, catcalls, demonstrations on the job or similar types of disorderly conduct.
- Threatening, intimidating, coercing or interfering with fellow employees or supervision, at any time, including abusive language. Poor public relations.
- Engaging in or encouraging any act(s) of sexual harassment, discrimination or workplace bullying.
- Sleeping during assigned working hours.
- Failure to work overtime, special hours or special shifts after being scheduled or as required during emergency operations.
- Leaving his/her post at the end of the scheduled shift without being properly relieved by the supervisor or the relieving employee on the incoming shift for those units operating on a shift basis.

- Willfully making or publishing false, vicious or malicious statements concerning any employee, supervisor, the Solid Waste Authority or its operation.
- Failure to provide medical justification for absence when requested.
- Carelessly misusing or damaging Solid Waste Authority property or equipment.
- Failure to immediately report an accident, whether or not there is apparent property damage or personal injury, in which the employee was involved while on the job.
- Placed under arrest and/or charged with any crime related to employment, or which implies a likelihood of potential harm to citizen or property.
- Pleading guilty or nolo contendere to, or being found guilty by a jury or court of a misdemeanor involving physical violence, theft, driving under influence of alcohol or drugs or possession or sale of drugs, regardless whether or not adjudication is withheld and probation imposed.

35.4 Disciplinary Actions

Corrective Counseling and Verbal Warning

The purpose of a verbal warning is to allow the supervisor to bring to the employee's attention the need for improving performance, work habits, behavior or attitude and to prevent future repetition of the unsatisfactory conduct. The supervisor shall identify and define the area needing improvement and inform the employee how such improvement can be realistically achieved.

- Complete an "Employee Counseling" form and discuss the nature of the improper behavior or performance deficiency. Explain the required corrective action.
- Provide a copy of the form to the employee and retain a copy in the department file for documentation.

Written Warning

In situations where corrective counseling or a verbal warning has not resulted in the desired improvement or when an employee commits a more serious offense, a written reprimand may be given to the employee and placed in the employee's personnel file. The written warning will include a complete description of the incident of misconduct and refer to specific times, dates, locations and other personnel involved, and the rule violated.

- Complete the "Employee Violation Notice" form providing specific details of the employee's misconduct and the rule or policy which was violated.
- Discuss the nature of the improper behavior or offense involved and explain the required corrective action.
- Outline the consequences for the employee of his or her continued failure to meet desired performance and/or conduct standards.
- Have the employee sign and acknowledge the violation and indicate if they are requesting review under the "Employee Dispute Resolution."
- Send the original completed notice to Human Resources for final signatures and distribution. If requested, a photocopy of the notice with any supporting documents can be provided to the employee, upon issuance.

Suspension without Pay

For the purposes of this section, a suspension day is equal to eight (8) hours.

In the event of continued and repetitive offenses for which the employee has already received a reprimand, or where the nature of the offense is serious, an employee may be suspended for a specific period of time without pay. A *single* incident may be so severe as to merit an immediate final warning and suspension without pay. Human Resources will provide guidance on administering the suspension.

All actions of suspension require review and approval by the next-level manager and the Human Resources Director or designee prior to the discipline being administered.

- Complete the “Employee Violation Notice” and include a complete description of the incident of misconduct and refer to specific times, dates, locations and other personnel involved; identify the rule or policy violated. Provide supporting documentation.
- Discuss the seriousness of improper behavior or offense involved and the length of the suspension.
- Advise employee that future violations may result in termination if the employee fails to meet desired performance and/or conduct standards.
- Have the employee sign and acknowledge the violation and indicate if they are requesting review under the “Employee Dispute Resolution.”
- Send the original completed notice to Human Resources for final signatures and distribution. If requested, a photocopy of the notice with any supporting documents can be provided to the employee, upon issuance.

While on suspension, an employee may be required to surrender all keys, access cards and other equipment as requested and cannot enter Solid Waste Authority property without authorization until the suspension is completed and the employee is authorized to return to work. Suspended employees will not conduct any business or communications on matters involving the Solid Waste Authority.

Suspension without pay will be consistent with federal, state and local wage-and-hour employment laws. Pay may be restored to the employee if further review of the incident justified restoration of pay.

