

Osceola County
Board of County Commissioners

Personnel Policies and Procedures



Effective

January 1, 2010

Update Effective May 3, 2022

Osceola County Board of County Commissioners
PERSONNEL POLICIES AND PROCEDURES
Effective January 1, 2010
Update Effective May 3, 2022

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 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION ONE: General Provisions DATE: 07/12/93 REVISED: 06/08/09 REVISED: 05/03/22 PAGES: 3
REFERENCE: 2.1-1 General Provisions	
RELATED STANDARDS: F.S. 125.85	
AMENDS or SUPERSEDES: 2.01 Personnel Policies Introduction	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair, uniform policies to encourage teamwork by promoting employee rights and efficiency while upholding standards of proper conduct.
- III. **DEFINITIONS:**
 - A. Administrative Code (Osceola County’s Charter Government Administrative Code): A comprehensive compilation of the Board’s Policy/rules for its operations.
 - B. At-Will Employment: Describes a working environment in which employers are free to terminate employees at any time, without cause, explanation, or prior warning, provided it does not violate state and federal anti-discrimination laws. Similarly, employees can quit a job at any time without reason or notice.
 - C. Board: The Osceola County Board of County Commissioners that is the duly elected legislative branch responsible for setting policies, adopting ordinances, appropriating funds, etc.
- IV. **POLICY:** The Osceola County Board of County Commissioners (Board) intends to succeed in its endeavors through the teamwork of its diverse, effective, and highly motivated workforce. Cooperative and constructive relationships among managers, supervisors, and employees are essential to this team approach toward accomplishing objectives. The Personnel Policies shall establish fair, uniform guidelines to encourage teamwork by promoting employee rights and efficiency while upholding standards of proper conduct. Definitions for terms referenced throughout the Chapter are located in Appendix A.
 - A. The Board adopts this Personnel Policy as part of the County’s Charter Government Administrative Code. The Board does not relinquish any authority vested in it. Instead, the Board delegates its authority to the extent detailed herein and consistent with Florida Statutes. This Code sets forth the principles that will ensure Osceola County and its citizens enjoy all the benefits that derive from a county government staffed by diverse, qualified, and highly motivated individuals.

- B. Nothing contained in this Code, or in any other materials or information distributed by the Board, creates a contract of employment, guarantee of continued employment, nor benefits between any employee and Osceola County Government.
1. Employment with Osceola County is on an At-Will Employment basis. This means that employees are free to terminate their employment at any time, for any reason, and Osceola County retains that same right. No statements to the contrary, written or oral, made either before or during an individual's employment can change this.
 2. The Board reserves the right to revise, change, or terminate any of this Code at any time.
 3. The Personnel Code applies to all employees of Osceola County except the following:
 - a. Members of the Board;
 - b. Persons who are not County employees but appointed by the Board to serve on advisory committees, special boards, councils, and commissions.
- C. The Board has absolute discretion to change its Personnel Policy without regard to, or limitation by, any matter covered herein. Changes may or may not be reflected in this Chapter at any time it is reviewed by an employee. Policies adopted by the Board shall supersede any written information previously distributed to employees. Changes adopted by the Board will be made available to all employees in a timely manner.
- D. All of the rights, privileges, and terms granted and set forth in this Chapter are expressly conditioned upon all of the rights granted to and reserved by the County as described in this Chapter, including the right to change and/or eliminate any and all rights and privileges not required to be provided by law.
- E. The County Manager/Designee is responsible for implementing the provisions of the Personnel Policy. A County Commissioner or the County Manager may recommend to the Board any changes to the Code. Such changes shall become effective upon adoption by the Board. New Policies adopted shall supersede old Policies and shall have the force and effect of law insofar as they apply to the positions covered hereunder.
1. If any section or part of a section of this Policy is held by any Court of competent jurisdiction to be invalid or unconstitutional, or conflicts with any County, state, or federal legislation, the same shall not invalidate or impair the validity, force, and effect of any other section or part of a section of these policies, unless it clearly appears that such other section or part of a section is wholly or necessarily dependent for its operation upon a section or part of a section so held invalid or unconstitutional.
 2. All current County employment positions, including ones created in the future, except for those positions exempted in this Section, will be subject to this Chapter of the Administrative Code unless the Board exercises its discretion to exempt from coverage.

3. The County Manager has the final authority to interpret and administer these policies in light of changing circumstances and events. The County Manager may institute Procedures at any time to ensure County compliance. All individuals covered by this Policy shall at all times comply with federal, state, and local laws, rules, and regulations.
4. No Department shall establish a separate Policy in conflict with the Administrative Code.
5. Any reference herein to the County Manager shall be considered as referring to the County Attorney when interpreted by the employees of the County Attorney.
6. Any reference to employees shall be considered as referring to the employees of the County Manager and/or County Attorney unless identified as specifically applying to Charter or Constitutional Officers.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION ONE: General Provisions DATE: 07/12/93 REVISED: 06/08/09 REVISED: 05/03/22 PAGES: 1
REFERENCE: 2.1-2 Policies and Procedures Template	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: None	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish a standard template and consistent guidelines for all Osceola County departments to utilize when writing policies and procedures.
- III. **DEFINITIONS:**
 - A. Policy: A guiding or governing principle.
 - B. Procedure: A series of interrelated steps that are taken to help implement a policy.
- IV. **POLICY:** When creating policies and procedures that affect Osceola County employees, a standard Policies and Procedures Template shall be used by all County departments.
 - A. The Human Resources and Risk Management Department shall provide the Policies and Procedures Template to all County departments.
 - B. All Policies and Procedures shall be typed in “Calibri” 12 font, and in outline form.
 - C. All Policies and Procedures shall be reviewed and approved by the Human Resources and Risk Management Director, County Attorney, and the County Manager before being finalized.
 - D. Dissemination of new and/or updated Policies and Procedures shall be through the Human Resources and Risk Management Department. This shall be done via internet access or through information sessions at each department.



SECTION ONE: General Provisions

DATE: 07/12/93

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PAGES: 4

REFERENCE: 2.1-3 Equal Employment Opportunity

RELATED STANDARDS: Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*, Americans with Disabilities Act, Age Discrimination in Employment Act

AMENDS or SUPERSEDES:
2.03 Equal Employment Opportunity
(Affirmative Action Plan)

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To ensure communication of the County’s commitment to a workplace that promotes equal employment opportunity and diversity in every aspect of employment.
- III. **DEFINITIONS:**
 - A. **ADA Interactive Process:** The process for determining if an employee has a disability and whether there are reasonable accommodations that can be implemented. It is a dialogue between an employee, their supervisor, a Human Resources representative and/or ADA Coordinator.
 - B. **Age Discrimination in Employment Act:** Federal law that prohibits discrimination in employment for persons aged 40 and over except where age is a bona fide occupational qualification (BFOQ).
 - C. **Equal Employment Opportunity:** A principle that asserts that all people should have the right to work and advance on the bases of merit and ability, regardless of their race, sex, color, religion, disability, national origin, or age.
 - D. **Reasonable Accommodation:** A change that accommodates employees with disabilities so they can do the job without causing the employer “undue hardship” (too much difficulty or expense).
 - E. **Title I of the Americans with Disabilities Act (ADA):** The federal civil rights law that prohibits discrimination against qualified persons with disabilities. The law:
 - 1. Helps people with disabilities access the same employment opportunities and benefits available to people without disabilities.
 - 2. Applies to employers with 15 or more employees.

3. Requires employers to provide Reasonable
 4. Accommodations to qualified applicants or employees. Defines disability, establishes guidelines for the Reasonable Accommodation process, and addresses medical examinations and inquiries.
- F. Title VII of the Civil Rights Act of 1964: Federal law that prohibits discrimination or segregation based on race, color, national origin, religion, and gender in all terms and conditions of employment.
- G. Federal Pregnant Workers Fairness Act (PWFA) of 2023: The PWFA is a federal law that requires covered employers to provide “reasonable accommodations” to qualified worker’s known limitations related to pregnancy, childbirth, or related medical conditions unless the accommodation will cause the employer an “undue hardship”.
- H. Undue Hardship: An undue hardship is defined as causing significant difficulty or expense.

IV. POLICY:

- A. The Board values the diverse backgrounds, experiences, knowledge, and skills of its employees and applicants for employment. Osceola County is committed to fostering a work environment that offers Equal Employment Opportunities and fair treatment to all applicants and employees without regard to age, race, color, religion, national origin, disability, sex, sexual orientation, gender identity, and expression, or any other protected category under federal, state or local law.
- B. Consistent with the requirements of Title I of the Americans with Disabilities Act (ADA), as amended, Osceola County will provide Reasonable Accommodations to qualified applicants and employees with disabilities, absent undue hardship, in order to:
1. Ensure equal opportunity in the application process;
 2. Enable qualified employees with disabilities to perform the essential functions of their jobs; and
 3. Make it possible for employees with disabilities to enjoy equal benefits and privileges of employment.
- C. This Policy applies to all positions under the Board, County Manager, and County Attorney. The Policy covers all terms, conditions, and privileges of employment including, but not limited to, recruitment, selection, compensation, Benefits, training, disciplinary actions, and application of this Policy and any County Manager Procedures.
- D. The County may, consistent with applicable law, choose to establish programs to enhance the employment of minorities, women, persons with disabilities, and Veterans at all levels and in all segments of the workforce. The County Manager/Designee will review and modify, as necessary, the results of the program(s) in order to achieve their stated objectives.

V. PROCEDURES:

A. Dissemination and Implementation of Policy

1. The Human Resources and Risk Management Department will be responsible for the dissemination of this policy and for formulating, coordinating, and monitoring all efforts in the area of equal employment opportunity. These may include, but are not limited to:
 - a. Assisting departments in collecting and analyzing employment data;
 - b. Developing policy statements and programs emphasizing recruitment and retention techniques designed to comply with the equal employment policies of the County;
 - c. Complying with various statutory record-keeping and notice requirements in order to ensure full compliance with all employment-related statutes and regulations;
 - d. Assisting supervisory personnel in arriving at solutions to specific equal opportunity-related personnel problems;
 - e. Keeping employees informed of the latest developments in equal employment opportunity laws and regulations; and
 - f. Investigating complaints of discrimination.
2. While the overall authority for implementing this policy is assigned to the Human Resources & Risk Management Department, an effective equal employment opportunity program cannot be achieved without the support of Directors, supervisory personnel and employees at all levels. Any employee or applicant who feels they may have been subjected to any form of employment discrimination have a responsibility to report this fact to their supervisor and/or the Human Resources and Risk Management Department.

B. Reasonable Accommodations – The Americans with Disabilities Act (ADA)

1. The County will provide a reasonable accommodation to an otherwise qualified disabled employee or job applicant, unless or until the accommodation imposes an undue hardship on the County. The Human Resources & Risk Management Department will assist the employee/applicant with the ADA reasonable accommodation interactive process.
2. Employees who are diagnosed by a health care provider as having a disability, as that term is defined by applicable law, and who want a reasonable accommodation to enable performance of essential job functions, should inform Human Resources & Risk Management of their need as soon as possible. The employee's medical condition will be kept confidential as required by law. It is the employee's responsibility to request the accommodation(s) desired.
3. Employees who have a disability and who want an accommodation must provide pertinent medical information regarding their impairment and limitations, in order for the County to make decisions regarding job assignments, ability to continue working, or ability to return to work.

4. The County will also require a doctor's certification of an employee's ability to perform duties safely. Additionally, the County may request that an employee submit to a medical examination if it believes the employee is a direct health or safety threat to himself/herself or others.

C. Reasonable Accommodations – Federal Pregnant Workers Fairness Act (PWFA)


1. As required by the federal Pregnant Workers Fairness Act (PWFA), the County will provide reasonable accommodations to employees and applicants with limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation will cause undue hardship to County operations.
2. An employee or applicant may request an accommodation due to pregnancy, childbirth, or a related medical condition by submitting the request in writing to the Human Resources & Risk Management Department. The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed, and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a healthcare provider substantiating the need for the accommodation.
3. Upon receipt of a request for accommodation, the Human Resources and Risk Management Department will contact the employee or applicant to discuss the request and determine if an accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.
4. In accordance with the requirements of the PWFA, an employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, the County will not require an employee to take time off if another reasonable accommodation can be provided that allows the employee to continue to work.

D. Retaliation Prohibited

The County will not retaliate against anyone who reports an alleged violation of this Policy, files or assists another with a complaint under this Policies, causes information to be provided, participates (as a witness or the accused) in an investigation, hearing, or other proceeding regarding a complaint under this Policy or otherwise opposes discrimination or retaliation.

E. Complaint Procedures

Employees or applicants for employment may file a complaint concerning an alleged violation of this policy by calling the Osceola County Government Employee Hotline **1-877-888-0004** which is accessible 24 hours a day, 7 days a week. The employee or applicant may also contact the Human Resources & Risk Management Department. The complaint procedure is detailed in Policy and Procedures 2.1-4 - Anti-Harassment.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION ONE: General Provisions DATE: 07/12/93 REVISED: 04/29/09 REVISED: 05/03/22 PAGES: 4
REFERENCE: 2.1-4 Anti-Harassment	
RELATED STANDARDS: Title VII of the Civil Rights Act of 1964	
AMENDS or SUPERSEDES: 2.04 Policy Against Sexual Harassment	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines regarding harassment of all kinds.
- III. **DEFINITIONS:**
 - A. Title VII of the Civil Rights Act of 1964: Federal law that prohibits discrimination or segregation based on race, color, religion, sex, and national origin in all terms and conditions of employment.
 - B. Harassment: Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person’s race, color, religion, sex, national origin, age, disability, or any other protected status. Unlawful harassment creates a work environment that would be intimidating, hostile, or offensive to a reasonable person and unreasonably interferes with tangible job benefits and an individual’s work performance.
 - C. Sexual Harassment: Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. It is defined as any unwelcome sexual advances, requests for sexual favors, and other verbal, or physical conduct or visual displays of a sexual nature.
- IV. **POLICY:**
 - A. The Board recognizes that to achieve its mission, it must operate in a climate of mutual respect and in an environment that enables all individuals to perform to their best potential. To this end, it is the Board’s Policy to strictly prohibit harassment, as well as inappropriate or unwelcomed behavior that, if left unchecked, could become severe or pervasive as to constitute unlawful harassment.
 - B. Workplace Harassment, which includes bullying, offensive comments/conduct, or discrimination based on race, color, religion, sex (including sexual harassment and pregnancy discrimination), sexual orientation, gender identity and expression, national origin, age (40 years of age and over), or disability (physical or mental) or retaliation for protected EEO activity will not be tolerated.

- C. Harassing conduct, where unwelcome verbal or physical conduct explicitly or implicitly affects an individual's employment unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment, will not be tolerated.
- D. An unpleasant or harsh work environment *is not* a "hostile work environment" without a discriminatory basis for the behavior. Osceola County does not condone unprofessional work environments, however, and will take steps to resolve such problems whether or not they are considered a "hostile work environment."
- E. Retaliation against those who report harassment, or misconduct, serve as a witness to or participate in the Equal Employment Opportunity (EEO) process, or otherwise oppose discrimination and Harassment is also strictly prohibited.
- F. Every County employee has a responsibility to foster a harassment-free workplace. Employees who observe or believe they are the subject of workplace harassment are strongly encouraged to report such incidents as soon as possible through various channels, including, but not limited to, their immediate supervisor, department head, or the Human Resources & Risk Management Department. Where allegations of prohibited harassment or harassing conduct are substantiated, prompt and appropriate action will be taken.
- G. The County recognizes that false accusations of harassment have a serious impact on morale in the workplace. If, after investigating a Harassment complaint, the County learns that an employee has made a complaint in bad faith or knowingly provided false information regarding a complaint, disciplinary action will be taken against the individual who provided such false information.
- H. The County Manager shall cause a comprehensive training program to be developed, including, but not limited to, Anti-Harassment, Equal Opportunity Policies, and Harassment Prevention Training.

V. PROCEDURES:

- A. Harassment can occur in a variety of circumstances, including, but not limited to, the following:
 - 1. The harasser may be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
 - 2. The victim does not have to be the person harassed but can be anyone affected by the offensive conduct.
 - 3. Unlawful harassment may occur without economic injury to, or discharge of the victim.
 - 4. The harasser's conduct must be unwelcome.
- B. Offensive conduct includes, but is not limited to, the following:
 - 1. Offensive jokes
 - 2. Slurs
 - 3. Epithets or name-calling

4. Physical assaults or threats
 5. Intimidation
 6. Ridicule or mockery
 7. Insults or put-downs
 8. Offensive objects or pictures
 9. Interference with work performance
- C. Sexual harassment can occur in a variety of circumstances, including but not limited to, the following:
1. The victim as well as the harasser can be a woman or man. The victim does not have to be of the opposite sex.
 2. The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
 3. The victim does not have to be the person harassed but can be anyone affected by the offensive conduct.
 4. Unlawful sexual harassment may occur without economic injury to, or discharge of the victim.

D. **Retaliation**

An employer may not fire, demote, harass or otherwise "retaliate" against an individual for filing a charge of discrimination, participating in a discrimination proceeding, or otherwise opposing discrimination. The same laws that prohibit discrimination based on race, color, sex, religion, national origin, age, and disability, as well as wage differences between men and women performing substantially equal work also prohibit retaliation against individuals who oppose unlawful discrimination or participate in an employment discrimination proceeding.

E. **Reporting Harassment**

There are various channels an employee may use to provide notice of a complaint of harassment, whether sexual or otherwise, either as a victim or a witness to the harassment. The employee should proceed in the following manner:

1. The employee should address the situation directly with the individual who is creating the undesired environment or who is engaging in offensive behavior. The employee should inform such an individual that the behavior, if uninvited, is offensive, or otherwise inappropriate, and must stop immediately.
2. If the employee does not believe that he/she can adequately address the situation directly with the individual engaging in the inappropriate behavior, the offended employee should notify his/her Supervisor as soon as possible about the employee's offensive behavior. If the immediate Supervisor is the offender, the employee should notify any member of the Human Resources and

Risk Management Department or management. The management member is required to immediately notify the Human Resources and Risk Management Department of any reported infractions of this policy.

- a. Employees have a duty to report this type of improper conduct immediately. The County cannot correct the situation if it is not aware of such conduct. All charges of harassment will be investigated expeditiously.
 - b. The investigation will include, at a minimum, interviews with the charging employee, the accused offender, and any named witnesses. Retaliation against the complainant or witnesses will not be tolerated.
3. Employees may use the Osceola County Government Employee Hotline. The Employee Hotline can be accessed 24 hours a day, 7 days a week at **1-877-888-0004**.
- F. Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly. The investigation may include interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.
 - G. Confidentiality will be maintained involving those with a need to know throughout the investigative process to the extent consistent with adequate investigation and appropriate corrective action.
 - H. Employees are required to attend anti-harassment/sexual harassment training on an annual basis.