In all cases where an investigation by the Solid Waste Authority is necessary, an employee may be placed on suspension or administrative leave indefinitely, which may be changed to termination depending upon final results of the investigation.

The employee will be given an opportunity to provide comments at each step of the progressive discipline and will be asked to sign the violation notice indicating that he/she has read and understands. If the employee refuses to sign, the supervisor will indicate “employee refused to sign” directly on the form.

35.5 Employee Dispute Resolution (EDR)

All employees who have completed their initial introductory period are eligible to use the EDR process to appeal action involving formal disciplinary action *excluding* termination. The EDR process is administered by Human Resources pursuant to *Section 36, Employee Dispute Resolution*.

35.6 Termination

Termination is the ultimate final step in the progressive disciplinary process. Termination can be for progressive and cumulative violations following a documented reprimand. It can also be used in the first occurrence of serious misconduct. Furthermore, employees may be terminated without prior notice or disciplinary action.

Termination of an employee, for any reason, requires the review and approval of the next-level manager, Director and/or Chief and the Human Resources Director.

The Executive Director, or designee, has the sole discretion to terminate an employee at any time with or without cause or notice. If termination is recommended, a written recommendation supporting the termination will be provided to the Executive Director for final approval.

If discharge is recommended, and at the discretion of the Chief and Human Resources Director, the employee may be placed on paid administrative leave immediately and required to surrender all keys, access cards and other equipment as requested and cannot enter Solid Waste Authority property without authorization. Employees on administrative leave under this section will not conduct any business or communications on matters involving the Solid Waste Authority.

The Executive Director, or designee, will review the circumstances surrounding the recommendation of discharge and may review relevant facts and documents, interview individuals with knowledge of the events surrounding the recommendation of discharge, consult with legal counsel, the Human Resources Director and/or anyone else he/she deems necessary before rendering a decision.

The Executive Director, or designee, will notify the Human Resources Director of the decision to either terminate the employee as recommended or to impose a lesser penalty.

If a lesser penalty is imposed, the appropriate discipline will be followed.

If the Executive Director, or designee, determines that termination is appropriate, a meeting will be held with the employee and a letter presented with the effective date of termination and other information relevant to the action. The Human Resources Director, the Supervisor, Manager, Director, Chief, and/or the Managing Director may be in attendance at the meeting.

35.7 Name Clearing Hearing

When a Solid Waste Authority employee is terminated and the employee contends that, in relation to the termination false statements that are damaging to the employee's reputation have been made public, the following procedures will be followed. The procedures provide the employee an opportunity to clear his/her name by responding to the statements. The procedures will not serve as an appeal of any disciplinary action or to gain reinstatement. Employees who are terminated during their initial introductory period are not eligible to use the Name Clearing Hearing process.

A name-clearing hearing must be offered whenever the following three conditions are met:

- An employee is terminated.
- The employee contends that stigmatizing statement(s) have been placed in the employees' personnel file or otherwise made public.
- The employee asserts that the statements are untrue.

A name-clearing is not required every time an employee is terminated. Such a hearing is required only when any statement relating to the termination "stigmatizes" the employee's reputation, and the employee denies truth of the statements.

A statement is "stigmatizing" if it involves allegations of dishonesty, immorality or other conduct which may damage the former employee's reputation among associates and impair his/her ability to obtain other employment. Examples of stigmatizing statements include implications of falsifying records, misappropriating Solid Waste Authority property or funds, mental instability or statements that the former employee is untruthful, untrustworthy and unethical or is demonstrative of poor judgment, or has committed a crime or other immoral act.

The terminated employee must contact the Human Resources Department to request a Name Clearing Hearing within ten (10) calendar days from the effective date of the termination of employment. Failure of an employee to request this hearing on a timely basis shall be considered as a waiver of the employee's rights under this policy. The terminated employee requesting a name-clearing hearing must identify, in *writing*:

The specific statements that he/she contends are false.

- The manner in which the false statement(s) were made public.
- The basis upon which the former employee asserts that the statement were stigmatizing.