REFERENCE: 2.1-5 Personnel Records

RELATED STANDARDS: Chapter 119 of the Florida Statute

AMENDS or SUPERSEDES:

2.07 Personnel Records

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish a framework for a personnel records system that is as complete, accurate, and functional as practicable within operational constraints.
- III. **DEFINITIONS:**
 - A. Management: Immediate Supervisor or Department/Division Director
 - B. Personnel File: A file maintained on each employee within the County’s Human Resources & Risk Management Department, which contains an employee’s employment history, salary, changes of status (e.g., promotion, demotion, re-classifications), absences, commendations, evaluations, disciplines, etc.
- IV. **POLICY:** It is the policy of the Board to maintain personnel records according to federal and state record-keeping requirements. The personnel records maintained by the Human Resources & Risk Management Department shall be the official personnel records.
- V. **PROCEDURES:**
 - A. The County Manager, with the assistance of Human Resources and Risk Management, is responsible for the maintenance and improvement of Osceola County’s personnel records system.
 - B. It is the responsibility of each employee to keep all information in his/her personnel file up to date, current, and accurate by notifying the Human Resources and Risk Management Department of any information changes (e.g., name change, change of address, contact information, etc.)
 - C. The County shall not be liable, to any degree, for any incorrect withholding of deductions, erroneous designations of beneficiaries, or loss of employee benefits, if an employee has failed to notify the Human Resources and Risk Management Department with accurate and current information for


his/her personnel file.

- D. After the initial establishment of the employee's personnel file by the Human Resources and Risk Management Department, Management will be responsible for forwarding official employment records for employees to the Human Resources and Risk Management Department.
- E. Employment records shall be retained based on the General Records Schedule for State and Local Government Agencies as established by the Florida Department of State.

F. Employee Obligations

Each employee is responsible for notifying Management or the Human Resources and Risk Management Department to update information contained in his/her personnel file, which is maintained by the Human Resources and Risk Management Department, in order to maintain accurate employee information such as:

1. Name;
2. Current residential and/or mailing address;
3. Current telephone number;
4. Emergency Contact;
5. Dependents eligible for family insurance coverage and beneficiary designations;
6. Copies of required certificates, diplomas, transcripts, and other education records;
7. Payroll deduction authorizations, if applicable;
8. Arrests and/or convictions if they pertain to the employee's ability to perform the functions of the employee's job;
9. Driver's License status if the employee's position requires he/she to drive a county vehicle or his/her personal vehicle for County business;
10. Any other pertinent information previously provided to the County.

 OSCEOLA COUNTY	POLICIES AND PROCEDURES SECTION ONE: General Provisions DATE: 01/04/08 REVISED: 05/03/22 PAGES: 2
REFERENCE: 2.1-6 Collection and Use of Social Security Numbers	
RELATED STANDARDS: Florida Statute 119.071(5)	
AMENDS or SUPERSEDES: None	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish guidelines for the collection, dissemination, and utilization of Social Security numbers for all County employees.
- III. **DEFINITIONS:**
- IV. **POLICY:**
 - A. It is the policy of the Board to notify individuals of the circumstances that require or authorize the collection and use of social security numbers. Florida Statute 119.071(5) specifically authorizes the County to collect social security numbers when required by law or where the social security number is imperative in the performance of its duties. The general scenarios under which the County will collect and use social security numbers are as follows:
 - 1. For processing payroll and other human resources functions, including Benefits registration and processing, tax reporting, unemployment reporting, workers compensation, direct deposit, and payroll deductions.
 - 2. For use in processing accounts payable and other purchasing functions, including travel reimbursements.
 - 3. For use in the proper identification and background screening of employees, vendors, and volunteers.
 - 4. For use in processing employee health-related Benefits including medical claims.
 - 5. For access to certain critical Information Technology Systems in order to certify and authenticate identity.

6. To authenticate identity when no other means are available.
-
- B. Social security numbers are used as unique numeric identifiers and may be used for search purposes, i.e., various software programs/websites utilized by the Osceola County Government.
 - C. Social security numbers will not be used for any other purpose than stated above.
 - D. This Policy (or written notice stating the same) must be provided to any individual when the County collects that person's social security number.
 - E. This Policy will be reviewed and updated for compliance if/when social security number collection, dissemination, and utilization by the County changes.



REFERENCE: 2.2-1 Classification Plan

RELATED STANDARDS:

AMENDS or SUPERSEDES:

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To provide the framework for a systematic arrangement and inventory of all County positions.
- III. **DEFINITIONS:**
- IV. **POLICY:** The Board authorizes the County Manager to institute and maintain a classification plan that provides a systematic arrangement and inventory of all County positions. The plan groups various positions into jobs that reflect the range of duties, responsibilities, and level of work performed.
- V. **PROCEDURES:**

A. The Classification Plan consists of:

1. Job Titles

The Job Title is a brief and descriptive designation of the type of work performed. Where there is more than one job in an occupational series, a Roman numeral will designate the level of the job with the lowest numbers indicating the lowest level in a given series, i.e., Clerk I, Clerk II. Job Titles shall be used in all Human Resources, Accounting, Budget, Appropriation, and Financial records.

2. Pay Grades

Job titles are grouped into numerical Pay Grades established by the similarity in the kind of work, level of difficulty, and degree of responsibility generally required of such positions. Pay Grades include salary ranges of a determined amount that may be adjusted from time to time as the labor market changes.

3. Job Specifications

Job Specifications contain a general description of the nature of the work and the relative responsibilities of the positions in the job; examples of work which are illustrative of duties of positions allocated to the job; requirements of work in terms of knowledge, abilities, and skills

necessary for the performance of the work; and a statement of required experience and training for recruitment into the job. Job Specifications are intended only to be a general outline of job duties performed by employees in a particular job.

- a. Job Specifications may be changed from time to time by the County. Such changes may expand or reduce the job duties of any position in the job. Employees will be given notice of changes in their job duties as is practicable. Further, specifications are deemed to be descriptive and explanatory of the kind of work performed and not necessarily inclusive of all duties that may be assigned from time to time.
- b. Job Specifications may be changed from time to time by the County. Such changes may expand or reduce the job duties of any position in the job. Employees will be given notice of changes in their job duties as is practicable. Further, specifications are deemed to be descriptive and explanatory of the kind of work performed and not necessarily inclusive of all duties that may be assigned from time to time.

4. Job Descriptions

Job Descriptions contain a more specific description of the work, duties, responsibilities, and associated requirements for each position. Job Descriptions are specific to each Department and can be updated by the completion of a Job Assessment Tool (JAT). Information from the Job Description will be used when advertising job openings due to the department-specific requirements of the particular position. Job Descriptions will be updated and maintained by the Department and the Human Resources and Risk Management Department.

B. Position Desk Audit

1. County Management, through the Human Resources and Risk Management Department, is responsible for requesting position desk audits of County positions at any time. Other position audits may be initiated by written requests to the County Manager's Office from the Head of the Department in which the specific position is allocated, or the incumbent of the position is allocated, or the incumbent of the position to be audited. The Human Resources and Risk Management Department will perform a field investigation in order to determine whether the position should be reclassified.
2. If a position is reclassified, any changes in the Job Title, possible salary adjustment, and Job Specification must be processed by the Human Resources and Risk Management Department by the following pay period.

C. Types of Reclassification

A reclassification occurs when the actual duties and responsibilities of an established position have undergone a substantial change and require a re-evaluation of the placement of the position in a particular Pay Grade. Pay Grade adjustments may not be necessary pending review and analysis.

1. Upward Reclassification

- a. This occurs when a position in one classification/Pay Grade is moved upward to another classification/Pay Grade with a higher salary range (minimums and maximums).

A majority of the following criteria must be met:

- i. This occurs when a position in one classification/Pay Grade is moved upward to another classification/Pay Grade with a higher salary range (minimums and maximums). A majority of the following criteria must be met:
 - ii. The immediate Supervisor and Department Head must provide justification and identify the permanent operational need for the reclassification of the incumbent.
 - iii. Changes in duties and responsibilities are of a permanent nature.
 - iv. The action is not based upon the performance of the individual but upon the requirement of the job.
 - v. The incumbent has been consistently performing duties and executing responsibilities on a level exceeding the regular duties of his/her current classification (over 240 hours—6 weeks).
- b. The incumbent's position reclassification is conditioned upon the determination that the incumbent meets the minimum qualifications of the higher classification.
- c. Once reclassification is approved, the incumbent's salary is then set at a rate within the designated higher Pay Grade, resulting in a pay increase of up to 10% or adjustment to the minimum salary of the new Pay Grade, whichever is greater.

2. Downward Reclassification

- a. This occurs when a position in one classification/Pay Grade is moved downward to another classification/Pay Grade with a lower salary range (minimums and maximums). A majority of the following criteria must be met:
 - i. A position desk audit may be completed by the Human Resources and Risk Management Department which may indicate that the current or existing level of duties, responsibilities, and/or qualifications is not required for the successful execution of the work program of that operation, Department, or Division, and therefore the position must be adjusted downward based upon those duties and responsibilities.
 - ii. The immediate Supervisor and Department Head must provide justification and identify the permanent operational need for the reclassification of the incumbent.
 - iii. Changes in duties and responsibilities are of a permanent nature.
 - iv. The action is not based upon the performance of the individual but upon the requirement of the job.

- v. The need for that higher skill level as required by the current position is no longer justified, and a need exists for downward adjustment of the position classification.
- b. Upon the Human Resources and Risk Management Departments' approval of reclassification, Department Management (with the Department of Human Resources and Risk Management's recommendation) shall determine the employee's rate of pay, dependent upon such factors as the nature of the change in duties and any fiscal constraints.
- c. If the employee's present salary is above the maximum salary for the lower Pay Grade at the time of the downward reclassification, the employee's salary shall be reduced to the maximum for the new Pay Grade. The County Manager may "Red Circle" (freeze the employee's salary at the level above the maximum amount for the lower Pay Grade) in which case the employee shall be ineligible for any increases in salary or bonus, including but not limited to COLA and merit increases, until such time as when the maximum salary for the new Pay Grade exceeds the employee's salary. In no case shall any salary increase result in an amount that exceeds the maximum for the Pay Grade.

D. Budget Process

1. Allocation of New Positions

- a. Department Heads requesting new positions shall:
 - i. Provide the Human Resources and Risk Management Department with a job description of duties, knowledge, skills, abilities required, and other work performance requirements in sufficient detail to properly classify the position.
 - ii. Promptly notify the Human Resources and Risk Management Department of the need for new positions to allow sufficient time for the required classification analysis (if needed).
- b. The County Manager's Office will approve or deny the creation of new positions upon the Human Resources and Risk Management Departments' recommendations. The Human Resources and Risk Management Department will place the positions within recommended pay grades after review and analysis.

2. Dual Encumbering of Positions

Each Department Head is responsible for ensuring that rarely shall more than one individual/employee fill or occupy a given position without the County Manager's prior approval.

E. Pursuant to this policy and its accompanying procedures, the following form(s) must be completed as applicable:

- 1. Job Assessment Tool (JAT)
- 2. Job Description
- 3. Personnel Requisition Form
- 4. Employee Status Change Form



REFERENCE: 2.3-1 Compensation Plan

RELATED STANDARDS:

AMENDS or SUPERSEDES:

- 2.14 Administration of Compensation Plan
- 2.15 Structure of Compensation Plan
- 2.16 Starting Rates of Pay
- 2.17 Salary Adjustments

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To provide the framework for the Compensation Plan.
- III. **DEFINITIONS:**
- IV. **POLICY:** The Board directs the County Manager to establish a compensation system that would allow the County to effectively attract and retain qualified personnel and ensure that salaries are equitable and commensurate with the duties performed by each employee. A compensation plan shall apply to all employees, excluding the County Manager, County Attorney, or any employee covered by a Collective Bargaining Agreement with its own compensation system. As individual positions are studied through a job evaluation process, they will be allocated to classifications within the classification structure and placed into the compensation plan.
- V. **PROCEDURES:**
 - A. **Structure of the Compensation Plan**
The Compensation Plan is directly related to the Classification Plan and provides the basis for compensating employees under the jurisdiction of the Board of County Commissioners. The Compensation Plan includes a minimum salary for each job title in the Classification Plan and a maximum. The Board of County Commissioners establishes the salary level, and the salary increases for the County Manager, County Attorney, and County Auditor.
 - B. **Starting Rates of Pay**
The minimum salary established for a position is considered an appropriate starting rate for new employees. The Department Head may authorize a salary higher than the minimum salary the applicant’s training, experience, or other qualifications are substantially above those required for the position, or if there are no qualified applicants available who are willing to accept the minimum pay rate.

1. Department Heads have the authority to approve a higher starting rate of pay for new hires up to and including ten percent (10%) above the minimum salary level.
2. The County Manager can approve payment of a starting salary for a newly hired person up to and including the maximum of the established pay grade range. However, this final authority will only be exercised if recommended by the Human Resources and Risk Management Department.
3. Employees currently at the maximum salary within a pay grade will not receive any type of base pay increase until salary ranges adjust, and the new maximum salary increases.

C. **Salary Adjustments**

An employee's salary may be adjusted by:

1. **Merit Increase**

A merit increase is a salary increase within the employee's given salary range for his/her job title. Merit Increases are entirely dependent upon merit and are not automatically granted. Thus, Merit Increases are to be based upon work performance and related factors as evaluated by the employee's immediate Supervisor and based upon the availability of funds as recommended by the Office of Management and Budget.

- a. Employees may be eligible for additional Merit Increases at one-year intervals on the anniversary date of the last salary increase.
- b. Approved Merit Increases will be effective at the beginning of the pay period encompassing an employee's anniversary date, or as soon thereafter as possible.
- c. If an employee has been in leave-without-pay status for more than fourteen (14) calendar days, the time spent in leave-without-pay status will be deducted from the employee's continuous service record. This adjustment in the continuous service records will also result in an adjustment of the employee's anniversary date, performance review schedule, and merit increase eligibility date.
- d. The Office of Management and Budget may allocate to Departments an average percentage increase per employee during the annual budget process to be used for Merit Increases, budget permitting.
- e. The County Manager has the final authority to approve recommendations from Department Heads concerning Merit Increases to be granted to County employees. The County Manager has the authority to approve Merit Increases for Department Heads. The Board of County Commissioners shall establish the salaries and salary increases for the County Manager, County Attorney, and Commission Auditor.

2. Promotion

A promotion occurs when an employee is moved from a position in one classification to another position in a higher classification that contains a higher minimum and maximum rate of pay. The employee should meet the minimum qualifications of the new position before being promoted to it.

- a. When an employee is promoted, his/her salary shall be set at a rate within the new pay grade which results in a pay increase of a minimum of five percent (5%) with authorization up to ten percent (10%) or adjustments to the minimum step of the new pay grade, whichever is greater.
- b. If an employee is promoted more than seven (7) months after his/her last performance evaluation, the employee's former Supervisor will conduct an early performance evaluation. If the promoted employee receives a merit increase as a result of the evaluation, the employee's salary increase associated with the promotion will be in addition to any Merit Increase.
- c. The Department Head may request that a promoted employee's salary increase exceed ten percent (10%) above his/her previous salary by forwarding justification to the Human Resources and Risk Management Department. The County Manager may approve requests for salary increases up to and including the maximum of the established pay range. All requests for higher increases must be forwarded for approval to the County Manager after concurring recommendations by the affected Department and the Human Resources and Risk Management Department.

3. Demotion

A demotion occurs when an employee is reassigned to a position with a lower pay rate in the same classification and/or to a position in a lower job classification, that is, a classification with a lower maximum salary, i.e., a lower maximum annual salary or hourly rate of pay.

- a. Demoted employees are subject to a reduction in pay. In most cases, demoted employees will not be paid more than the maximum rate of pay established for the pay grade of the new classification, and in many cases, the rate of pay may be significantly less than the maximum rate of pay for the new pay grade.
- b. The County Manager's Office has the final authority to approve recommendations from Department Heads that employees within their Departments be demoted. At the same time, the Department Head should set forth the reasons for the demotion, and recommendations concerning the affected employee's rate of pay in the position to which he/she will be demoted.
- c. Employees who are demoted due to an inability to perform or for disciplinary reasons shall be required to serve a new probationary period. In such cases, the anniversary dates for these employees will reflect the completion of the new probationary period, and the anniversary dates shall be adjusted to the date of the demotion.

4. Reclassification

- a. Job reclassifications may be made when a major change in the position content occurs, when the incumbent in the position assumes or relinquishes substantial responsibilities, or when a new position is created (i.e. job classification). When a position warrants reclassification, the job description will be revised (or created), and the position re-evaluated and assigned to the proper pay grade. A job reclassification does not guarantee any change in pay grades or any additional salary increase/decrease to the employee. A reclassification affects the position primarily and then possibly the incumbent holding the position (i.e. pay rate) as a result of this action.
- b. A position is reclassified because of a change in marketplace value – this is not a promotional increase or a demotion decrease. The duties and responsibilities that the job entails are worth more or less in the labor market.
 - i. The new salary for a position which is reclassified upward shall be at a rate within the designated higher pay grade, resulting in a pay increase up to 10 percent (10%) or adjustment to the minimum salary of the new pay grade, whichever is greater.
 - ii. If a position is reclassified downward and the incumbent's present salary is higher than the maximum salary for the lower classification at the time of the downward reclassification, the rate of pay may be decreased to the corresponding maximum of the new pay grade.
 - iii. In either an upward or downward reclassification, a reclassified employee will not be required to serve another probationary period, and he/she shall retain his/her anniversary date.

5. Pay Grade and Range Structure and Adjustments

- a. County positions will be categorized and placed within a corresponding pay plan and pay grade based upon overall job content, labor market competitiveness, and internal equity. Each pay grade will spread over a pre-determined pay range consisting of a minimum and a maximum salary. The County Manager will approve the pay range percentage.
- b. Some pay plans for specific categories of positions contain a number of pay steps that correspond to years of service. The number of steps and percentage between steps, both within and between grades will be determined and approved by the County Manager or designee. Typically, new hires will start at the minimum of a pay grade and progress to the next pay step within the grade upon annual anniversaries.
- c. It may be necessary from time to time for the County Manager to adjust the minimum and maximum ranges for pay grades, and/or to add or eliminate pay grades altogether. If the County Manager adjusts the Compensation Plan and/or the Classification Plan, any adjustments for current employees will be recommended and administered by Human Resources.
- d. The County Manager's decision to amend any classification and/or adjust any salary range or pay grade shall be final.

6. Cost of Living Increase


- a. The recommendation as to whether or not to grant a cost-of-living allowance, as well as the recommendation as to the amount of such increase (if any) will be made in the sole and exclusive discretion of the County Manager to the Board of County Commissioners. Any such increases will be implemented across the board to specified active employees of the Osceola County Board of County Commissioners.
- b. The County Manager's Office through Human Resources shall be responsible for processing the increase consistent with the Board of County Commissioners' direction.

7. Working out of Classification

This situation occurs when an employee either takes on more or less responsibilities/duties than the current position describes. The duties must be substantially different in order to achieve this status.