The hearing shall be conducted by the Executive Director, or designee, at a time mutually agreed between the Executive Director and the employee. If requested by the Executive Director, Solid Waste Authority legal counsel and/or the Human Resources Director will attend the hearing.

The Executive Director, or designee, shall cause the proceeding of the hearing to be memorialized either by notes, minutes or tape recording. All relevant information presented to the Executive Director, or designee, by the employee will be placed in the employees personnel file.

SECTION 36

EMPLOYEE DISPUTE RESOLUTION (EDR)

36.1 EDR - General

Any regular status employee who is disciplined by written warning, suspension, or demotion, or who believes that he/she has not been treated in accordance with the employment policies and procedures set forth by the Solid Waste Authority may request an Employee Dispute Resolution in accordance with the procedures herein. Employees in the introductory period, part-time, and/or temporary do not have the right to an EDR and are excluded from these provisions.

The EDR may *not* be used to challenge verbal disciplinary warnings, termination, coaching actions, performance feedback, performance reviews, pay policies and the assignment of pay grades and/or salary ranges, work location and scheduling related concerns.

Employees who are disruptive of the process or refuse to follow the established guidelines will forfeit their opportunity for an EDR.

An employee shall have a right to be represented by any person, or legal counsel at any time throughout the internal EDR procedure.

Employees are expected to follow all written and verbal directives of Supervisor and/or Management. No employee or group of employees may refuse to follow Supervisory directions pending the outcome of an EDR.

No employee or other individual will be harassed or retaliated against for filing an EDR request or for participating/assisting in any part of the process.

Any EDR shall be considered settled at the completion of any step, unless it is appealed to the next step within the established time limits; however steps in the EDR may be waived at the discretion of the Human Resources Director and/or Department Director to allow the progress to move faster.

36.2 EDR - Request for EDR

Employees requesting an EDR will indicate his/her request for EDR as provided on the disciplinary notice, when the notice is issued. Employees can also provide any additional information relevant to the EDR request. The Human Resources Department will coordinate all EDR procedures and distribute documents as appropriate.

36.3 EDR – Time Limits

Time limits expressed in this policy refer to working days. Time limits may be extended due to illness, vacations, emergencies or work related matters. If an extension is required, Human Resources will notify the employee.

Failure of the employee to follow established time limits as outlined will be considered a voluntary withdrawal of the EDR. Failure of a Director or Chief to follow time limits will result in the EDR being processed to the next level.

36.4 EDR – Procedure

Upon receipt of the disciplinary notice indicating the employees request for an EDR, the Human Resources Department will communicate with the employee and provide a standard form, that can be used to outline the reasons why the employee believes the disciplinary action is not in accordance with the Solid Waste Authority's policies and other relevant information that may be considered in the EDR.

Within seven (7) working days of confirmed receipt, the employee will complete and return the EDR information to Human Resources.

Step 1 – Optional Meeting with Human Resources

If requested by the employee, the Human Resources Director will call a meeting to discuss the disciplinary action and attempt to resolve the dispute. Those attending the meeting may include the employee, Supervisor, Department Director and any other person(s) involved who has knowledge of the issue. If a mutual resolution is not reached at this step, the employee may proceed to next step.

Employees are not required to use this optional step in the EDR process.

Step 2 – Department Director

The Human Resources Department will communicate the EDR request to the appropriate Department Director and coordinate a meeting at the earliest possible opportunity between the employee and the Director to review the EDR. As part of the investigation, the Director may meet with any other person(s) who has knowledge of the issue.

Within seven (7) working days of the meeting, the Department Director will communicate his/her decision, in writing, to the Human Resources Department. Human Resources will notify the employee of the Department Director's decision. If the employee is not satisfied with the decision, he/she may request moving to the next step.

Step 3 – Chief

Human Resources will communicate the Department Director's decision to the Chief and coordinate a meeting at the earliest possible opportunity between the employee and Chief. As part of the investigation, the Chief may meet with any other person(s) who has knowledge of the issue.

Within seven (7) working days of the meeting, the Chief will communicate his/her decision, in writing, to the Human Resources Department. Human Resources will notify the employee of the Chief's decision. If the employee is not satisfied with the findings, he/she may request moving to the next and final step.