- a. An employee may be assigned to work in a higher classification when the regular incumbent of the higher classification is temporarily on leave, or the higher classification is vacant, pending hire.
 - i. A temporary assignment to a higher classification will not be approved for use as a trial period prior to promotion.
 - ii. Assignments to higher classifications should be limited to ninety (90) days or less. If an employee serves in a higher classification for more than 240 consecutive hours, then the employee will be given a temporary promotion to the higher classification and will receive from that point an additional salary compensation of at least five percent (5%) or an adjustment to the minimum pay grade of the higher classification, whichever is greater.
 - iii. Any Department Head who anticipates the need for a temporary assignment of an employee to a higher classification in excess of 240 hours shall first obtain approval from the Human Resources and Risk Management Department.
- b. An employee may be assigned to work in a lower classification when the regular incumbent of the lower classification is temporarily on leave, or the lower classification is vacant, pending hire.
 - i. Temporary reassignment of an employee to a lower classification shall not be used as a substitute for demotion.
 - ii. Normally, an employee will not be required to work in a lower classification for more than ninety (90) days. During this time, the employee's normal compensation will not be reduced. However, should an employee be required to perform the duties of a lower classification for more than ninety (90) days, the Human Resources and Risk Management Department will review the Department's staffing and classification levels of the Department to which the temporarily reassigned employee is working.

- c. Reassignments to either higher or lower classifications will not affect the employee's anniversary date or eligibility for Merit Increases. However, the employee's annual performance evaluation period will cover the length of time from the last evaluation date to the present, excluding any time in an acting higher capacity. Any merit increase granted will be based upon the normal, prior position which would have been active for the majority of the evaluation period. The effective date for the merit increase will be at the end of the acting assignment. The annual evaluation date will remain unchanged.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION THREE: Compensation Plan DATE: 07/12/93 REVISED: 05/19/09 REVISED: 05/03/22 PAGES: 2
REFERENCE: 2.3-2 Workdays, Workweek, and Pay Days	RELATED STANDARDS:
AMENDS or SUPERSEDES: 2.18 Workdays and Workweek 2.21 Pay Days	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for defining workdays, the workweek, and paydays.
- III. **DEFINITIONS:**
- IV. **POLICY:** The County Manager is authorized to establish the workday, workweek, and pay days for all divisions, departments, and offices under the Board in order to provide the best service to the citizens of Osceola County.
- V. **PROCEDURES:**
 - A. No County Department shall operate on less than a forty (40) hour workweek (excluding lunch breaks) unless specifically approved in advance by the County Manager, except under County policy which allows for special holidays and other activities within the workweek.
 - B. A Department may establish a normal workweek in excess of forty (40) hours if such is deemed necessary to accomplish the Department's mission and is approved in advance by the County Manager.
 - C. The official workweek shall commence at 12:01a.m. Saturday and end at 12:00 midnight Friday. Department Heads, with the approval of the County Manager, may establish the workweek as any five (5) days during the seven (7) day period.
 - D. All employees are required to be present on their assigned jobs as scheduled for the total hours in the workweek unless absence from duty is authorized by the appropriate authority in accordance with these policies.
 - E. All absences shall be properly recorded and charged.

F. The County Manager's Office shall be advised immediately, in writing, by the respective Department Head, should the schedule of hours or shifts in a given Department be adjusted for any reason.

G. All work hours will be regulated under the Fair Labor Standards Act (Department of Labor).

H. **Pay Days**

1. Distribution of pay through Direct Deposit or Pay Card (whichever is elected by the employee) occurs on a bi-weekly basis (every other Friday). There are a total of 26 pay periods per calendar year.

2. **Errors**

Employees are responsible for immediately reporting errors of overpayment or underpayment to their immediate Supervisor and/or to Payroll.

a. Underpayment: If an employee believes he/she has been underpaid because he/she worked a greater number of hours than that which was recorded and submitted by the immediate Supervisor, the employee must report the discrepancy, and provide a reconstruction of the number of hours the employee believes were actually worked, to the immediate Supervisor within three (3) working days after receipt of his/her payment.

b. Overpayment: Once recognized, the employee will be required to reimburse the County, and readjustments to employee pay (to the correct amount) will be processed. The Human Resources and Risk Management Department and Payroll will create a payment plan schedule with the employee to indicate the amount of money to be deducted from each Direct Deposit or Pay Card payment until the overpayment is reimbursed.



REFERENCE: 2.3-3 Overtime - Fair Labor Standards Act (FLSA)

RELATED STANDARDS: Fair Labor Standards Act (FLSA)

AMENDS or SUPERSEDES:

- 2.19 Overtime Work and Compensation
- 2.20 Work Breaks

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To define and state certain Fair Labor Standards Act (FLSA) related standards.
- III. **DEFINITIONS:**
 - A. **Exempt Positions:** Positions designated by FLSA to be paid a specific salaried amount for the entire pay period and ineligible to receive overtime for time worked over forty (40) hours in a workweek. FLSA uses four (4) categories to determine exemption status (executive, administrative, professional, computer professional). This determination comes from the particular position’s duties, and responsibilities (i.e., job content).
 - B. **Non-Exempt Positions:** Positions designated by FLSA standards to be paid on an hourly basis per actual hours worked. These positions are eligible to receive overtime pay for any time in excess of 40 hours in a given workweek.
 - C. **Overtime:** Any time worked in excess of 40 hours in a workweek. The overtime rate of pay is one and one-half times the regular rate.
 - D. **Workweek:** The official workweek will begin at 12:01 a.m. Saturday and end at 12:00 midnight Friday. Department Heads, with the approval of the County Manager, may establish the workweek as any five (5) days during the 7-day period.
- IV. **POLICY:** Employees shall be properly compensated for all time worked, including payment of overtime and accrual of compensatory time, as mandated by the Federal Fair Labor Standards Act and Florida State Statutes.
- V. **PROCEDURES:**
 - A. Osceola County Government will abide by FLSA requirements as mandated by federal and state statutes.

- B. The Department of Labor is responsible for FLSA compliance. Further information can be found at <http://www.dol.gov>.
- C. FLSA does not require:
1. Vacation, holiday, severance, or sick pay;
 2. Meal or rest periods, holidays off, or vacations;
 3. Premium pay for weekend or holiday work;
 4. Pay raises or fringe benefits; or
 5. A discharge notice, reason for discharge, or immediate payment of final wages to terminated employees.
- D. The FLSA does not limit the number of hours in a day or days in a week an employee may be required or scheduled to work, including overtime hours, if the employee is at least 16 years old.
- E. **Pay**
1. Non-Exempt Positions – Employees who work in excess of their normally scheduled hours will be paid at their straight-time rate of pay for all hours worked up to and including forty (40) hours in a workweek. Hours worked in excess of forty (40) hours in a workweek will be paid at a one and one-half times his/her regular rate of pay for each hour worked over forty (40) hours.
 2. Exempt Positions – Employees classified as exempt will receive a set bi-weekly salary to be paid regardless of hours actually worked per FLSA standards.
 3. For purposes of computing overtime pay, Holidays, Sick Leave, Vacation Leave, personal days, jury duty, and lunch hours shall not be counted as hours worked.
- F. Immediate Supervisors and Management are directly responsible for accurately recording the numbers of hours worked by employees during each workweek, both regularly scheduled and overtime hours.
- G. Supervisors will attempt to give employees as much advance notice of required overtime work as is practicable. Employees may be required to remain beyond their normal scheduled work hours, report earlier than the usual starting time, or return to the workplace during the normal off-duty time, upon order to do so from his/her immediate supervisor. Failure to remain at work, report for work early, or return to the work location upon direct order from an immediate supervisor may result in disciplinary action against the employee required to perform overtime work, up to and including discharge from employment.
- H. **Work Breaks**
1. There are no provisions for breaks or rest periods for County employees during their regular workday or shift, other than designated mealtimes.
 2. Frequency and duration of breaks and/or rest periods are dependent upon the judgment of

Management. If breaks are authorized:

- a. No single work break shall exceed fifteen (15) minutes' absence from the employee's assigned work location and duties.
- b. During work breaks, unless authorized by management, employees may not leave their assigned building or facility, or their workplace if employed out-of-doors.
- c. An employee may not accumulate unused work breaks, and work breaks may not be used to cover an employee's late arrival or early departure from duty.

I. **Travel**

The principles which apply in determining whether time spent in travel is compensable as hours worked depends upon the kind of travel involved.

1. **Home-to-Work Travel**

An employee who travels from home before the regular workday and returns to his/her home at the end of the workday is engaged in an ordinary commute to and from work, which is not compensable work time.

2. **One-Day Out of Town Travel**

If an employee who regularly works at a fixed location in one city is given a special one-day assignment in another city and returns home the same day, the time spent traveling to and returning from the other city is work time.

3. **Travel During the Workday**

Time spent by an employee in travel as part of the County's principal activity, such as travel from job site to job site during the workday, is work time and must be counted as hours worked.


4. **Overnight Travel**

Overnight travel time is compensable work time when it occurs during the employee's regular work hours. If the travel occurs during the employee's regular working hours, but on nonworking days, the time spent traveling is compensable. Time spent on overnight travel outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile is not considered compensable work time. If an employee voluntarily deviates from approved travel plans, any additional time spent traveling as a result of deviation is not considered work time and shall not be compensable.

J. **Lectures, Meetings, Conferences, Training Programs and Exams**

Attendance at lectures, meetings, conferences, training programs, exams, and similar activities is counted as working time only if four criteria are met:

1. It is within the employee's normal work hours.
2. It is mandatory.
3. It is job-related.
4. It is for the benefit of the County

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION THREE: Compensation Plan DATE: 01/27/09 REVISED: 05/03/22 PAGES: 2
REFERENCE: 2.3-4 Call-Out Pay	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: None	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish guidelines for Call-Out eligibility, payment, and procedures.
- III. **DEFINITIONS:**
 - A. Employee: Any person who is employed by Osceola County Government.
 - B. Non-Exempt: Employees who are eligible for overtime as regulated and defined by the Fair Labor Standards Act.
 - C. Management: Immediate Supervisor or Department Head.
 - D. Call-Out Pay: Pay rate during an occasion when an employee is called back to work on an unscheduled basis.
- IV. **POLICY:** Regular, non-exempt employees who are required to return to work after the completion of, or prior to, their shift, shall be eligible for Call-Out Pay in accordance with this Policy's implementing procedures.
- V. **PROCEDURES:**
 - A. Eligibility
A non-exempt employee (excluding employees on stand-by) who is off duty and is called to report to work on an unscheduled basis is eligible for Call-Out Pay if the reporting time is more than four (4) hours before the start of the employee's next regular shift. Call-Out Pay will be used in certain situations determined by Management.
 - B. Pay
An employee eligible for Call-Out Pay is paid for the actual hours worked or a minimum of two (2) hours straight time pay, whichever is greater. All such actual hours worked during this period count towards overtime. Travel time to and from work does not count as work hours.

- C. **Usage**
Situations determined by Management to achieve operational goals.
- D. Management is responsible for tracking and submitting all Call-Out Pay (amount of time and pay rate) for respective employees called back to perform work.
- E. Management will contact employee(s) to request that they come back to work to fulfill a particular need.
- F. A called-out employee is expected to report to the work site within a time limit established by the Department/Office, able to perform the expected task. This means the employee must not be impaired by alcohol or drugs (legal or illegal). If an employee is impaired, he/she should notify the immediate Supervisor so another employee may be called out. This procedure may not pertain to bargaining unit employees who may have call-back procedures in their Collective Bargaining Agreement with the County.
- G. Management will detail work hours and total Call-Out Pay and submit them to Payroll.
- H. When an employee is on duty and directed or assigned to continue or remain at work, the extra work time is considered scheduled work, and the employee is not eligible for minimum Call-Out Pay.



REFERENCE: 2.3-5 On-Call Pay

RELATED STANDARDS:

AMENDS or SUPERSEDES:

None

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish consistent guidelines for on-call assignment eligibility, pay, and procedures.
- III. **DEFINITIONS:**
 - A. Non-Exempt: Employees who are eligible for overtime as regulated and defined by the Fair Labor Standards Act.
 - B. Management: Immediate Supervisor or Department Head.
 - C. On Call: A time period during which a non-exempt employee is designated and required to remain available for duty but is permitted to engage in most personal activities as long as he or she is able to respond to calls promptly and efficiently.
- IV. **POLICY:** Additional compensation shall be provided to regular non-exempt designated employees who serve in an "ON-CALL" status, and thus are required to be available and ready to work beyond their regularly scheduled work hours, as needed, to handle unexpected and unplanned situations. While the County recognizes that this time does not require consideration as compensable working time under the provisions of the Fair Labor Standards Act, the County does so in recognition of the slight inconvenience this may create for employees.
- V. **PROCEDURES:**
 - A. Management has the authority and responsibility to designate personnel eligible for on-call assignments.
 - B. On-call assignments will be used in certain situations determined by Management as needed to achieve operational goals. When possible, Management will notify the designated employee(s) two (2) weeks in advance of an on-call assignment and post a proposed schedule to include an alternate employee.

- C. The designated employee will provide a current telephone, cell phone, or pager number, or other agreed-upon method of contact, where they can be reached during non-duty hours.
- D. While on call, employees are **not** required to stay at home or at any other specific location. However, employees in an on-call status shall monitor the designated communication device and must be able to report to work within (30) thirty minutes of being contacted by management.
- E. In the rare event an employee is unable to fulfill the obligations of an On Call assignment due to illness, family emergency, or other personal emergency, the employee must immediately contact their supervisor for instruction. As a result of the employee not being able to fulfill the obligations of an on-call assignment, the immediate supervisor can assign the designated alternate employee to on-call status.
- F. Management must be informed immediately should a large-scale emergency arise that requires additional staff.
- G. Responding personnel are expected to abide by all traffic laws when reporting to work and to respond in a safe manner.
- H. If an employee fails to answer a work-related call or other designated contact while on call or fails to report to work as instructed while on call, the employee shall be subject to disciplinary action in accordance with County policies and procedures.
- I. Management may implement a rotating schedule amongst all employees eligible for and subject to on-call assignments.
- J. **On Call Pay**
 1. On-call employees shall receive on-call all Status Pay of one (1) hour at the employee's regular rate of pay per each day the employee is on call.
 2. On-Call Status Pay will not count as hours worked for the purpose of computing overtime. However, all hours worked while on-call compensation shall be paid in accordance with the guidelines of this policy and any applicable laws.
 3. For the purposes of this policy, an on-call employee begins working when a work-related contact (e.g. call, page, or e-mail) is responded to by the employee. The employee shall be compensated for a minimum of thirty (30) minutes, or the actual hours worked, whichever is greater. Only one thirty (30) minute guarantee per day on-call. Additional calls within a day will be paid by actual time worked. All such compensation shall be paid in accordance with the guidelines of this policy and any applicable laws.


Example #1: Employee is On Call for 5 days and worked 40 hours (no leave taken). On day one: the employee receives a call and then the call is cancelled. Subsequently, the employee receives a second call and works for a total of 2 hours. The employee is compensated for 2.5 hours (30 minutes minimum pay for the first call + 2 hours worked). On days two and three: No Calls (employee receives 2 hours of regular on-call pay) On day Four: the employee receives a call and works for 3.5 hours. The employee is compensated for 3.5 hours+1 hours of regular on-call pay.

Because the employee was on call status for 5 days, took no leave, and worked a minimum of 40 hours, the employee will be compensated as follows: 5 hours of on-call pay (straight time) and 6 hours of on-call work at the overtime rate.

Example #2: Employee is On Call for 5 days; worked 32 hours; and used 8 hours of leave. On day one: the employee receives a call and works a total of 3 hours. The employee is compensated for 3 hours+1 hours of regular on-call pay. On days two and three: with no calls, the employee receives 2 hours of regular on-call pay. On day four: the employee receives a call and works for 4 hours. The employee is compensated for 4 hours+1 hours of regular on-call pay. On day five: the employee uses leave and is not eligible for on-call pay.

Because the employee was on “On Call Status” for 5 days, took 8 hours of leave, and worked 32 hours, the employee will be compensated as follows: 4 hours of on-call pay (straight time) and 7 hours of on-call hours worked (straight time). Total hours worked 32 hours + 7 on-call hours worked (straight time) + 4 hours of on-call pay (straight time) = 43 hours. The employee did not meet the overtime rate. Employees will not be paid for the 8 hours of leave used, since it achieved more than 40 hours of regular pay in a week.

4. Travel time to work for an on-call event will count as time worked for the purposes of this policy.
5. Management will document all on-call hours, including the number of hours actually worked, and review and approve all work hours worked while on call.
6. On-call pay is a discretionary payment made by the County to eligible employees. Nothing in this policy should be construed to require the payment of On Call Pay in accordance with any applicable law.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION THREE: Compensation Plan DATE: 09/27/10 REVISED: 05/03/22 PAGES: 6
REFERENCE: 2.3-6 Furlough Policy	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: None	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish guidelines for the consistent implementation and administration of furloughs under the Osceola County Board of County Commissioners (BOCC).
- III. **DEFINITIONS:**
 - A. **Alternate Furlough Plan:** A written alternative plan to the designated furlough schedule developed by the Department, in consultation with the Human Resources and Risk Management Department. Alternative Furlough Plans are approved by the County Manager.
 - B. **Alternate Furlough Hours:** Time off without pay taken in place of a designated Furlough Day. The total number of Alternate Furlough Hours must equal the number of furlough hours the employee would have taken had the employee been required to observe the designated Furlough Day.
 - C. **Essential Position:** A position with assigned duties that must, in the judgment of the County Manager, be performed on the scheduled furlough day(s). Essential Positions are designated as such by the County Manager. Employees in Essential Positions are not required to “make up” designated Furlough Days by taking Alternate Furlough Hours.
 - D. **FLSA-Exempt Employee:** An employee designated as being employed in a bona fide executive, administrative, or professional capacity, as defined by the Fair Labor Standards Act (FLSA), and who is therefore exempt from the overtime pay and the minimum hourly wage requirements of the FLSA.
 - E. **Furlough Day:** A day designated by the BOCC as a mandatory, unpaid leave day for designated employees.
 - F. **Furlough Pay-Period:** Any pay period in which there is a designated Furlough Day.
 - G. **Furlough Workweek:** Any workweek in which there is a designated Furlough Day or in which an individual employee takes approved Alternate Furlough Hours.

- H. **Hourly Employee:** An employee who is entitled to be paid for all actual hours worked. Hourly employees are compensated at their regular hourly rate for all hours worked up to forty (40) hours in the workweek and at the overtime hourly rate of one and one-half times, the regular rate for all hours worked in excess of forty hours (40) in the workweek.
- I. **Workweek:** A fixed and regularly recurring period of 168 hours during seven consecutive twenty-four-hour periods. For employees paid under the B.O.C.C., an employee's typical workweek begins at 12:00 a.m. on Saturday and continues for the next 168 hours through Friday, unless otherwise designated in writing by the Department Director.

IV. **POLICY:**

- A. In the event of a budget shortfall, the Board may approve a Furlough for its employees. The Board shall approve the specific dates of the Furlough.
- B. The County Manager shall have the authority to request that a Furlough be approved by the Board. The County Manager shall submit a budget plan to the Board to include the proposed dates and the estimated cost savings.
- C. The County Manager shall have the authority to implement and administer a Furlough approved by the Board. The County Manager shall have the discretion to include all Board employees in the Furlough or to exempt, in whole or in part, specific positions, job classifications, or Departments. The County Manager shall have the authority to resolve any Furlough issue not clearly addressed by this policy.
- D. In cases where the County Manager deems that the imposition of a Furlough on a particular position, job classification, or Department is not in the best interest of the County, the County Manager shall have the authority to implement a temporary salary reduction, equal to the amount of the Furlough reduction, in lieu of the Furlough during the same fiscal year.
- E. This policy does not alter or supersede the provisions of any Collective Bargaining Agreement for Board employees covered by a Bargaining Unit, except for where specifically negotiated and agreed upon by Management and the Bargaining Unit.