Step 4 – Executive Director or Designee

Human Resources will communicate the findings of the Director and Chief to the Executive Director or designee and coordinate a meeting at the earliest possible opportunity to discuss the EDR. As part of the investigation, the Executive Director may meet with any other person(s) who has knowledge of the issue.

Within seven (7) working days of the meeting, the Executive Director will communicate his/her decision, in writing, to the Human Resources Department. Human Resources will notify the employee of the Executive Director's decision.

The decision of the Executive Director, or designee, is final and concludes the EDR process.

36.5 - Records

All information relevant to the EDR, including findings and decisions, shall be retained in the employee's personnel file in compliance with Florida Statutes, Chapter 119 and State of Florida General Records Retention Schedule, GS1-SL.

SEPARATION BY RESIGNATION, TERMINATION, and RETIREMENT

37.1 Resignation

All employees are required to provide at least two weeks (14 calendar days) notice of their intent to resign. Management employees are encouraged to provide a minimum of four (4) weeks notice of their intent to resign. The notice should be submitted in writing to the employee's supervisor and include the effective date of the resignation. The supervisor will contact the Human Resources Department immediately upon notice of the resignation.

Failure to resign in good standing by providing the required notice may affect the employee's eligibility for rehire and final payment of accrued vacation and leave balances as provided by Solid Waste Authority policy.

37.2 At-Will Employment and Termination

The Solid Waste Authority is an at-will employer and may terminate an employee at any time, for any reason whatsoever, with or without cause, and with or without notice. Employees terminated for cause are not eligible for rehire with the Solid Waste Authority. Employees who are terminated for cause may be eligible for a Name Clearing Hearing as provided in *Section 35, Code of Conduct and Progressive Discipline, (35.7 - Name Clearing Hearing.)*

37.3 Retirement

An employee, who elects to retire through the Florida Retirement System, will receive benefits as though the employee resigned in good standing. Employees should contact the Human Resources Department for assistance with retirement estimates and clarification of retirement procedures.

37.4 Return of Solid Waste Authority Property

All Solid Waste Authority property must be returned prior to separation of employment. The Solid Waste Authority may hold any and all final paychecks until such property is returned. Final paychecks may be issued as a paper check and not as direct deposit.

37.5 Pay at Separation

Employees who have *completed* the initial introductory period of 6 months and leave the Solid Waste Authority in good standing are eligible to receive payment at separation as follows:

- Compensation for all hours actually worked up to and including the hour and date of separation.
- Payment for the balance of any unused accrued vacation leave up to a maximum of 660 hours (unless payment is limited as defined under *Section 24, Vacation (24.8 - DROP Vacation Payout)*).

Payment for the balance of unused sick leave up to a maximum of 360 hours is provided under the following guidelines:

- Separation after five (5) years of service employees - 25% of accumulated leave;
- Separation after ten (10) or more years of service - 50% of unused sick leave;

Employees who have at least ten (10) years of service and who are retiring through the Florida Retirement System (age 62 or 30 years of service), are eligible to receive payment for 100% of accumulated sick leave.

Non-exempt employees will receive payment for all accrued and unused compensatory time. Exempt employees are not eligible for payment of unused compensatory time.

In the event of an employee's death, final payment for 100% of accrued and unused vacation and sick leave will be made to the employee's beneficiary, estate or as otherwise provided by law.

The Solid Waste Authority reserves the right to limit payout of accrued and unused vacation and sick leave when an employee has been terminated for cause.

37.6 Severance Pay

Pursuant to Florida Statutes, §215.425.

37.7 Benefits at Separation

As provided under the Consolidated Omnibus Budget Reconciliation Act (COBRA), employees and/or dependents may be able to continue enrollment in certain health benefits at their own expense.

As provided under the Florida Retirement System, employees retiring through the FRS are eligible to continue enrollment in certain health benefits at their own expense. The option to continue to participate in any insurance coverage shall be offered on a one-time basis coinciding with the date that insurance would typically be terminated. Any subsequent cancellation of insurance coverage by the retired employee will terminate future obligation of the Solid Waste Authority to offer coverage of that plan.