V. **PROCEDURES:**

A. **General Procedures**

1. **Notice**

Human Resources shall provide employees with at least thirty (30) days advance notice of an impending budget furlough. Such notification shall be provided in a manner designed to provide reasonable notice of the budget furlough to all BOCC employees.

2. **Scope**

All BOCC employees shall be subject to the furlough unless specifically exempted in writing by the County Manager. In certain cases, the County Manager may authorize that fewer furlough hours be observed by certain classifications of positions where business necessity requires.

3. Office Closures
On designated furlough days, unless specifically exempted by the County Manager, all BOCC offices and worksites shall be closed for business and to furlough-required employees. However, 24/7 operations (e.g. Fire, Corrections) shall be presumed to be specifically exempted from closure unless otherwise directed by the County Manager.
4. Business Timelines
Furlough days shall not be counted as a “business days” when calculating County business-related timelines. However, furlough days shall be counted as a “calendar day” when calculating such timelines.
5. Essential Positions
The County Manager may designate certain positions as Essential Positions, in writing. Employees in Essential Positions shall be exempt from the furlough, must work on designated furlough days, and are not required to “make up” furlough hours. Employees in Essential Positions shall perform their regular duties and adhere to all County policies, rules, and procedures while working on furlough days. The County Manager may revise the list of Essential Positions at any time.
6. Conflicts of Interest
Furloughed employees remain Osceola County employees while on furlough. Outside employment for furlough-required employees remains subject to the County’s policies and rules on outside employment. (Please see Personnel Policy 2.6-3, Outside Employment.)
7. Pay Reduction Schedules
The County Manager shall determine whether to 1) implement the furlough pay reduction solely in workweeks with a designated furlough day or 2) implement a prospective furlough pay reduction spread across a designated number of pay periods. The County Manager shall have the authority to designate different pay reduction schedules for different classes of employees. Further, due to IRS regulations, the rate of deduction may vary slightly from one calendar year to the next.
8. On-Call Pay
Employees who are scheduled to be on call during a furlough workweek shall receive their regular on-call pay in accordance with County policy.
9. New Employees
Any employee who is hired during a furlough year shall be subject to the furlough reduction based on their Exempt or Non-Exempt status and/or job classification. The furlough schedule for new hires shall be prorated based on the number of furlough dates scheduled for the fiscal year and the month in which the employee is hired. For example, if an employee is hired in a fiscal year in which ten (10) furlough dates have been approved, and three (3) of those furlough dates have already passed, the employee will only be charged for seven (7) furlough dates for the remaining of the fiscal year.
10. Promotions, Demotions, and Changes, in FLSA Status
Employees who experience a change in pay or FLSA exempt/non-exempt status due to a promotion or demotion shall have their pay reduction amount and pay reduction schedule

manually adjusted to reflect their new pay and/or FLSA status.

11. Separation of Employment

Employees who terminate employment with Osceola County during a furlough year, and who were on a scheduled spread deduction, shall have a final furlough adjustment up to the date of separation. For example, if three (3) furlough dates are served and the employee separates employment (voluntarily or involuntarily) the payroll department will calculate the total amount due for all three (3) furloughs and an adjustment will be made to the employee's final check if needed.

12. Tracking

Furloughs shall be tracked in hours, not in days. All full-time employees who are subject to the furlough must observe the designated number of furlough hours unless otherwise directed by the County Manager. Furlough hours for part-time employees shall be prorated at the rate of half the designated number of furlough hours to be charged to regular, full-time employees. Supervisors are responsible for verifying that furlough hours and alternate furlough hours are appropriately observed by the employee. Each department is responsible for properly recording and tracking each employee's furlough time on the employee's timesheet in the timekeeping system. Furlough hours will not count toward overtime calculations.

B. Alternate Furlough Arrangements

1. Alternate Furlough Arrangements

BOCC offices and employees are expected to observe the County-designated furlough schedule in accordance with the guidelines of this policy. However, for certain operations, the County Manager may approve alternate furlough arrangements. Such operations may include, but are not limited to:

- a. 24/7 operations (e.g., Fire, Corrections).
- b. Operations with Alternate Work Schedules (e.g., 4-10 Work Schedules).
- c. Operations where business necessity requires a deviation from the designated furlough schedule.

2. Alternate Furlough Plan

Departments who anticipate the need for an alternate furlough arrangement shall draft an Alternate Furlough Plan, in consultation with Human Resources, for approval by the County Manager. The plan shall include:

- a. The business necessity for an alternate furlough arrangement;
- b. The proposed alternate furlough schedule;
- c. The names of employees who will be observing the alternate furlough schedule; and
- d. Details on how the department will track Alternate Furlough Hours to ensure that all employees observe the designated number of furlough hours.

C. Furlough Work Rules

1. Furlough Day – Work Prohibitions

Employees are strictly prohibited from performing work for the County on designated furlough days unless otherwise approved in accordance with this policy. Such prohibited work includes but is not limited to, being physically present at the County worksite, taking “working lunches,” telecommuting, performing work from home or via the internet or portal, and any work conducted via telephone, mobile phone, smartphone, or Personal Data Assistant (PDA). Furlough-required employees are strictly prohibited from performing work on a “volunteer” basis (i.e., without receiving compensation) on a furlough day or in lieu of taking a furlough day.

2. Furlough Workweek – Work Prohibitions

A furlough workweek is any workweek in which there is a designated furlough day or in which an individual employee takes approved alternate furlough hours. During furlough workweeks, employees shall not work any hours in excess of scheduled work hours on each workday and shall observe all normal meal and break periods. Supervisors shall not approve, and employees shall not work any overtime hours during a furlough workweek. For the purposes of this policy, the workweek starts at 12 a.m. on Saturday and continues until midnight on Friday.

3. Emergency Situations

In cases of an unanticipated business emergency, County management may require an employee to work on a designated furlough day for all or part of the day. In such a case, the employee must take Alternate Furlough Hours to “make up” the Furlough Day. Alternate Furlough Hours shall be designated by the employee’s supervisor and must be taken on a day the employee would otherwise be scheduled to work. Supervisors shall notify Human Resources in writing within twenty-four (24) hours of requiring an employee to perform any work on a designated furlough day.

In cases of an unanticipated business emergency, County management may require an employee to work in excess of scheduled work hours during a furlough workweek. In such a case, the supervisor shall adjust the employee's schedule for the rest of the week to ensure that the employee does not go over the total number of allowable work hours for the week. Where such adjustments are not possible, the supervisor shall contact HR to develop an alternate furlough plan for the employee.

4. Overtime

In the rare instance that an employee is required to work overtime during a furlough workweek, overtime compensation shall only be paid on hours actually worked in excess of 40 hours in the workweek. Furlough hours do not count as hours worked for the purpose of computing overtime.

5. Use of Leave

a. Employees who are subject to the furlough may not use their paid leave accruals on furlough days or to help “make up” a loss in pay due to furlough deductions. Supervisors are not authorized to approve paid leave days for employees for furlough days. Where paid leave was approved in writing prior to the designation of the day as a furlough day, the department director, or designee, shall notify the employee in writing that the approval of the leave request has been rescinded due to the scheduled furlough day.

- b. Furlough leave shall run concurrently with FMLA leave. Employees who are on FMLA leave on a furlough day shall not be allowed to use paid leave accruals to cover the furlough day.
- c. Military leave pay shall not be impacted by the furlough.

6. **Training and Travel**

Work-related conferences, seminars, and training shall not be scheduled for designated furlough days. Work-related travel that constitutes work time shall not be scheduled for a designated furlough day. Employees who were previously approved to travel or attend work-related training, conferences, or other seminars on a designated furlough day shall make a reasonable attempt to reschedule such events for a non-furlough day. Where such rescheduling is not possible or practicable, the department shall draft an Alternate Furlough Plan, in consultation with Human Resources, for approval by the County Manager.

D. **FLSA-Exempt**

FLSA-exempt employees who are furlough-required shall be converted to “hourly” status during furlough workweeks and shall therefore be governed by the FLSA’s overtime and minimum wage rules for hourly employees during the furlough workweek. FLSA-exempt employees who are furlough-required are subject to the same furlough-related rules, policies, and procedures as hourly employees, including:

1. During furlough workweeks, FLSA-exempt employees are required to track and report all hours worked in accordance with the department’s procedures for tracking hours worked by hourly employees.
2. During furlough workweeks, FLSA-exempt employees shall not work any hours in excess of scheduled work hours and shall adhere to the rules governing break and meal periods for hourly employees.
3. During furlough workweeks, FLSA-exempt employees are strictly prohibited from performing any of the following work-related functions outside of scheduled work hours: telecommuting, performing work from home, performing work via the internet or portal, conducting work via telephone, mobile phone, smartphone, or Personal Data Assistant (PDA), performing any other work-related functions on behalf of the County outside of scheduled work hours.
4. During furlough workweeks, FLSA-exempt employees who are subject to the furlough must request and receive approval for partial-day absences in advance and such partial-day absences shall be deducted from the employee’s leave accruals. FLSA-exempt employees shall be provided and required to sign the notice.



SECTION FOUR: Recruitment, Selection, Changes in Status, and Separation from Employment

DATE: 07/12/93

REVISED: 05/09/09

REVISED: 05/03/22

PAGES: 5

REFERENCE: 2.4-1 Recruitment

RELATED STANDARDS: Chapter 295, Section 295.07, Florida Statutes

AMENDS or SUPERSEDES:

- 2.24 Personnel Requisitions
- 2.25 Recruitment
- 2.26 Non-Medical Examinations
- 2.27 Medical Examinations
- 2.29 Grounds for Applicant Rejection
- 2.30 Reference Checks
- 2.91 Medical Disability/Physical Inability to Perform Work

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish the framework for providing Osceola County management with a number of qualified applicants for all positions.
- III. **DEFINITIONS:**
 - A. Employee: Any person who is employed by Osceola County.
 - B. Management: Immediate Supervisor or Department Head.
 - C. Personnel Requisition: A form that provides notification of a vacant position and the type of advertisement needed.
 - D. Applicant: Any person who applies for employment with Osceola County Board of County Commissioners.
 - E. Veteran Preference: Requirements set forth by Chapter 295, Florida Statutes for public employers to accord preferences, in appointment, retention, and promotion to certain veterans and spouses of veterans who are Florida residents.

IV. POLICY:

- A. The County shall recruit and hire the best-qualified and well-suited candidates. All recruitment and selection decisions shall be based upon job-related factors and shall comply with the County's commitment to quality, diversity, and applicable equal employment opportunity regulations and practices.
- B. Generally, positions shall not be filled unless a vacancy notice has been posted in accordance with recruitment and selection procedures. The County Manager may authorize the direct hire of a candidate under special circumstances, including, but not limited to, special recruitment efforts for hard-to-fill and/or highly specialized positions. The County Manager may not delegate this authority.
- C. Veterans' Preference shall be given to eligible veterans at all stages of the recruitment and selection process, in accordance with Florida Statutes.

V. PROCEDURES:

A. Personnel Requisitions

A Personnel Requisition form shall be completed when a Department wishes to fill an opening for a budgeted and approved position or obtain a replacement for a vacated position. A current and approved job description for the vacant position must be on file with the Human Resources and Risk Management Department prior to posting or advertising a position.

1. All Personnel Requisitions shall be completed by the Department and forwarded to Human Resources to properly advertise for a vacant position.
2. Special skills, knowledge, or experience preferred for the specific position not indicated on the job description must be indicated on the Personnel Requisition.
3. Departmental Requisitions
Applications shall be accepted only from employees already in that Department.
4. In House Requisitions
Applications shall be accepted only from current County employees.
5. Outside Requisitions
Applications shall be accepted from anyone.
6. The Human Resources and Risk Management Department shall be responsible for determining the most effective advertising media.
 - a. Entry-level positions shall be posted for one (1) week; however, posting can be closed at any time.
 - b. All other positions shall be posted for two (2) week increments; however, posting can be closed at any time.
 - c. Positions can be re-posted as necessary.

d. Positions/postings may close without notice.

B. Applications

Osceola County Board of County Commissioners shall not accept unsolicited applications. Applications shall be accepted for advertised positions only. All applicants must apply online. Internet access is available to applicants at the Human Resources and Risk Management Department and County libraries.

C. Application Screening

1. The Human Resources and Risk Management Department shall complete preliminary screening of all applications to eliminate unqualified candidates. Minimum requirements included in the job description shall be used in determining qualifications. Incomplete applications shall not be considered.
2. Qualified candidates' applications shall be forwarded to the hiring Department for its review and decision.
 - a. Applicants exercising Veterans Preference shall be given preference in accordance with all applicable State and Federal laws. Proper documentation must be noted online and provided by the applicant upon request.
 - b. First consideration may be given to applicants who are currently employed by the Board of County Commissioners or County constitutional officers.

D. Skills Testing and Non-Medical Examinations

1. Certain positions may require the completion of a typing test or clerical skills test. Human Resources shall ensure consistent, fair testing of applicant skills to help Departments choose the most qualified candidate. The testing can be accomplished in the fields of typing, ten-key, spreadsheet preparation, and other testing as needed. The Human Resources and Risk Management Department shall ensure that all examinations are based upon speed and accuracy and shall not discriminate on the basis of race, sex, religion, national origin, disability, or any other factor not directly related to the requirements of the job involved.
2. The hiring Department shall notify the Human Resources and Risk Management Department about the testing desired.
3. The Human Resources and Risk Management Department shall notify the applicants, schedule the testing, proctor the testing, and notify both the applicant and the Department of the results.
4. Departments requiring applicant testing out of the ordinary should contact the Human Resources and Risk Management Department when the Position Requisition is submitted so that the testing can be evaluated and compiled.

E. Post-Offer of Employment Medical Examinations

1. All medical examinations shall be coordinated through the Human Resources and Risk Management Department.

2. The County requires a medical examination after an offer of employment is made and prior to the start of employment and conditions the offer on the results of the examination. The purpose of such examination is to determine whether the prospective employee possesses the fitness and ability to efficiently and safely perform job duties of the position for which the person is seeking employment.
3. Medical examinations may include:
 - a. Psychological screening
 - b. Drug and/or alcohol screening
 - c. EKG (electrocardiogram)
 - d. Chest x-rays and/or TB screening
 - e. Blood tests
 - f. Stress tests
 - g. Other diagnostic or medical tests or screening as determined by the physical demands of the position or state law.
4. If the County-designated physician determines that the applicant for employment is not physically and/or psychologically fit to perform any one of the essential job functions of the position for which the applicant was selected, the County-designated physician shall consult with the Human Resources and Risk Management Department. This consultation shall include a review of reasonable accommodations that may exist that would qualify the individual for the performance of all essential job functions of that position. If no viable alternatives exist, the offer of employment shall be withdrawn, and the individual shall not be hired for the position.

F. **Grounds for Applicant Rejection**

Grounds for rejection of an applicant include, but are not limited to, the following:

1. An applicant does not possess one or more of the minimum qualifications required in the job description for the position sought;
2. The applicant's application was not received on or before the closing date established for filing applications;
3. The applicant has made any false statement or practiced deception in the application;
4. The applicant is a member of any organization which advocates the violent overthrow of the government of the United States of America;
5. The applicant has failed to adequately or sufficiently complete the application, or in any other way has failed to cooperate, to any extent, with the County;

6. The applicant is ineligible for employment pursuant to the standards of eligibility set forth in the Immigration Reform and Control Act of 1986 and regulations thereto (see Policy 2.4-2);
7. The applicant has a record of a prior conviction or plea of nolo contendere for a crime and the crime was a felony or a first-degree misdemeanor and was directly related to the position of employment sought; or,
8. Applicant was previously employed by Osceola County and had a “no rehire” status.

G. **Reference Checks**

All reference checks for applicants of non-exempt and exempt positions will be conducted by the Human Resources and Risk Management Department. Applicants who are considered for employment with Osceola County must have a minimum of three (3) references to include current and/or previous employment. All information obtained by the Human Resources and Risk Management Department on the applicant will assist with determining the most appropriate candidate for the position.



**OSCEOLA
COUNTY**

POLICIES AND PROCEDURES

SECTION FOUR: Recruitment, Selection, Changes in Status, and Separation from Employment

DATE: 07/12/93

REVISED: 01/27/09

REVISED: 05/03/22

PAGES: 1

REFERENCE: 2.4-2 Employment Eligibility Verification

RELATED STANDARDS: Immigration Reform and Control Act of 1986

AMENDS or SUPERSEDES:

2.28 Immigration Reform and Control Act

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish guidelines to ensure compliance with the Immigration Reform and Control Act, Pub. L. 99-603, 100, Statute 3359.
- III. **DEFINITIONS:**
 - A. Alien: Any person who is not a citizen or a national of the United States.
- IV. **POLICY:** The Board is committed to complying with all provisions of the Immigration Reform and Control Act, Pub. L. 99-603, 100, Statute 3359, and will not knowingly hire individuals who are not authorized to work in the United States. Consistent with this commitment, the Board requires the completion of the federal Form I-9, Employment Eligibility Verification, to verify the identity and work authorization of all Board employees hired after November 6, 1986. Osceola County also participates in E-Verify.
- V. **PROCEDURES:**
 - A. Newly hired employees are required to complete an employment verification form (I-9 Form) within three (3) days of employment.
 - B. Employees who have completed an I-9 Form and presented any work authorization document which has an expiration date are responsible for timely updating the work authorization information. For example, if an employee's work authorization document indicates that he/she is eligible to work in the United States until a specified date, then the employee must report to Human Resources on or before that date with documentation indicating that he/she will continue to be eligible to work in the United States beyond the expiration date. The employee's I-9 Form can then be updated. Failure to timely present the County with the above-described information is grounds for immediate termination.



REFERENCE: 2.4-3 Nepotism

RELATED STANDARDS: F.S. 112.3135 Restriction on Employment of Relatives.


AMENDS or SUPERSEDES:

2.31 Nepotism

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for the employment of relatives of current County employees.
- III. **DEFINITIONS:**
 - A. Nepotism: Favoritism shown to one’s family members.
 - B. Fraternization: Dating, pursuing, or engaging in a sexual or romantic relationship between a supervisor and subordinate.
 - C. Paramour: An employee who is engaged in a sexual or romantic relationship with another Osceola County employee.
 - D. Relative: As defined by Florida Statute, a relative who is related as a husband, wife, father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister.
- IV. **POLICY:** In accordance with Chapter 112 of the Florida Statutes, an employee may not appoint, employ, evaluate, promote, advance, or advocate for the employment, promotion, or advancement of a relative to a position over which the employee normally and routinely exercises jurisdiction or control.
- V. **PROCEDURES:**
 - A. A County employee who exercises jurisdiction or control may not employ, promote, or advocate for the employment or promotion of any individual who is a relative. An individual may not be employed or promoted into a position in the County if such a position is made by a group in which a relative is a member.

- B. The intentional or deliberate failure to comply with these guidelines makes both employees subject to termination.
- C. County employees who have a relative applying for employment, requesting a transfer, or seeking a promotion within the County shall adhere to the following:
 - 1. Notify your Department Director immediately.
 - 2. The Department Director shall notify the Human Resources and Risk Management Department.
 - 3. The Human Resources and Risk Management Department shall determine if the relative can be interviewed, transferred, or promoted, etc., and if doing so will cause a conflict of interest for the employee and the County.
 - 4. When special circumstances arise and the County Manager determines it is in the best interest of the County to hire a relative of an employee to work in the same Department, the Department shall request appropriate approval to hire the relative. If the approval is given, it shall be documented, and must explicitly state that the relationships of the affected individuals in the department are recognized and allowed. A copy shall be placed in the affected employees' personnel files.
- D. **Fraternization**
 - 1. To avoid misunderstandings, complaints of favoritism, and other problems, supervisors are prohibited from dating or pursuing sexual or romantic relationships with subordinates that are under their direct or indirect control.
 - 2. Supervisors will not be involved or influence the selection for the promotion or advancement of a paramour.
 - 3. No person shall circumvent, or attempt to circumvent, the intent and spirit of this procedure. Employees who violate this procedure are subject to discipline up to termination.
- E. **Nepotism**
 - 1. Employees shall not be involved or influence the selection for the promotion or advancement of a relative.
 - 2. All supervisors and the affected employee(s) shall immediately advise their Senior Manager, in writing, of any paramour or relative who is assigned within their chain of command. This would include situations where a relationship develops between employees as defined under "Fraternization."
 - 3. A supervisor shall not be involved in any decision-making process that leads to any discretionary salary increase or potential disciplinary action regarding a relative or paramour. If the potential for such a situation occurs, decision-making involvement will be delegated to an alternate supervisor designated by the Department Director or designee.

 OSCEOLA COUNTY		POLICIES AND PROCEDURES	SECTION FOUR: Recruitment, Selection, Changes in Status, and Separation from Employment DATE: 07/12/93 REVISED: 01/27/09 REVISED: 05/03/22 PAGES: 2
REFERENCE: 2.4-4 Categories of Employment			
RELATED STANDARDS:			
AMENDS or SUPERSEDES: 2.32 Categories of Employment		DISTRIBUTION: All Osceola County Employees	

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To identify and define the different categories of employment for positions within Osceola County government including appointments, employment, and status.
- III. **DEFINITIONS:**
- IV. **POLICY:** The County Manager/Designee shall ensure that all employees are placed into appropriate categories including appointments, employment, and status as defined at the creation of the positions.
- V. **PROCEDURES:**
 - A. **Board Appointments**
The County Manager, the County Attorney, and the County Auditor shall be appointed by and serve at the pleasure of the Board. Such employees are eligible for all County benefits as set forth in the Personnel Policies and Procedures.
 - B. **Regular Full-Time Employee**
A person occupying a permanent, budgeted position that requires thirty (30) or more hours of work per week. Such employees are eligible for all County benefits as set forth in the Personnel Policies and Procedures.
 - C. **Part-Time Employee**
A person occupying a permanent, budgeted position that requires less than thirty (30) hours of work per week. Such employees are not eligible for health insurance benefits but are eligible for certain other benefits as set forth in the Personnel Policies and Procedures.
 - D. **Temporary Employee (with or without Benefits)**
An employee hired to fill a full or part-time position related to a special project or program for a pre-defined period of time or for the duration of the project or program not to exceed four (4)


consecutive months. The Department must have prior approval by the County Manager. Employees hired in temporary positions with benefits are eligible for permanent employee benefits.

E. **Seasonal Employee**

An employee hired to fill a part-time position related to a special project or program for a pre-defined period of time or the duration of the project or program. Seasonal employees are not eligible for benefits.

F. **Acting Status**

An individual who temporarily assumes all the responsibilities of a higher pay range position. Temporary assignment to acting status is based on the ability to assume all responsibilities of the position at the discretion of the Department Head. The acting status assignment must be for a minimum of two (2) weeks.

 OSCEOLA COUNTY		POLICIES AND PROCEDURES	SECTION FOUR: Recruitment, Selection, Changes in Status, and Separation from Employment DATE: 07/12/93 REVISED: 05/15/12 EFFECTIVE: 06/26/12 REVISED: 05/03/22 PAGES: 3
REFERENCE: 2.4-5 Probationary Period			
RELATED STANDARDS:			
AMENDS or SUPERSEDES: 2.33 Probationary Period		DISTRIBUTION: All Osceola County Employees	

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for probationary periods.
- III. **DEFINITIONS:**
 - A. Probationary Period: The trial period during which an employee’s character and abilities are tested to see whether he/she is suitable for work in any specific job classification due to transfer, promotion, voluntary demotion, or involuntary demotion.
 - B. Initial Probationary Period: Trial period, usually the first six (6) months of employment, with Osceola County.
- IV. **POLICY:** A probationary period shall be used upon the initial hire of an employee, or upon a change of status, to determine whether the employee has the ability to carry out assigned tasks, work efficiently, demonstrate dependability, and demonstrate possession of other characteristics relative to the requirements of the position and quality performance.
- V. **PROCEDURES:**
 - A. All probationary periods shall begin with an employee’s status change, i.e., the initial date of hire, the effective date of a promotion, transfer, or any type of demotion, whether voluntary or involuntary. Employees who successfully complete probationary periods in any specific job classification are generally continued in employment.
 - B. During the probationary period, if an employee fails to successfully adapt to the requirements of the position, employment shall be terminated immediately. Any employee terminated during their probationary period shall have no right to appeal the discharge decision.

C. Successful completion of the initial probationary period following the date of hire shall entitle eligible employees to use sick leave and vacation leave that has been accrued, but which is unavailable to an employee in the initial probationary status, usually the first six (6) months of employment with Osceola County.

D. **Duration**

1. Regular full-time employees shall serve a six (6) month probationary period.
2. Regular part-time employees shall serve a six (6) month probationary period.
3. Firefighters and Corrections Officers shall serve a one (1) year probationary period.

E. **Special Probation**

If an employee's performance becomes unacceptable, or his/her conduct has in any way been unbecoming of a government employee, then:

1. The employee's immediate supervisor or other reviewing supervisors shall conduct a special performance evaluation outlining the employee's deficiencies and Performance Improvement Plan (PIP).
2. Employees shall initially be placed upon special probation for a three (3) month period.
3. At the time an employee is placed on special probation, he/she shall be notified of the approximate date upon which his/her rating supervisor will conduct another performance evaluation.

F. **Promotion**

1. Employees are not eligible for promotion while serving a probationary period unless it is within their own department and with Department Head approval.
2. Laid-off employees who have been re-hired are eligible for any promotion while serving a probationary period.
3. Employees who are promoted shall serve a new probationary period of up to six (6) months. If at any time during the probationary period, the employee does not satisfactorily perform to the standards of his/her new classification, he/she can be subject to termination.

G. **Transfers**

1. Employees are not eligible for transfer to another department while serving a probationary period.
2. Laid-off employees who have been re-hired are eligible for transfer to another department while serving a probationary period.


3. An employee who is transferred to another department in a new classification or in the same classification shall serve a new probationary period of up to six (6) months. If at any time during the probationary period, the employee does not satisfactorily perform to the standards of his/her new classification, he/she can be subject to termination.

H. **Demotions (Voluntary/Involuntary)**

Any employee who is granted a voluntary demotion or who is involuntarily demoted due to performance deficiencies shall serve a new probationary period of up to six (6) months. If at any time during the probationary period, the employee does not satisfactorily perform the standards of his/her new classification, he/she can be subject to termination.

I. **Position Reclassification**

Employees who are affected by an upward or downward position reclassification will not have to serve a new probationary period.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION FOUR: Recruitment, Selection, Changes in Status, and Separation from Employment DATE: 07/12/93 REVISED: 06/29/10 REVISED: 05/03/22 PAGES: 3
REFERENCE: 2.4-6 Performance Feedback	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: 2.34 Performance Evaluations 2.35 Evaluation Date	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines to inform each employee of his/her job performance, including recommendations and/or expectations for improvement.
- III. **DEFINITIONS:**
 - A. Annual Performance Evaluation: An ongoing process that results in a year-end review. Regular full-time and part-time employees who have completed a probationary period will receive a performance evaluation six (6) months from the end of the probationary period and each year thereafter.
 - B. Performance Improvement Plan (PIP): Used to document a plan for required improvement when an employee’s overall performance does not meet expectations.
- IV. **POLICY:** The performance management program shall be based on constructive feedback and open communication between managers and team members. Effective and timely feedback is a critical component of a successful performance management program and should be used in conjunction with setting performance goals. Performance feedback shall be conducted in accordance with the established County procedures.
- V. **PROCEDURES:**
 - A. The evaluation process is an opportunity for supervisors and employees to exchange an honest and open dialogue about the employee’s work performance over the previous evaluation period and how the employee can develop his/her strengths and also to identify areas that might need to be improved upon. These performance areas of strengths and growth opportunities should not come as a surprise to the employee since the Supervisor should be identifying these areas through coaching and mentoring sessions throughout the year.

- B. The annual performance evaluation is also a time for the employee to review their current job description and discuss any areas of the job responsibility that might need to be clarified.
- C. Employees should also use this time that they are being evaluated to provide feedback to their Supervisor as to areas within the Department, division, or office that might be able to be improved upon for efficiency or to provide a better work environment.
- D. The evaluation process is designed to:
 - 1. Promote and document performance assessments based on essential job functions and clear, realistic job standards.
 - 2. Promote a high level of employee performance through consistent feedback from Supervisors via annual performance assessments.
- E. The responsibility of performance evaluations lies with the Department Heads and Supervisors. Department Heads and Supervisors are encouraged to prepare performance evaluations and discuss the evaluations prior to the employee's evaluation date.
- F. New employees shall receive an evaluation during the first three (3) months of employment and then again during six (6) months of employment. Firefighters and Corrections officers shall receive an evaluation at three (3) months, six (6) months, and again at nine (9) months of employment.
- G. When an employee is placed on special probation, a Special Performance Evaluation shall be conducted outlining the employee's deficiencies and Performance Improvement Plan (PIP). A Performance Improvement Plan may be set for up to three (3) months.

H. **Annual Performance Evaluations**

All employees shall receive a performance evaluation six (6) months after the conclusion of a successful six (6) month probationary period and every year thereafter.

- 1. If an employee is to be promoted and seven (7) months or more have passed since his/her last performance evaluation, it shall be the responsibility of the losing Department to conduct an early evaluation.
- 2. Employees that receive a lateral transfer shall retain the same Annual Performance Evaluation date. If seven (7) months or more have passed since the employee's last performance evaluation, it shall be the responsibility of the losing Department to conduct an early evaluation.
- 3. Employees subject to an upward or downward position reclassification shall retain the same Annual Performance Evaluation date.
- 4. If an employee is promoted or demoted, his/her Annual Performance Evaluation date shall be adjusted to the effective date of the promotion/demotion. Every attempt shall be made by the Department to make any status change effective at the beginning of a pay period.

5. A review of the employee's performance during the review period is conducted by the Supervisor using a Performance Evaluation Form consisting of specific essential job functions with related job standards. The Performance Evaluation Form may be found in the Human Resources and Risk Management Folder located on the Employee Intranet.
6. A review of the essential functions of the position held by each employee and the amount of time spent performing each function of the respective job shall be conducted jointly by the employee and Supervisor.
7. If changes are necessary, recommendations for adjustments to the job classification shall be submitted to the Human Resources and Risk Management Department for review.
8. The Supervisor shall complete the performance evaluation of the employee and review that evaluation with higher level(s) of Management and the Human Resources and Risk Management Department prior to discussion with the employee.
9. The Supervisor shall then hold the year-end performance evaluation meeting with the employee.
10. The Performance Evaluation Form shall be signed by the Supervisor and the employee at the time of discussion of the form's contents.
11. The employee's signature indicates that the employee has read the form but does not necessarily indicate the employee's agreement with its content.
12. If the employee refuses to sign the form in acknowledgement of receipt of the performance evaluation, the Supervisor shall make a notation on the form indicating that the employee refused to sign.
13. The higher-level Supervisor or Department Head shall sign the Performance Evaluation Form.
14. Original Performance Evaluation Forms shall be forwarded to the Human Resources and Risk Management Department to be placed in the employee's official personnel file.
15. The employee shall address questions or concerns about the content of the Performance Evaluation Form with the appropriate Supervisor. If issues are not resolved, then the employee shall follow the departmental chain of command to resolve Performance Evaluation Form content issues.
16. If the employee receives an unacceptable rating on any essential job function, a Performance Improvement Plan (PIP) shall be completed for that employee. The Supervisor shall meet with the employee on an ongoing basis to provide regular feedback and coaching on performance issues for a period of thirty (30) to ninety (90) days. After this period of time, the Supervisor shall re-evaluate that plan to ensure that steps have been taken to improve performance in relevant areas.
17. If areas of deficiencies have not improved at the end of the Performance Improvement Plan (PIP), the employee shall be subject to termination.



SECTION FOUR: Recruitment, Selection, Changes in Status, and Separation from Employment

DATE: 07/12/93

REVISED: 03/19/13

EFFECTIVE: 04/05/13

REVISED: 05/03/22

PAGES: 2

REFERENCE: 2.4-7 Continuous Service Date

RELATED STANDARDS:

AMENDS or SUPERSEDES:


2.36 Anniversary Date

2.37 Continuous Service Date

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for determining employment dates including date of hire and continuous service date.
- III. **DEFINITIONS:**
 - A. Continuous Service: Employment in a regular position without a break in service, except for leave with pay, unpaid absences on an approved leave of ninety (90) days or less, or to serve in the armed forces of the United States.
- IV. **POLICY:** Many of the benefits of employment are determined at least in part by an employee’s length of service. Therefore, the computation of “continuous service” must be accomplished in a fair, consistent, and impartial manner. To this end, the County Manager/Designee shall provide a framework for determining employment dates including date of hire and continuous service date.
- V. **PROCEDURES:**
 - A. **Date of Hire**
An employee’s Date of Hire shall be the initial date on which an employee first renders paid service (first reports for work) in a regular position pursuant to a job offer. The date one (1) year after an employee’s official effective Date of Hire shall be their Anniversary Date and shall be used in determining accruals of Vacation Leave and Sick Leave.
 - B. **Continuous Service**
 - 1. An employee’s date of hire marks the beginning of a continuous service period. An employee’s continuous service date shall be the most recent date of hire. This date shall not precede the date upon which the employee has actually begun to work.

2. Authorized leaves with pay shall not be considered as breaks in continuous service.
3. Separation from employment of any nature shall be considered as a break in continuous service.
 - a. An employee who separates from employment with the County in good standing and is re-employed by the County within 90 days from the date of separation shall have:
 - i. Vacation Leave accrual rate in effect at the time of separation reinstated; and
 - ii. County years of service reinstated to previous hire date.
4. For retirement purposes, creditable service and continuous service shall be determined in accordance with state law and the collective bargaining agreement.

 OSCEOLA COUNTY		POLICIES AND PROCEDURES	SECTION FOUR: Recruitment, Selection, Changes in Status, and Separation from Employment DATE: 07/12/93 REVISED: 05/15/12 EFFECTIVE: 06/26/12 REVISED: 05/03/22 PAGES: 2
REFERENCE: 2.4-8 Changes in Status			
RELATED STANDARDS:			
AMENDS or SUPERSEDES: 2.38 Changes in Status		DISTRIBUTION: All Osceola County Employees	

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for the different types of changes in employment status.
- III. **DEFINITIONS:**
 - A. **Promotion:** A promotion occurs when an employee is moved from a position in one classification to a position in a different classification assigned to a higher pay grade.
 - B. **Demotion:** A demotion occurs when an employee is moved from a position in one classification to a position in a different classification assigned to a lower pay grade.
 - C. **Lateral Transfer:** Occurs when an employee is moved laterally from one department to another department in the same classification; from one classification to another classification which is assigned to the same pay grade, provided that the employee meets the minimum qualifications of the new classification or moved within the same department/division in the same classification.
 - D. **Position Reclassification:** A change in the classification of a position; whether upward or downward, resulting from a job audit by the Human Resources and Risk Management Department where it is found that the duties and responsibilities of the position will be changed permanently, materially, and significantly.
- IV. **POLICY:** Any employee who receives a Change in Status will retain all previously earned Benefits when reassigned to a new position if due to promotion, lateral transfer, demotion, or position reclassification.

V. PROCEDURES:

A. Employees who are within their six-month probationary period are ineligible for promotion or transfer until they have successfully completed their probationary period unless it is within their own department and with the Department Head's approval.

B. Laid-off employees who have been re-hired are eligible for any promotion or transfer while serving a probationary period.

C. Promotions

1. Employees shall have the opportunity for promotional advancement within other County departments/divisions as well as in their respective departments/divisions.

2. Employees who are promoted into a classification assigned to a higher pay grade shall receive a pay adjustment as per these procedures. (See Compensation Plan procedures.)

D. Demotions (Voluntary/Involuntary)

1. Demotions due to poor performance are considered involuntary. An employee who is not performing to the standards of their position may be demoted by their immediate Supervisor with the approval of the Department Head to a classification assigned to a lower pay grade. Demoted employees are subject to a reduction in pay as per these procedures. (See Compensation Plan procedures.) In most cases, demoted employees will not be paid more than the maximum rate of pay established for the pay grade of the new classification, and in many cases, the rate of pay may be significantly less than the maximum rate of pay for the new pay grade.

2. Employees who apply for a vacant position in a lower pay grade may be placed in the new classification as long as they meet the requirements of the position. This is considered a voluntary demotion, and employees shall receive a reduction in pay as per these policies. (See Compensation Plan procedures.) In most cases, demoted employees will not be paid more than the maximum rate of pay established for the pay grade of the new classification, and in many cases, the rate of pay may be significantly less than the maximum rate of pay for the new pay grade.

E. Lateral Transfer

Employees will not receive a pay adjustment when a lateral transfer has taken place.

F. Position Reclassification

Employees who receive a position reclassification shall receive a pay adjustment as per these policies. (See Compensation Plan procedures.)

G. Any time a Change in Status occurs, Management must complete an Employee Status Change Form and submit it to the Human Resources and Risk Management Department. The Employee Status Change Form is located in the Forms Library on the County employee intranet.