Employees should contact the Human Resources Department for detailed information regarding continuation of benefits upon separation.

SECTION 38

REDUCTION in FORCE

38.1 Reduction in Force – General

A Reduction in Force (RIF) may occur because of adverse economic or other conditions such as changes in program priorities, workloads, and reorganizations, elimination of operations and shortage of funds. A RIF may also occur when the requirements of a position change so significantly that the incumbent employee is no longer able to perform the new duties of the position.

A RIF decision requires an evaluation of the need for particular positions and the relative value of work performed by specific employees to ensure that the Solid Waste Authority can continue to provide the highest level of service possible with a reduced work force. These procedures and guidelines have been developed to ensure that in the event of a RIF, all affected departments utilize uniform criteria in developing reduction strategies. Realizing that individual departments do not operate under the same constraints, these criteria provide the parameters within which actions shall be taken.

Notwithstanding the foregoing, it shall be within the sole discretion of the Executive Director or designee to identify those positions that shall be subject to a RIF. In addition, nothing in these procedures supersedes or modifies the Solid Waste Authority's employment-at-will policy as set forth in *Section 2, Employment-At-Will*. Any analysis of proposed RIF will consider first the types of activities to be curtailed and the classes of positions thereby affected, and will then proceed to the selection of individual employees to be released. This selection, should it occur, will be based on job-related criteria. When job-related factors are essentially equal, seniority will be considered.

Every attempt shall be made to place employees in other vacant positions at the same (transfer) or lower pay grade (demotion) for which they are qualified within the same department and, if not successful, in other departments of the Solid Waste Authority.

All RIF procedures will be coordinated and processed by the Human Resources Department.

38.2 Criteria

The following criteria shall be used when a RIF is necessary:

- The importance of the position(s) to the delivery of Solid Waste Authority services;
- The current and projected future workloads of the department and the position(s).

For job classifications that include multiple employees performing essentially the same function, the decision regarding which employee(s), if any, will be retained shall be based on the relative skills, knowledge and productivity of the employees including past performance, attendance, disciplinary actions and safety records.

For job classifications that include multiple employees performing essentially the same function, and in the absence of any significant differentiating factors, such as those identified above, seniority will be used as the deciding factor. For the purposes of this policy, *seniority is defined as an employee's length of continuous service in a regularly established position dating from the last date of hire with the Solid Waste Authority.*

38.3 Order of RIF

The order of the RIF will be by work unit and job classification in the following sequence:

- 1st Temporary
- 2nd Introductory
- 3rd Part-time, regular status
- 4th Full-time, regular status

Veteran's Preference shall be considered in accordance with Florida Statutes, Chapter 295, Florida Administrative Code 55A-7.

38.4 Selective Retention

When the Chief and Department Director believe a certain employee is essential to the efficient operation of the department or work unit or, if the affected employee has demonstrated greater skills, ability or employment record than those of employees of the same classification, the employee may be selectively retained.

Written documentation supporting the selective retention must be provided to the Executive Director or designee through the Human Resources Director.

38.5 Notice

Employees affected by the RIF will be given sixty (60) days written notice.

Employees affected by the RIF shall be paid for all accrued vacation leave and a percentage of accrued sick leave based on the Solid Waste Authority's policies as provided in *Section 24, Vacation Leave and Section 25, Sick Leave*.

SECTION 39

MISCELLANEOUS PROVISIONS

39.1 Right to Privacy

Solid Waste Authority employees do not have any right to privacy as it relates to any Solid Waste Authority provided equipment or workspace, including but not limited to computers, emails, lockers, desk and other assigned equipment or property. Such areas are subject to review or inspection at the discretion of management.

39.2 Internet, Intranet and E-Mail - General

Many Solid Waste Authority policies apply to the use of the computers, email, telephone, and cellular phone usage. Violation of these policies may subject an employee to disciplinary action up to and including termination of employment. The Solid Waste Authority furnishes computers and software solely for use in Authority business activities. Only Solid Waste Authority-authorized software and equipment is permitted and must be installed and used in accordance with its copyright, license agreements, and/or other contracts. Employees are prohibited from destroying, altering, dismantling or otherwise interfering with the integrity of computer-based information and/or information resources without authorization.

The Solid Waste Authority reserves the right to access, read, use, and disclose employee communication and files as it considers appropriate. No employee should have any expectation of privacy as to his/her electronic communication usage while using equipment or accounts provided by the Authority, or while conducting work related communications. Employees are reminded that all emails are subject to disclosure under Florida's public record laws.

Employees are prohibited from accessing Internet sites containing inappropriate, offensive, or sexually explicit material. If an employee inadvertently connects to such a site, he/she should disconnect immediately and contact the IT Department at (561) 640-4000.

Illegal use, misuse, or inappropriate use of Solid Waste Authority computers, telecommunications, or electronic equipment is grounds for immediate termination.

All electronic and telephonic communication systems (including email, voice mail, etc.) and all communication and information transmitted by, received from, or stored in Solid Waste Authority systems are the property of the Authority.

User IDs and passwords help maintain individual accountability and should be kept confidential. Any employee who obtains a password or ID must keep that password and ID confidential.

Profanity, inappropriate, or offensive messages such as racial, sexual, or religious slurs are prohibited in all forms of electronic communication. Defamatory remarks about citizens, customers, vendors, or employees are also prohibited and may be grounds for immediate termination.

Employees may have limited use of the Internet for non-business purposes provided use does not include any of the prohibited activities listed above and use occurs within the employee's personal time, such as a lunch break, and/or before/after work. Use is not to infringe upon the employee's duties and work productivity.

39.3 Retention of Public Records including Electronic Communications

Florida's Public Records Law establishes retention periods for all public records (including electronic communications) which are determined by the content, nature and purpose of the records, and are set based on their legal, fiscal and administrative and historical values, regardless of their form. Therefore, there is no single retention schedule that would apply across the board to all communications.

Employees should contact their Department Records Coordinator or the Solid Waste Authority's Record Manager for a complete copy of approved retention schedules or view the schedule at http://dhis.dos.state.fl.us/recordsmgmt/gen_records_schedules.cfm.

39.4 Cellular Telephone Use

Solid Waste Authority provided cellular telephones are intended to be used for the conduct of Authority business unless otherwise provided by policy. Employees assigned cellular telephones are expected to have the phones in their possession and activated at all times during their work shift or as required by the Department Director.

Each employee assigned a Solid Waste Authority cell phone is responsible for safe storage and safe guarding the cell phone to prevent unauthorized access, use or removal by any means and in any form. Authority owned cell phones shall not be used for any illegal purposes.

39.5 Solid Waste Authority Property and Equipment

Each employee shall exercise due caution in the care and handling of all Solid Waste Authority property to include electronics, office equipment, vehicles, tools and operational equipment which may come into his/her custody or over which he or she may have a degree of control. Any employee who loses, misuses, or damages through his or her carelessness, negligence, and/or intentional misconduct such tools or equipment provided by the Solid Waste Authority shall be subject to discipline up to and including termination of employment. Intentional misconduct resulting in damage to property or equipment may result in reimbursement to the Solid Waste Authority.

No employee will remove Solid Waste Authority property from the premises without proper authorization. Removing or attempting to remove property or equipment without authorization can result in discipline up to and including termination.

Solid Waste Authority property issued to employees must be returned if employment ends, for any reason. Employees may be financially responsible if property is not returned.

39.6 Personal Property

The Solid Waste Authority cannot assume responsibility for the loss or theft of personal belongings. Employees should take the necessary precautions to secure personal belongings.

39.7 Travel and Expense Reimbursement

The Solid Waste Authority will reimburse employees for expenses of travel, including the cost of transportation, meals and lodging in accordance with Florida Statutes, §112.061 and IRS Publications 1542 and 463, provided such travel is performed in the course of conducting Solid Waste Authority business. All Travel must be authorized and approved in advance by the Executive Director designee.

A complete copy of the Solid Waste Authority's travel policy is available from the Human Resources Department.

39.8 Participation in Trade and Professional Associations

The Solid Waste Authority supports employees being active participants in professional and trade organizations which are directly related to the employee's area of responsibility. Membership fees for such participation must be approved by the Department Director. Employees serving in official positions in the trade or professional organizations may be compensated for attendance at meetings when attendance occurs during the employees regular working hours.