REFERENCE: 2.4-9 Employees of Constitutional Officers

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.39 Employees of Constitutional Officers

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for the probationary period and the transfer of unused leave balances for employees of Osceola County Constitutional Officers transferring to the employment of the Osceola County Board of County Commissioners.
- III. **DEFINITIONS:**
 - A. Constitutional Officers: Clerk of the Court, Property Appraiser, Sheriff, Supervisor of Elections, and Tax Collector.
- IV. **POLICY:** The County shall assist employees of Constitutional Officers who have applied for and are selected for a County position by directing the County Manager to establish guidelines for probationary periods and for the transfer of creditable leave balances.
- V. **PROCEDURES:**
 - A. All new Osceola County Board of County Commissioner employees who were formerly employed by an Osceola County Constitutional Officer will be granted a continuous service date and allowed to transfer portions of unused leave balances in accordance with the provisions outlined in this section.
 - B. Date of Hire/Continuous Service Date
 - 1. The Date of Hire/Continuous Service Date shall be the date upon which the employee began working with the Constitutional Office, as long as there has been no more than a 30-day break in service between the termination of employment with the Constitutional Office and the Board of County Commissioners.
 - 2. An employee is considered to have a break in service if the employee is on a leave without pay status or is absent from employment, in a non-paid status on a regularly scheduled workday after the resignation date from the Constitutional Office, and prior to the start date for the Board. In

this event, the employee will not receive the benefits of this section, and the first day of employment with the Board of County Commissioners shall be considered as the official date of hire.

C. Probationary Period


All former Constitutional Office employees newly hired to the Board of County Commissioners shall serve a probationary period as outlined in the Probationary Period section of these Personnel Policies and Procedures.

D. Vacation Leave

1. All former Constitutional Office employees shall receive credit for unused Vacation Leave, not to exceed five (5) days (40 hours). Vacation Leave in excess of five (5) days (40 hours) will not be transferred.
2. The Constitutional Officer shall provide documentation of the Vacation Leave balance to the employee's Supervisor prior to the first day of employment with the Board of County Commissioners in order for the employee to receive credit for the unused Vacation Leave balance.
3. The employee shall be allowed to use Vacation Leave any time after beginning employment with the Board of County Commissioners providing the following occurs:
 - a. The employee has met the Board of County Commissioners' requirements of eligibility for Vacation Leave time while employed with the Constitutional Office and the Board of County Commissioners.
 - b. The employee's Supervisor approves the request for Vacation Leave.

E. Sick Leave

1. All former Constitutional Office employees shall receive credit for unused Sick Leave, not to exceed ten (10) days (80 hours). Sick Leave in excess of ten (10) days (80 hours) will not be transferred.
2. The Constitutional Officer shall provide documentation of the Sick Leave balance to the employee's Supervisor prior to the first day of employment with the Board of County Commissioners in order for the employee to receive credit for the unused Sick Leave balance.
3. The employee shall be allowed to use Sick Leave any time after beginning employment with the Board providing the following occurs:
 - a. The employee has met the Board of County Commissioners' requirements of eligibility for Sick Leave time while employed with the Constitutional Office and the Board of County Commissioners.
 - b. The employee's Supervisor approves the request for Sick Leave.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION FOUR: Recruitment, Selection, Changes in Status, and Separation from Employment DATE: 06/09/09 REVISED: 05/03/22 PAGES: 2
REFERENCE: 2.4-10 Internship Program	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: None	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for the Osceola County Internship Program.
- III. **DEFINITIONS:**
 - A. Intern: A vocational, university, or college student whose objective is to receive supervised practical work experience where they can apply classroom knowledge in a career-related setting.
- IV. **POLICY:** It is the policy of the Board to support internship programs that provide students in high school, college, and vocational schools the opportunity to obtain practical work experience in a public sector environment. The intent of this program is to expose high school, vocational, undergraduate, and graduate students to the inner workings of Osceola County government and spark their interest in future career opportunities with the County.
- V. **PROCEDURES:**
 - A. The internship project will consist of performing research, analytical, or other entry-level professional work and will be completed under the direction of a Department Head or their designee. The internship is for a limited period of time depending upon the particular institution’s academic calendar and/or specific certification program (semester/quarter), not to exceed 180 days in duration.
 - B. Students must be enrolled in a degree program and registered for courses during the internship period, either in vocational school or college. College students may be enrolled at either the undergraduate or graduate level.
 - C. If an Intern is to be paid for his/her Internship, the Department must budget accordingly. Intern shall be paid based on experience and relevant market standards.

- D. Interns are not eligible for vacation, sick leave, or group insurance, nor will they be eligible for benefits in the Florida Retirement Program.
- E. Vocational students must have completed one (1) year of coursework to qualify as an intern. Undergraduate students must have completed their freshman year to qualify as an intern. Graduate students must have completed at least 15 credit hours to qualify as an intern.
- F. Vocational and Undergraduate students must have a 2.5 overall grade point average. Graduate students must have a 3.0 overall grade point average.
- G. Completion of an internship with Osceola County does not guarantee employment if a permanent position becomes available.
- H. Students must complete and submit all necessary documentation for intent to intern with their institution's internship coordinator.
- I. The Human Resources and Risk Management Department shall post intern opportunities with various vocational schools, colleges, and universities submitting the Internship Position Description Form that was completed by the department requesting the intern.
- J. Institutions will refer appropriate student intern candidates to the Human Resources and Risk Management Department based on the student's areas of interest, experience, and course of study.
- K. The Human Resources and Risk Management Department shall inform departments requesting interns of candidate referrals that match their project needs.
- L. Intern interviews shall be set up and conducted by the Human Resources and Risk Management and the requesting department.
- M. The appropriate individual shall be selected and notified in writing of their selection for internship by the Department Head.
- N. Academic institutions shall be notified of the student(s) selected for an internship so appropriate course credit can be tracked by the institution's internship coordinator.
- O. Interns shall be processed through the Human Resources and Risk Management Department before beginning work by completing all necessary pre-employment documentation and background screening.
- P. Interns shall be placed in the department and assigned a work site Supervisor who will monitor project development, etc. The Supervisor shall complete the intern's evaluation forms that will be submitted to the institution upon completion of the intern's work with the County.
- Q. All documents related to the student's internship shall be kept in the Human Resources and Risk Management Department and subject to all applicable record retention laws.



REFERENCE: 2.4-11 Volunteer Program

RELATED STANDARDS:

AMENDS or SUPERSEDES:

None

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for the Osceola County Volunteer Program.
- III. **DEFINITIONS:**
 - A. Volunteer: Individuals who of their own volition have a desire to provide some service to the county with or without compensation. Regular service volunteers are generally individuals or groups of individuals who perform a regular and specific service on an ongoing basis, such as a fixed number of hours per week or month. Examples include clerical/administrative support, library volunteers, school-based volunteers, human services, etc.
- IV. **POLICY:** The Board welcomes and encourages the use of volunteers at all levels and within all appropriate programs and activities as a means to supplement and support the capabilities of regular staff. The County recognizes that volunteers make significant contributions to these programs and activities. It is further recognized that the success of a volunteer program is dependent on the commitment and support of all Board employees. To this end, all County employees are encouraged to assist in the creation of meaningful and productive volunteer roles and assist in the recruitment, coordination, and recognition of volunteers.
- V. **PROCEDURES:**
 - A. **Requirements and Acquisition**
 - 1. Management shall submit to the Human Resources and Risk Management Department a Volunteer Requirements Form outlining their needs and the desired qualifications of the volunteer.
 - 2. All applicants interested in the Osceola County Volunteer Program shall complete a Volunteer Application and submit a letter indicating the reasons they are interested in working as a volunteer and the area of work that they feel is most appropriate. The application and letter shall

be forwarded by the applicant to Human Resources for review.

3. Department management will review the application(s) of the volunteer(s) and inform the HR Representative of the Department's desire to interview the most appropriate volunteer. If selected the volunteer will be given a schedule of where and when to report and to whom.
4. a. In addition to the application and letter, volunteers will need to successfully complete the following:
 - i. Background check
 - ii. Reference check
- b. Costs associated with any of the services mentioned above shall be the responsibility of the Department requesting volunteer assistance. If the results of the background check or reference check are not favorable, then the applicant will not be eligible for placement with Osceola County.

B. Orientation

1. Volunteers will be required to attend an orientation which will include an overview of Osceola County and an explanation of the County's public record laws and/or policies.
2. The Department manager will be responsible for the orientation to the component to which the volunteer is assigned and shall include, but not be limited to an overview of the volunteer's primary function, introduction to other employees in the work area, and any requirements that are unique to the Department or their job task. The manager will outline the boundaries of the volunteer's work. If a volunteer is placed in a Department for three (3) months or longer, a written plan outlining duties, responsibilities, and expectations should be developed by the Department manager.


C. Supervision

1. Management shall be directly responsible for the volunteers assigned to the Department. The on-the-job training and supervision may be delegated to an experienced staff member.
2. Volunteers shall have clearly defined lines of supervision and/or support so that the individual knows to whom they are responsible and to clarify lines of authority.

D. Reporting Requirements

1. The Department to which volunteers are assigned should ensure that each volunteer maintains an individual Volunteer Sign-In Log. This log is to be maintained by the Department for reference purposes.
2. In the event that a manager encounters a problem with the volunteer, the Department manager shall contact their HR Coordinator to intercede in an attempt to resolve the problem. The Human Resources and Risk Management Department will make every attempt to restore the situation, however, if a resolution cannot be established, the volunteer shall be dismissed.

3. If there is no longer a need or requirement for the volunteer, the Department manager shall contact their HR Coordinator in an attempt to place the individual in another similar assignment. If there are no alternative placement options, the volunteer shall be dismissed.

 OSCEOLA COUNTY	POLICIES AND PROCEDURES SECTION FOUR: Recruitment, Selection, Changes in Status, and Separation from Employment DATE: 07/12/93 REVISED: 10/31/14 REVISED: 05/03/22 PAGES: 8
REFERENCE: 2.4-12 Separation from Employment	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: 2.23 Payment Upon Separation 2.88 Types of Separation 2.89 Resignation 2.90 Retirement 2.92 Death 2.93 Layoff 2.94 Discharge 2.95 Financial Obligations to County 2.96 Exit Interviews 2.97 Continued Benefits	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To describe the circumstances and procedures for separating from County employment.
- III. **DEFINITIONS:**
 - A. Resignation: Any act whereby an employee voluntarily leaves County employment with appropriate notice.
 - B. Resignation without Notice: Any act whereby an employee voluntarily leaves County employment without appropriate notice.
 - C. Retirement: A voluntary withdrawal from County employment by an employee who is eligible to receive retirement benefits under the Social Security Act and/or the Florida Retirement System.
 - D. Layoff or Reduction in Force: Layoff or reduction in force is when, due to specific circumstances, it becomes necessary for the Osceola County Board of County Commissioners to reduce the workforce. Circumstances leading to a layoff or reduction in force include budget constraints, changes in organizational structure, lack of work, material changes in a job description, or any other reason within the discretion of the Board.

- E. Discharge: The involuntary separation of an employee from County employment as a result of disciplinary action, unacceptable job performance, loss of job requirement, inability to perform essential job functions, unsuccessful probation, misconduct, or failure to comply with County policies.
 - F. Appropriate Notice: Two weeks (14 calendar days).
 - G. In Good Standing: The ability to receive payment of Vacation Leave and Sick Leave accruals, according to County policy, and the ability for re-employment.
 - H. Pay Period: Begins on Saturday at 12:00 a.m., and continues for two (2) work weeks to Friday at 11:59 p.m.
 - I. Pay Day: Friday immediately following the pay period's completion.
- IV. POLICY:** Employee separations, whether voluntary or involuntary, shall be handled in a professional manner with minimal disruption to ongoing work functions.
- V. PROCEDURES:**
- A. **Types of Separation**
 - 1. **Resignation**
 - a. Employees are required to provide at least two weeks (14 calendar days) notice of their intent to resign. Management employees are encouraged to provide 4 weeks' notice of their intent to resign. Such notice shall be submitted in writing to the supervisor and shall state the effective date of the resignation. To resign in good standing, the employee must provide the required notice and must work during the notice period, among other requirements as outlined in these procedures. However, the Department Head has the discretion to approve the employee's use of accrued leave during the two-week notice period and may also approve a shorter notice period; both may be approved by the Department Head without affecting the employee's good standing. Further, the Department Head, in consultation with Human Resources, may elect to reject an employee's resignation or may elect to make the resignation effective on a date prior to the resignation date provided by the employee.
 - b. The Department shall forward the original letter of resignation to Human Resources for inclusion in the employee's personnel record.
 - c. The County Manager may waive notification requirements.
 - d. Prior to separation, the Department shall retrieve all items listed on the employee's equipment list, in order to recover Board property, maintain security, and complete all necessary documents. These items are to be returned by the Department to the appropriate Department.
 - i. Failure to return all County property may result in an adjusted final paycheck, according to FLSA rules and guidelines.

- e. All final paychecks are distributed by the Finance Department. A separated employee shall contact the Finance Department to advise if the paycheck will be retrieved personally, or by designee, with written permission from the employee, or is to be mailed to the last known address by certified mail.
- f. A request by an employee to rescind a notice of resignation must be in writing and approved by the Department Head prior to the employee's separation date. The decision of the Department Head shall be final and may not be appealed under these Policies and Procedures.

2. Separation in Good Standing

- a. Separating from employment with the County in good standing entitles the employee to payment of accrued paid leave in accordance with County policy and classifies the employee as eligible for rehire. Employees who fail to separate from employment in good standing shall be classified by Human Resources as "Not Eligible for Rehire in the County" or "Not Eligible for Rehire in the Department" at the discretion of the County Manager, or designee. To separate from employment in good standing, the employee must meet the following requirements:
 - i. The employee must have separated from employment by a means other than discharge or resignation in lieu of discharge.
 - ii. The employee must not have submitted his or her resignation while the subject of an official County investigation or after being notified of a pending pre-determination hearing.
 - iii. The employee must have provided and worked at least two calendar weeks (14 days) notice unless otherwise exempted from this requirement by his or her Department Head.
 - iv. The employee must return all County property and settle any and all debts to the County in full within the applicable timeframe.
- b. The County may initiate or continue an investigation into allegations of misconduct against a former employee that occurred while the former employee was actively employed by the County. The County will make every attempt to notify the former employee of the investigation and to interview the former employee as part of the investigation. In the event the investigation concludes with sustained findings against the employee, the County Manager may adjust the standing of the former employee, in accordance with the best interest of the County.

3. Resignation without Notice

- a. If an employee fails to give a minimum of two (2) calendar weeks' notice of resignation, the employee will be considered to have resigned without notice, and will not only forfeit payment for accrued leave but may also be denied re-employment.
- b. If an employee is absent from work without permission for three (3) days or more, this shall be considered as job abandonment and will be treated as a resignation without notice.

4. Retirement

- a. It is recommended that employees who are eligible for Florida Retirement System retirement benefits advise Human Resources of such intentions at least three (3) calendar months prior to the anticipated date of retirement. This is in order to allow sufficient time for completion of appropriate paperwork and processing by the State. In addition, the advance notice will afford the employee the opportunity to enroll in continuation health insurance benefits, if they choose to do so.
- b. Employee retirement benefits will be based upon the regulations of the Florida Retirement System (Florida Statutes, Chapter 121), the Social Security Act, and any other applicable provisions that may be in effect at the time of the employee's retirement.
- c. To leave "in good standing," employees are required to provide at least two weeks (14 calendar days) notice of their intent to retire. Management employees are encouraged to provide 4 weeks' notice of their intent to retire. Such notice shall be submitted in writing to the supervisor and shall state the effective date of retirement. To retire in good standing, the employee must meet the required notice period and must work during the notice period, among other requirements as outlined in these procedures. However, the Department Head has the discretion to approve the employee's use of accrued leave during the two-week's notice period and may also approve a shorter notice period; both may be approved without affecting the employee's good standing.

5. Medical Separation

- a. In the event an employee is unable to perform his/her assigned duties due to an injury or illness, the County may medically separate the employee from County service.
- b. Medical Separation must comply with the Family and Medical Leave Act (FMLA) and Americans with Disabilities Act (ADA) guidelines and any other policies/laws governing separation.
- c. Medical separation may be appealed utilizing the grievance process.

6. Death

- a. Separation shall be effective as of the date of death.
- b. The deceased employee will be treated as if he/she had resigned in good standing.
- c. A final paycheck, in the deceased employee's name, shall be generated in the corresponding pay cycle to include payment for unpaid hours worked and/or accrued leave, if any. Any debts incurred by the employee will be deducted according to County policy.
- d. The designee recorded on the Designation of Beneficiary for Personnel Payments form filed in the employee's personnel record will be contacted by a Human Resources staff member. The final paycheck can be retrieved personally or mailed to the designee's address by certified mail according to his/her wishes.

7. Layoff

- a. At the recommendation of the County Manager, all layoff procedures shall be coordinated and processed by Human Resources and the County Attorney.
- b. A layoff shall not be implemented in conflict with any State or Federal grant regulation prohibiting the supplanting of employees.
- c. County personnel employed with, and paid by Federal or State grant funds will be laid off or terminated upon the elimination or cut back of such funds regardless of their length of service.
- d. In the event of a layoff, employees in the same classification and Department(s) affected shall be laid off in the following order:
 - i. Temporary employees,
 - ii. Probationary employees, and
 - iii. Permanent employees.
- e. Factors in determining the order of layoff shall include, but not be limited to:
 - i. the particular department/division, group, operating unit, or other function affected;
 - ii. the job classification(s) involved;
 - iii. essential services provided by particular employees in the classification;
 - iv. each employee's job knowledge, quantity/quality of work, dependability, work habits, attitude (performance evaluation job fact ratings during County service); and,
 - v. length of continuous service within the County in any classification or Department.
- f. Veterans' Preference shall be considered in accordance with Chapter 295, Florida Statutes, and Chapter 55A-7, Florida Administrative Code.
- g. A laid-off employee shall be paid out for accrued Vacation Leave and Sick Leave in accordance with the restrictions outlined in the applicable policies. The County Manager reserves the right to lift the restrictions on leave payouts for employees subject to layoffs, in exchange for a duly executed waiver and release. No additional benefits will accrue during the period of layoff.

8. Discharge

- a. The intent of a Department Head to discharge an employee shall be submitted in writing to Human Resources for review. This shall be done with sufficient time for Human Resources to consider the causes or reasons given for the discharge, to review all the appropriate information, and to notify the County Attorney's office, as necessary.

- b. Upon approval by Human Resources, the discharged employee shall be notified in writing by the Department Head as to the reason for discharge and the effective date.
- c. Discharged employees will immediately return all County property listed on their equipment list and remove all personal items from the premises unless different arrangements are known in advance and approved by Human Resources. A Human Resources staff member will be present at the discharge of any County employee.
- d. Discharged employees shall not be eligible for re-employment.

9. Re-employment

- a. An employee who resigns in good standing or was separated by a layoff shall be eligible for re-employment but must meet the qualifications of any other applicant.
- b. It is the responsibility of the laid-off employee to apply for the position(s) for which they feel they are qualified and to indicate on the application that they were affected by an Osceola County layoff and the effective date.
- c. An employee separated by a layoff will be granted an interview for any open position for which they meet the minimum qualifications, within twelve (12) months of the date of the layoff.