39.9 Outside Employment

An employee shall not accept outside employment, either incidental, occasional or otherwise, without the prior approval of the Department Director, Human Resources Director and/or Director of Risk Management. A record of approval or denial shall be maintained in the employee's personnel file.

Requests to engage in outside employment shall be in writing, on a form provided for that purpose and shall explain the type of employment and hours involved for which the request is made. Requests shall be submitted to the Department Director.

Questions concerning whether such employment may be in violation of Solid Waste Authority policy or detrimental to the reputation of the Authority shall be determined solely by the Executive Director or designee. Permission to engage in outside employment may be denied or withdrawn at any time if a determination is made that such employment interferes with the employee's efficiency or is in conflict with the interest or reputation of the Authority.

39.10 Political Activities

As provided by Florida Statute, §112.313:

"No employee of a state agency or of a county, municipality, special taxing district, or other political subdivision of the state shall hold office as a member of the governing board, council, commission, or authority by whatever name known, which is her or her employer while, at the same time, continuing as a employee of such employer".

Therefore, any employee who seeks election as a Palm Beach County Commissioner shall irrevocably resign upon qualifying and filing as a candidate.. Upon indicating such intention by formal declaration or other evidence of candidacy, employment by the Solid Waste Authority shall immediately terminate.

At no time shall a Solid Waste Authority employee engage in any political activities during regular working hours.

No employee shall use Solid Waste Authority equipment, supplies or funds to assist political parties or candidates for public office.

Nothing in this policy shall be construed as to prevent any employee from becoming or continuing to be a member of a political organization or from attending any political meeting or from enjoying freedom from any interference in voting.

39.11 Representation of the Solid Waste Authority

Only those Solid Waste Authority employees or officials who are duly authorized to speak on behalf of the Solid Waste Authority may represent the Solid Waste Authority to any group, including the Governing Board, media, or other public gatherings.

AMENDMENTS AND ADDITIONS

All previous editions of Solid Waste Authority Employee Manuals and/or Handbooks are considered obsolete and superseded by issuance of the Solid Waste Authority Handbook, effective October 1, 2014, as authorized by the Governing Board on June 11, 2014 and amended as noted.

Section Number Name	Amendment and/or Addition	Effective	Board Approval (as required)
Cover	Add amended date.	As Indicated	n/a
Inside Cover	Add management has right to interpret all policies contained in handbook.	n/a	n/a
Table of Contents	Add sub-section 29.11 (Paid Parental Leave)	n/a	n/a
3 Discrimination Harassment	Add ancestry; include responsibility to report discrimination, harassment, retaliation or bullying by supervisor, co-worker, vendor or other.	03/26/2018	n/a
19 Time Clocks	Clarify employee responsibility to punch in/out at designated work times.	06/16/2016	n/a
23 Educational	Clarify maximum increase for award of certification/license. Add requirement for prior authorization.	02/13/2015	n/a
24 Vacation	Add notice that sick leave cannot be used to supplement unearned vacation. Clarify 100% vacation paid to beneficiary upon death of employee.	03/26/2018	n/a
25 Sick Leave	Add maximum (56) hours allowed for sick leave conversion. Clarify sick leave converted to vacation will be forfeited at end of fiscal year or upon termination for any reason. 100% sick leave paid to beneficiary upon death of employee.	03/26/2018	Sick leave beneficiary payment was approved in 2009.
28 Jury Duty	Clarify employees will not be paid for jury duty outside of regular scheduled working hours	03/26/2018	n/a
29 FMLA	Add 29.11 – Paid Parental Leave.	08/30/2017	11/08/2017. Effective 08/30/2017
30 Military Leave	Add references to United States Code, USERRA and Florida Statutes.	03/26/2018	n/a
37 Separation	Clarify retirees can continue health insurance coverage at own cost on a one-time basis. Upon cancellation, no re-entry required.	03/26/2018	n/a

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Solid Waste Authority of Palm Beach County, Florida



Human Resources Department
561-640-4000 ext. 4400