B. Payment upon Separation from Employment

- 1. Employees leaving County employment will receive their paychecks for all hours worked on the day that is the normally designated pay day for the pay period in which their resignation was effective.
- 2. Separating full-time employees may be eligible to receive payment for accrued Vacation Leave and Sick Leave, based upon limitations outlined in the Vacation Leave, Sick Leave, and Separation from Employment procedures.
- 3. Non-exempt employees will also be paid for all accrued compensatory time, if applicable.
- 4. Accrual Payments
Accrual payments shall be made in the form of a check, which the separating employee will receive two (2) weeks after receiving their final paycheck for hours worked.
- 5. Conditions of Payments
 - a. The employee must submit a letter of resignation to Management at least two (2) calendar weeks prior to the effective date of resignation and must “work out” at least two (2) weeks’ notice during this time period. Management may waive this work requirement if he/she believes it may be in the best interest of the County to do so.
 - b. The employee must be separated in good standing, i.e., the employee cannot be terminated or under the threat of termination by the County. If there is any discrepancy in the determination of this status, the County Manager or his/her designee will make the final decision as to the employee’s standing.

C. **Separated Employee's Outstanding Debts**

1. **Financial Obligations to the County**

- a. When outstanding debts have been incurred and remain unpaid by a separating County employee, the employee (or designee, in case of death) will be notified immediately of the outstanding debt. The County will deduct unpaid balances from non-wage compensation owed to the separating employee, according to FLSA rules and guidelines.
- b. Outstanding debts may include, but are not limited to:
 - i. Payment due for abuse, misuse, willful loss, or destruction of County property, including not returning County-issued uniforms, equipment, and supplies, according to corresponding County policy;
 - ii. Repayment of tuition assistance funds, according to corresponding County policy;
 - iii. Repayment due on an Employee Computer Purchase Agreement, according to corresponding County policy;
 - iv. Shortages in paid leave accounts which, in unusual circumstances, may occur through error when an employee utilized paid leave beyond his/her accrual.
- c. The employee will be required to sign a written agreement noting the provisions for his/her repayment of all sums owed to the County.

D. **Exit Interview**

In an effort to collect data as to the reason(s) why employees leave County service, the separating employee will be contacted to complete a voluntary exit interview after separation. This information will be used for the purpose of determining the causes and possible solutions relating to turnover among County personnel.

E. **Continued Benefits**

Employees who are eligible for continued benefit coverage, according to corresponding County policy, should complete appropriate forms and/or arrange terms of payment to the County with Human Resources prior to separation from employment.

F. **Employment References and Verification of Employment**

1. **Employment References for Separated Employees**

- a. Because of serious legal consequences that can result from a careless or unfavorable employment reference, the County will respond only to **written** requests for information about separated employees. All requests must be referred to Human Resources. The information released will be in accordance with Human Resources policy. Osceola County personnel records are available for review according to Florida Statutes, Section 119 (Public Records).

- b. County employees are prohibited from giving a personal opinion or assessment of job performance. Any employee who fails to comply with this policy is subject to discipline, up to and including termination, according to corresponding County policy.
- c. The County Manager may exercise his/her authority to offer and/or provide a letter of recommendation to a separated employee.

2. Verification of Employment

Verification of employment requests may be made by telephone, in writing, or by fax to Human Resources. The information released will be the hire date, position, and salary. Osceola County personnel records are available for review according to Florida Statutes, Section 119 (Public Records).



REFERENCE: 2.5-1 Vacation Leave

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.40 Annual Leave

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for administering Vacation Leave eligibility, accrual rate, and accompanying procedures.
- III. **DEFINITIONS:**
 - A. Regular Full-time Employee: An employee hired on a non-temporary basis who works thirty (30) hours or more per week.
 - B. Part-time Employee: An employee who works less than thirty (30) hours per week.
 - C. Date of Hire: The initial date that an employee began employment with Osceola County.
 - D. Vacation Leave: A pre-approved paid absence from work, to be used for personal and vacation reasons.
- IV. **POLICY:** Vacation Leave is part of the integrated program of Benefits for County employees. Such leave is intended as a necessary break from normal work duties to allow employees to engage in recreational activities as a means of achieving and sustaining high levels of productivity during regularly scheduled duty. Regular Full-Time and Part-Time Employees are eligible to accrue Vacation Leave and be paid for Vacation Leave according to procedures.
- V. **PROCEDURES:**
 - A. Eligible employees may not use accrued Vacation Leave during his/her initial six (6) months of employment or re-employment.

- B. Regular full-time employees who work thirty (30) or more hours per week are eligible to accrue Vacation Leave. Vacation Leave for regular full-time employees shall accrue at the following rates, based upon the length of service as measured from dates of initial hire, as follows:

<u>Service</u>	<u>Accrual per Month</u>
1 month to 5 years	8 hours
5 years and 1 month to 10 years	10 hours
10 years and 1 month to 15 years	12 hours
15 years and 1 month to 20 years	13.34 hours
20 years and over	16.66 hours

- C. Part-time employees who work at least twenty (20) hours per week are eligible to accrue Vacation Leave, which shall accrue at the following rates, based upon the length of service as measured from dates of initial hire, as follows:

<u>Service</u>	<u>Accrual per Month</u>
6 months to 5 years	4 hours
5 years and 1 month to 10 years	5 hours
10 years and 1 month to 15 years	6 hours
15 years and 1 month to 20 years	6.67 hours
20 years and over	8.33 hours

- D. Employees will not accrue Vacation Leave during periods of time in which they are in leave-without-pay status except for such time in leave-without-pay status that has been approved for Military Leave.
- E. Eligible employees who begin working between the 1st and 15th of the month will begin accruing Vacation Leave as if employed on the 1st calendar day of the month. Employees who begin work after the 15th of the month will not start accruing time until the following month.
- F. Successful completion of the prescribed probationary period will entitle the eligible employee to use Vacation Leave which has been accrued, but which is unavailable to an employee in initial probationary status.

1. In some rare cases, the County Manager's Office may authorize an employee to utilize Vacation Leave that has accrued during an employee's initial probationary period. All such requests must be forwarded with approval and recommendation by the Department Head to the County Manager's Office.

G. Use and Scheduling of Vacation Leave

Each employee is responsible for submitting a Leave Request to his/her Department/Supervisor for approval.

1. An eligible employee is allowed to use accrued Vacation Leave six (6) months after their date of hire.
2. Vacation Leave shall be arranged with due regard for the operating needs of the County and to accommodate the convenience of the employee.
3. Leave Requests will be considered on a first come preference basis, but the final decision will be that of the Department Head/Supervisor.
4. The Department Head/Supervisor must approve or deny Leave Requests within one (1) week of receipt. Employees must be notified of Leave Requests that have been denied.
5. Department Heads have the right to rescind prior leave approvals, but only under extenuating circumstances. If a Department Head must rescind an already approved Leave Request, the employee will be notified in writing, including the reason that the approval is being rescinded.

H. Restrictions

1. Vacation Leave may not be taken until accrued.
2. Charges against Vacation Leave will not be made in increments of less than .25 hours.
3. At the end of the fiscal year, an employee can carry up to eight (8) weeks of accrued time based on their standard workweek. Any time over this amount will be forfeited.
4. If an employee is called back to work during approved leave and this causes them to be over the maximum amount allowed to be carried into the next year, the employee may be granted permission by the County Manager to carry this time forward.
5. Employees who have exhausted their Vacation Leave, but request additional leave, may be allowed to do so without pay at the discretion of their Supervisor, Department Head, and Human Resources.

I. Payment of Vacation Leave

1. Eligible employees who are terminated during their initial probationary period for reasons other than misconduct may be eligible for payment of accrued Vacation Leave. Payment would be based on the employee's regular rate of pay and would be subject to approval by the County Manager or his/her designee.

2. Employees who have completed at least six (6) months of service with the County may be eligible for payment of accrued Vacation Leave upon separation of employment unless they are being discharged for misconduct or disciplinary action. Payment would be based on the employee's regular rate of pay, would be subject to approval by the County Manager or his/her designee, and must meet the following conditions:
 - a. If resigning, the employee must submit a written resignation letter no later than fourteen (14) days prior to the date of separation. Notice may be less if approved by the Department Head.
 - b. The employee shall submit the appropriate Leave Request requesting payment for accrued Vacation Leave to his/her Supervisor/Department Head for approval/denial. The Department Head shall forward the request to Human Resources for further distribution.
 - c. Only full calendar months shall be considered in computing unused Vacation Leave, except for the month of separation in which the employee is eligible for accrual **only** if the employee separates employment on or after the 16th calendar day of the month.
 - d. Payment for accrued but unused Vacation Leave shall not exceed 320 hours for regular full-time employees, and 80 hours for part-time employees.
 - e. Except for payment of Vacation Leave upon separation, employees shall not receive compensation in lieu of Vacation Leave.

J. **Use of Other Leave While on Vacation Leave**

1. If an eligible employee becomes hospitalized while on approved Vacation Leave, the employee may submit a request to the Department Head with documentation of in-patient hospitalization requesting the Leave Request be changed from Vacation Leave to Sick Leave.
 - a. It is the employee's responsibility to submit a written request to the Department Head requesting the change within three (3) business days.
 - b. If the employee, due to serious illness or injury, is unable to provide a written request, the Department Head shall waive the three (3) day request. It is still the employees' responsibility, at such time they are able, to notify their Department Head of the request. The Department Head shall document all correspondence with the employee.
2. The Department Head shall make their decision within one (1) week of receiving the written request and documentation and notify the employee in writing of their decision.
3. If the Department Head approves the request, Payroll must be notified immediately of the required leave record correction.
4. If an employee is allowed to use Sick Leave during a scheduled Vacation Leave, an increase in the maximum number of Vacation Leave hours permitted to accrue shall not be allowed.
5. If an eligible employee is on approved Vacation Leave when a county-designated holiday occurs, Holiday Leave will be charged instead of Vacation Leave.

K. **Other Guidelines**

1. Certain employees work in job classifications that are covered by a collective bargaining agreement with a labor union. Such employees will have a copy of the labor union agreement. Where the information in the agreement differs from County policy and procedures, the bargaining unit employee is subject to the provisions of the agreement (i.e. Firefighters).
2. Some employees may accrue at a higher rate based on their work schedule and/or contract. The County Manager, at his discretion, may approve additional Vacation Leave.



REFERENCE: 2.5-2 Sick Leave

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.41 Sick Leave

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for Sick Leave eligibility, accrual rate, usage, accumulation, and accompanying procedures.
- III. **DEFINITIONS:**
 - A. Eligible employee: All active, non-temporary employees.
 - B. Immediate family: An employee’s spouse, domestic partner, parents (including stepparents, foster parents, parents-in-law, and domestic partner’s parents), grandparents, siblings, children, children of a domestic partner, stepchildren, adopted children, a child for whom the employee has parenting responsibilities, and a relative or friend who resides with the employee.
- IV. **POLICY:** Sick Leave is a Benefit designed to ensure employees receive salary continuation when they are off the job due to illness. Sick Leave is a privilege and not a right or entitlement. This policy applies to regular Full-Time, Part-Time, and non-temporary employees. The County extends the benefit of Sick Leave to eligible employees according to procedures.
- V. **PROCEDURES:**
 - A. Employees are encouraged to use their Sick Leave sparingly and to accrue a significant Sick Leave balance to use in case of an emergency or long-term illness.
 - B. Successful completion of the prescribed probationary period will entitle the eligible employee to use Sick Leave which has been accrued, but which is unavailable to an employee in initial probationary status.

1. In some rare cases, the County Manager or his/her designee may authorize an employee to utilize Sick Leave that has accrued during an employee's initial probationary period. Such requests must be forwarded with approval and recommendation by the Department Head to the County Manager.
- C. Charges against Sick Leave will not be made in increments of less than .25 hours.
- D. Eligible employees must submit a Leave Request via the County's timekeeping system, to their immediate supervisor for approval to use Sick Leave. Sick Leave may be used only with the particular Management approval and cannot be authorized unless an accrued balance exists.
- E. If an employee is absent for three (3) consecutive workdays without reporting to his/her immediate supervisor with a reason which, in the supervisor's discretion, is sufficient to justify the absence, the employee will be deemed to have resigned (quit without notice).
- F. If an employee is absent for three (3) consecutive workdays, a physician's note is required for the employee to return to work.
- G. It is each employee's responsibility to know what his/her Department requires for proper notification of absence and to comply with such policy.
- H. Eligibility
All regular, non-temporary employees are eligible to accrue Sick Leave.
- I. **Accrual**
1. Regular full-time employees shall accrue eight (8) hours of Sick Leave for each full month of employment (four [4] hours per bi-weekly pay period).
 2. Regular part-time employees who work at least 20 hours per workweek will accrue Sick Leave on a prorated basis for each full month worked, e.g., a 20-hour/week employee would accrue four (4) hours of Sick Leave per month.
 3. During periods of absence, Sick Leave shall accrue only if the employee is in an active pay status.
 4. Employees will accrue Sick Leave on a monthly basis that will be credited to employees on the second paycheck of each month. No Sick Leave will be accrued for a month during which an employee is not in pay status for the entire month unless the employee is in leave-without-pay status for military service.
- J. **Holidays During Sick Leave**
If an employee is in leave-with-pay status due to approved Sick Leave during a time in which a County-designated holiday occurs, the time off will come from holiday pay and will not be deducted from the employee's Sick Leave balance.

K. Use of Sick Leave While on Other Pre-Approved Leave

1. If an eligible employee becomes hospitalized while on other pre-approved leave, the employee may submit a request to the Department Head with documentation of in-patient hospitalization requesting the Leave Request be changed to Sick Leave.
 - a. It is the employee's responsibility to submit a written request to the Department Head requesting the change within three (3) business days.
 - b. If the employee, due to serious illness or injury, is unable to provide a written request, the Department Head shall waive the three (3) day request. It is still the employees' responsibility, at such time they are able, to notify their Department Head of the request. The Department Head shall document all correspondence with the employee.
2. The Department Head and Human Resources shall make their decision within one (1) week of receiving the written request and documentation and notify the employee in writing of their decision.
3. If the Department Head approves the request, Payroll must be notified immediately of the required leave record correction.
4. If an employee is allowed to use Sick Leave during other scheduled pre-approved leave, an increase in the maximum number of leave hours permitted to accrue shall not be allowed.
5. If an eligible employee is on approved Sick Leave when a County-designated holiday occurs, Holiday Leave will be charged instead of Sick Leave.

L. Conversion of Sick Leave to Vacation

All eligible employees who have accumulated over 1,200 hours of accrued Sick Leave may convert new accrued Sick Leave to Vacation Leave on a ratio of four (4) hours of Sick Leave to one (1) hour of Vacation Leave, provided they do not use Sick Leave for two (2) full pay periods preceding the conversion of the accrued Sick Leave. No conversion shall be permitted except in accordance with approved rules.

As a Bona Fide Retiree, you may select ONE of the following options: Sick Leave Payout or Conversion of Sick Leave to Health Insurance as outlined below:

M. Sick Leave Payout

Employees who voluntarily end employment and leave in good standing with Osceola County shall receive payment for accumulated Sick Leave hours as follows:

To be eligible for payout of any sick leave, employees must have 200 hours of sick leave. If the employee has 200 or more hours of Sick Leave, the employee will be paid for the first 200 hours. Sick Leave in excess of 200 hours shall be paid pursuant to the schedule outlined below; however, the payment shall not exceed \$25,000:

<u>Years of Service</u>	<u>Percentage</u>
0 through 5 years	20%
5 through 10 years	25%
10 through 15 years	30%
15 through 20 years	35%
Over 20 years	40%

N. Conversion of Sick Leave to Health Insurance (Bona Fide Retirement)

Upon bona fide retirement, employees who have at least fifteen (15) years of service may convert their unused Sick Leave balance to a bank for the purpose of purchasing health insurance through the County after retirement.

The employee's Sick Leave for health insurance shall be applied as follows:

1. Osceola County shall continue to pay the entire amount of the retiree COBRA health insurance premium each month until the converted value (the amount shall not exceed \$20,000.00) of the employee's Sick Leave bank is exhausted or until the employee is eligible for Medicare, whichever comes first. The retired employee may stay with the same health insurance program as when employed or elect to decrease their coverage options at the time of retirement or open enrollment periods without underwriting.
2. The converted value of the Sick Leave can only be applied to retiree COBRA health insurance premiums. It has no cash value, and it is not transferable to another user or to an heir.

O. Each Supervisor is responsible for determining to his/her own satisfaction that an employee is entitled to Sick Leave usage. The Supervisor may require, via Human Resources, for an employee to present medical evidence from a physician that he/she is physically or mentally unfit to work if the Supervisor has any reason to doubt the employee's claim of illness.

1. If an employee makes a fraudulent or bad-faith claim for Sick Leave, such will be grounds for immediate discharge from employment.

P. Human Resources may direct an employee to undergo a physical, mental or other examination to determine an employee's fitness for duty at any time during the employee's employment.

Q. **Notification**

Each employee is responsible for notifying his/her immediate Supervisor that he/she will be unable to report for scheduled duty due to illness. This notification must be given as soon as the employee knows he/she will be unable to work and must be given by the employee directly to his/her immediate Supervisor and provided no later than one (1) hour prior to the starting time of the employee's workday. Employees must make every attempt to notify their Supervisors of absence prior to the employee's scheduled work shift.

1. Employees must report unavailability for work each day of absence.

2. If the Supervisor is absent from the work location, the employee may notify the Supervisor's designee or the acting supervisor. It is the employee's responsibility to know the procedure followed in his/her respective department concerning notification to anyone other than the Supervisor.
3. Some Departments may establish more specific requirements for notifications of absences. Prior to the distribution of any such procedures, the Department Head will consult with Human Resources for final approval of the content of such procedures.
4. If an employee requests Sick Leave while working, the employee shall report to his/her immediate supervisor to record the date and time of departure.
5. An employee who is claiming Sick Leave payment must notify his/her Supervisor as to the address and telephone number where he/she may be contacted. In the event that during the period of Sick Leave claimed and/or recuperation, such address and/or phone number changes, the employee must notify his/her Supervisor of the change(s).

R. **Excessive Use of Sick Leave**

Excessive use of Sick Leave will constitute grounds for the assumption that the employee is unable or unwilling to perform essential job duties. Abuse of Sick Leave may constitute grounds for corrective action, up to and including termination. Abuse is determined on a case-by-case basis; however, some examples of abuse are:

1. More than three (3) Monday absences in any 12-month period or more than three (3) Friday absences in any 12-month period for an employee who is regularly scheduled to work Monday through Friday;
2. More than three (3) absences in any 12-month period on the regularly scheduled workday following a payday;
3. Routinely taking a sick day as Sick Leave is earned so as to show a pattern, such as one day per month or one day every other month;
4. Routinely taking a sick day directly preceding or directly following a Holiday or pre-approved Vacation Leave; or
5. Sick Leave use in excess of 50% of the employee's total Sick Leave accrual.



REFERENCE: 2.5-3 Holidays

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.22 Holiday Pay and 2.42 Holidays

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** The Osceola County Board of County Commissioners designates certain days during the calendar year that will be celebrated as paid holidays by the County and its employees.
- III. **DEFINITIONS:**
 - A. Non-Exempt: FLSA eligible for overtime as regulated and defined by the U.S. Department of Labor.
 - B. Management: Immediate Supervisor or Department Head.
- IV. **POLICY:** The Board shall annually designate eleven (11) paid holidays during the calendar year. The Board may alter the designated days by adding, deleting, or changing the recognized dates. In addition, the Board may grant employees one (1) floating holiday to be used within the corresponding fiscal year. Floating Holidays will not carry over from year to year.
- V. **PROCEDURES:**
 - A. The Commission may alter the designated days by adding to this list, deleting them from this list, or changing the recognized dates.
 - B. Eligibility
All active Osceola County Board of County Commissioners employees are eligible for Holiday pay. Employees in a collective bargaining unit shall be eligible for Holiday pay pursuant to the terms of the Collective Bargaining Agreement.

C. **Pay**

1. On designated holidays, employees will be paid for eight (8) hours of Holiday pay at the employee's regular rate of pay. In addition to holiday pay, full-time, non-exempt employees working on a designated holiday will also receive pay for hours actually worked at their regular hourly pay rate.
2. Hours paid for holiday time will not count as hours worked for the purposes of determining whether an employee has worked more than forty (40) hours in a workweek.

D. **Usage**

1. With management approval, the Floating Holiday may be used at the employee's discretion. An employee must satisfactorily complete the initial six (6) months of employment to be eligible for the Floating Holiday.
2. A holiday that occurs on a Saturday or Sunday will be observed the preceding Friday or the following Monday.
3. Employees on Sick or Annual Leave, when officially designated holidays, occur do not have the day of the holiday charged against accrued leave.
4. Employees must be on the active payroll for the pay period in which the holiday falls in order to receive holiday pay.
5. Regular, part-time employees are paid for the official holiday when the holiday falls on a day on which the employee would be scheduled to work.
6. If management determines that an employee must work during a designated holiday, in lieu of receiving holiday pay or double time pay on the designated holiday, the manager may elect to schedule the employee for a day off from the employee's normally scheduled work hours during the same pay period in which the holiday is celebrated. An employee who is provided with a day away from work, although normally scheduled to perform work on that day, will be paid as if he/she worked, in recognition of the holiday that the employee was unable to celebrate.
7. Employees receiving Workers' Compensation are eligible for the amount of holiday pay which will supplement the Workers' Compensation benefit equal to the amount that would be payable if the employee were present for a normal workweek.



**OSCEOLA
COUNTY**

POLICIES AND PROCEDURES

SECTION FIVE: Employee Benefits and Leaves

DATE: 07/12/93

REVISED: 12/09/10

REVISED: 05/03/22

PAGES: 2

REFERENCE: 2.5-4 Bereavement Leave

RELATED STANDARDS:


AMENDS or SUPERSEDES:

2.43 Bereavement Leave

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for granting bereavement leave to an employee who has a death in the immediate family.
- III. **DEFINITIONS:**
 - A. Eligible employee: Regular full-time employee who works at least 30 hours per week.
 - B. Immediate family: An employee's spouse, domestic partner, parents (including stepparents, foster parents, parents-in-law, and domestic partner's parents), grandparents, siblings, children, children of a domestic partner, stepchildren, adopted children, a child for whom the employee has parenting responsibilities, and a relative or friend who resides with the employee.
- IV. **POLICY:** Bereavement time for the death of an employee's Immediate Family member is of great importance. In the event of a death in an employee's Immediate Family, the employee may be granted paid time off to handle matters related to death and grieving. The County Manager is authorized to determine the appropriate number of Bereavement Leave hours for inclusion in the implementing procedures.
- V. **PROCEDURES:**
 - A. The County provides leave with pay, subject to the restrictions below when leave is necessitated by the death of a member of an employee's immediate family.
 - B. The County may require proof of a death in the employee's immediate family, or proof of the familial relationship to the employee.

- C. A full-time employee shall be granted up to three (3) working days off with pay for Bereavement Leave if funeral services are in Florida and up to five (5) working days off with pay if funeral services are out of state.
- D. Approved Bereavement Leave shall not be chargeable to any other accrued leave but may be taken in conjunction with other leave.
- E. If an employee makes a false claim of death of an immediate family member, falsifies proof of death, or proof of familial relationship, the employee shall be subject to disciplinary action up to and including discharge from employment.
- F. Bereavement Leave shall not be taken during any leave without pay or other non-pay status.
- G. Eligible employees do not accumulate Bereavement Leave from one fiscal year to the next, and there is no payment for unused Bereavement Leave.
- H. Bereavement Leave shall be reflected on official payroll records.

 OSCEOLA COUNTY	POLICIES AND PROCEDURES SECTION FIVE: Employee Benefits and Leaves DATE: 07/12/93 REVISED: 04/29/09 REVISED: 05/03/22 PAGES: 2
REFERENCE: 2.5-5 Administrative Leave	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: 2.44 Administrative Leave	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for Administrative Leave eligibility, accrual rate, usage, and accompanying procedures.
- III. **DEFINITIONS:**
 - A. Exempt: Positions designated by FLSA to be paid a specific salaried amount for the entire pay period and ineligible to receive overtime for time worked over forty (40) hours in a workweek. FLSA uses four (4) categories to determine exemption status (executive, administrative, professional, computer professional). This determination comes from the particular position’s duties, and responsibilities (i.e., job content).
 - B. Management: Immediate Supervisor or Department Head.
- IV. **POLICY:** Regular Full-Time FLSA-designated Overtime-exempt employees may be eligible to receive Administrative Leave per the County Manager’s Procedures. This policy shall in no way establish any right to any type of Overtime compensation for Overtime-exempt employees, regardless of whatever records are kept by the Department or employee.
- V. **PROCEDURES:**
 - A. **Eligibility**
Full-time FLSA-designated overtime-exempt employees are eligible to receive Administrative Leave.
 - B. **Accrual**
 - 1. Full-time exempt employees are eligible for grants of Administrative Leave at the beginning of a fiscal year and may receive a maximum of five (5) workdays of Administrative Leave during the fiscal year.

2. Employees who have been hired into overtime-exempt positions after the beginning of the fiscal year, or employees who have been reassigned to positions which are exempt from overtime during the fiscal year, shall be eligible to receive a maximum of 4.667 hours per month for each of the remaining months in the fiscal year.

a. Administrative leave accrual is calculated from the first day of each calendar month in which an employee is employed in an exempt position or obtains an exempt status change.

b. Administrative Leave will be reflected on official payroll records.

C. **Usage**

Eligible employees may use Administrative Leave immediately upon Management approval.

D. Each Department Head has the sole discretion to grant or deny requests for Administrative Leave. This is a final decision not subject to appeal through the Grievance and Appeal procedure.

E. Eligible employees must submit a leave request to his/her immediate supervisor for appropriate approval(s) prior to any use of Administrative Leave.

F. If a Department Head concludes that Administrative Leave is warranted and should be granted, the Department Head will schedule such leave at times during which the efficiency and operation of the Department will not be affected.

G. **Payment**

1. No employee will receive any compensation or payment for unused Administrative Leave upon separation from employment with the County.

2. No employee will receive any compensation or payment for unused Administrative Leave at the conclusion of each fiscal year, or in lieu of taking Administrative Leave that has been granted.

H. Administrative Leave is a privilege, not a right or entitlement.



REFERENCE: 2.5-6 Jury Duty Leave

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.45 Jury Duty and Court Leave

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for employees requesting leave for Jury Duty.
- III. **DEFINITIONS:**
 - A. Regular Full-time Employee: An employee hired on a non-temporary basis who works thirty (30) hours or more per week.
- IV. **POLICY:** Participating in Court proceedings as a juror is a civic responsibility. As such, all employees are bound to the call of jury duty when such service is directed. A regular Full-Time employee who is summoned to jury duty shall be granted time off with pay. Such pay shall not be chargeable to accrued Vacation Leave.
- V. **PROCEDURES:**
 - A. A regular full-time employee who is summoned to Jury Duty shall be granted time off with pay. Such pay shall not be chargeable to accrued Vacation Leave.
 - B. A regular full-time employee who is subpoenaed to appear in Court at a deposition, a mediation proceeding, an arbitration proceeding, and/or other legal proceeding to provide testimony related to official duties and/or is required to attend any of the previously described proceedings as part of their normal job responsibilities, shall be treated as if they were attending to their normal job duties.
 - C. If any employee is subpoenaed as a witness other than in the specific circumstances described above, the County shall grant the employee accrued Vacation Leave, based upon the employee’s accruals or without pay, to the extent that the Department Head so approves.
 - D. The County shall not compensate employees attending to personal legal matters; however, in such instances, the employee may request accrued Vacation Leave.

- E. Regular full-time employees must notify their immediate Supervisor upon receipt of a Jury Summons and shall submit a Verification of Jury Services Form signed by the Jury Manager immediately upon the conclusion or continuance of their Jury Duty.
- F. A full-time employee who is summoned to Jury Duty shall be granted time off with pay without charging accrued Vacation Leave.
- G. Employees who are released from Jury Duty prior to the end of their regular workday should contact their Supervisor to determine whether or not to return to their worksite.
- H. Employees shall forfeit any compensation received in connection to their Jury Duty or court appearance when being compensated by the County.



REFERENCE: 2.5-7 Military Leave

RELATED STANDARDS: Uniformed Services Employment and Reemployment Rights Act of 1994; Florida Statute Chapters 115 & 250; 38 U.S.C. § 4301 *et seq.*

AMENDS or SUPERSEDES:

2.46 Military Leave

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for granting Military Leave to eligible employees.
- III. **DEFINITIONS:**
 - A. Permanent Position: A position filled with the expectation of long-term employment.
 - B. Service in the Uniformed Services: The performance of duty on a voluntary or involuntary basis in a uniformed service including active duty, active duty for training, initial active duty for training, in-active duty training, full-time National Guard duty, an examination to determine fitness for any of the above-listed types of duty, funeral honors duty performed by National Guard or reserve members, duty performed by intermittent employees of the National Disaster Medical System.
 - C. Uniformed Service: Consists of the Army, Navy, Marine Corps, Air Force, Coast Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve, Army National Guard, Commissioned Corps of Public Health Service, or any other designated by the President in time of war or emergency.
- IV. **POLICY:** County employees make invaluable contributions to national defense in their service in the Uniformed Services. To this end, the County’s Personnel Policy is in compliance with U.S.C. § 4301 *et seq.* and Florida Statutes Chapters 115 and 250.
- V. **PROCEDURES:**
 - A. Employees called to service in the Uniformed Services are eligible to receive full pay for the first 30 days of leave. After the first 30 days, employees will be eligible to receive supplemental pay which, when combined with their military base pay, will bring them to their level of pay prior to being called for military service.

- B. The cumulative length of Military Leave that an employee will be given is five (5) years, except for the following categories of service that are exempt from the time limitation:
1. Service required to complete an initial period of obligated service.
 2. Service from which a person is unable to obtain a release.
 3. Required training for reservists and National Guard members.
 4. Service under an involuntary order to active duty during domestic emergency or national security-related situations.
 5. Service under an order to active duty because of a war or national emergency declared by the President or Congress.
 6. Active duty by volunteers supporting “operational missions” for which Selected Reservists have been ordered to active duty without their consent.
 7. Service by volunteers who are ordered to active duty in support of “critical missions or requirements” in times other than war or national emergency and when no involuntary call-up is in effect.
 8. Federal service by members of the National Guard called into action by the President to suppress an insurrection, repel an invasion, or execute the laws of the United States.
- C. Time limits for returning to work depend on the duration of a person’s military service as follows:
1. For service up to 30 days, a person must report to their employer by the beginning of the next regularly scheduled shift after allowance of travel time and an 8-hour rest period.
 2. For service of 31-180 days, an application for re-employment must be submitted no later than 14 days after completion of military service.
 3. Service of 181 days or more requires an application for reemployment to be submitted no later than 90 days after completion of military service.
 4. The reporting deadlines are extended up to two (2) years for anyone who is hospitalized or convalescing due to a disability incurred or aggravated during their military service.
- D. Osceola County has the right to request that a person absent over 30 days for military service provide documentation that the person’s application for reemployment is timely, does not exceed the 5-year service limitation, and that their separation from military service was honorable.
- E. An employee returning to County employment in his/her former position shall be compensated at the same rate that he/she would have received, including all adjustments, had he/she remained continuously in the County’s employment.
- F. If the position vacated by an employee who entered military service is reclassified or re-titled during his/her period of military service, such employee shall be entitled to reinstatement in the reclassified position.

- G. If the former position has been eliminated, the employee may be entitled to reinstatement in a position as nearly comparable as possible in salary and duties to the position vacated, if available.
- H. An employee must provide their immediate Supervisor with advance notice of military service, either written or oral unless military necessity prevents the giving of such notice.
- I. Whenever possible, the County requests a minimum of ten (10) days advance notice for scheduled Service in the Uniformed Services and Reserve or Guard Training.
- J. The supervisor is responsible for notifying Human Resources of any employee taking military leave.
- K. If an employee taking military leave for Service in the Uniformed Services anticipates that they will be on leave longer than 30 days, they must elect to continue or temporarily suspend health and dental insurance benefits after the initial 30-day period expires.
- L. Employees requesting military leave for Reserve or Guard Training will receive paid leave for up to 240 hours in any rolling 12-month period of time. Additional military leave will be granted without pay.
 - 1. Osceola County uses the “rolling 12-month” period; each time an employee takes military leave for Reserve or Guard Training, the remaining 240-hour leave entitlement would be any balance of the 240-hour leave that has not been used during the immediately preceding 12 months.



REFERENCE: 2.5-8 Domestic Violence Leave

RELATED STANDARDS: Florida Statute 741.313

AMENDS or SUPERSEDES:

None

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for granting leave to employees dealing with domestic violence-related issues.
- III. **DEFINITIONS:**
 - A. Domestic Violence: Violence or physical abuse directed toward a spouse or domestic partner; an act of aggression (as one against a person who resists).
- IV. **POLICY:** The County shall comply with the provisions of Chapter 741, Florida Statutes, which provides Domestic Violence Leave in support of victims, for reasons identified in the State Statutes and implementing Procedures, related to the employee’s domestic violence situation.
- V. **PROCEDURES:**
 - A. Upon request, employees who have been employed for three (3) or more months are entitled to take up to three (3) days of Domestic Violence Leave in a 12-month period if the employee or a member of the employee’s family or household is the victim of domestic violence or sexual violence.
 - B. Domestic Violence Leave is limited to the following:
 - 1. To seek an injunction against domestic violence.
 - 2. To obtain medical care or mental health counseling for the victim of domestic violence.
 - 3. To obtain services from victim-services organizations.
 - 4. To make the employee’s home secure from or to escape from the perpetrator or the domestic violence.

5. To seek legal assistance or attend court proceedings related to domestic violence.
- C. Due to the sensitive nature of domestic violence issues, employers are required to keep confidential all information relating to an employee's Domestic Violence Leave.
- D. Except in cases of imminent danger, the employee must provide his/her employer with advanced notice of the need for Domestic Violence Leave in compliance with the County's leave policy.
 1. Employee shall submit a Leave Request to Department Director/Supervisor for approval.
 2. If approval is granted, the Department Director may also require that the employee provide documentation of the act of domestic violence for which the leave is needed.
- E. The County is not required to pay employees during Domestic Violence Leave.
- F. An employee shall first exhaust all Vacation Leave, Sick Leave, or other leave before he/she is entitled to Domestic Violence Leave.
 1. In certain instances, the County Manager may allow an employee to take Domestic Violence Leave without exhausting all other leave.



REFERENCE: 2.5-9 Family and Medical Leave (FMLA)

RELATED STANDARDS: Title 29, Chapter V, Subchapter C "Other Laws" Section 825

AMENDS or SUPERSEDES:

2.48 Temporary Disability Leave

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines pursuant to the Family and Medical Leave Act of 1993.
- III. **DEFINITIONS:**
 - A. FMLA: Family and Medical Leave Act.
 - B. Parent: Biological parent or a person who acted in the capacity of a parent to the employee.
 - C. Son or Daughter: A "son or daughter" is defined by the FMLA regulations as 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 18 years of age or is 18 years of age or older and "incapable of self-care because of a mental or physical disability" at the time FMLA leave is to commence.
 - D. In loco parentis: "Standing in place of a parent." For FMLA leave the in loco parentis doctrine allows employees to take leave to care for an individual who has a parent-child relationship with the employee but is not biologically a parent or child of the employee.
 - E. Spouse: Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside the United States, if the marriage could have been entered into in at least one state.
 - F. Eligible Employee: Employees who have been employed for twelve (12) months and have worked at least 1,250 hours within the previous twelve (12) month period immediately preceding the FMLA request.
 - G. 12-Month Period: Osceola County uses the "rolling 12 months" period; each time an employee takes FMLA Leave, the remaining leave entitlement would be any balance of the 12 weeks that has not been used during the immediately preceding 12 months.

- H. Serious Health Condition: An illness, injury, impairment, or physical or mental condition that involves:
 - 1. Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
 - 2. A period of incapacity requiring absence of more than three (3) calendar days from work, school, or other regular daily activities that also involves continuing treatment by (or under the supervision of) a health care provider;
 - 3. Any period of incapacity due to pregnancy, or for prenatal care;
 - 4. Any period of incapacity (or treatment therefore) due to a chronic serious health condition (e.g., asthma, diabetes, epilepsy, etc.);
 - 5. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective (e.g., Alzheimer's, stroke, terminal diseases, etc.);
 - 6. Any absences to receive multiple treatments (including any period of recovery therefrom) by, or on referral by, a health care provider for a condition that likely would result in incapacity of more than three consecutive days if left untreated (e.g., chemotherapy, physical therapy, dialysis, etc.).
- I. Reduced Leave Schedule: A leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.
- J. Covered Active Duty: (A) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and (B) in the case of a member of the reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

IV. POLICY: The County shall comply with the provisions of the Family and Medical Leave Act (“FMLA”) of 1993, (29 U.S.C. § 2601 et. seq.), as amended periodically, and relevant regulations. In accordance with the FMLA, eligible employees shall be entitled to up to twelve (12) weeks of leave within a 12-month period for qualifying family and medical reasons or up to twenty-six (26) weeks of leave within a 12-month period for military caregiving. Employees on FMLA shall be required to use all paid leaves identified in this Policy before going into a leave without pay status.

V. PROCEDURES:

A. Eligibility

Employees are eligible for FMLA leave if they have been employed by the County for a total of 12-months and have worked at least 1,250 actual hours, including overtime hours, during the 12-month period immediately preceding the commencement of leave.

- 1. Total number of months employed by the County need not have been consecutive and will include any employment during the past seven years, whether temporary or permanent.

2. The “rolling” 12-month period is measured backward from the date an employee uses FMLA leave
3. Military Leave
 - a. Eligible employees may use up to twelve (12) weeks of leave for certain qualifying exigencies arising out of a covered military member's active-duty status, or notification of an impending call or order to active-duty status, in support of a contingency operation.
 - b. Eligible employees may use up to twenty-six (26) weeks of leave in a single 12-month period to care for a covered service member recovering from a serious injury or illness incurred in the line of duty on active duty. Eligible employees are entitled to a combined total of up to 26 weeks of all types of FMLA leave during the single 12-month period

B. Leave Entitlement

Eligible Employees are entitled to up to 12 workweeks of regular FMLA leave within a 12-month period for one or more of the following:

1. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter.
2. Because of the placement of a son or daughter with the employee for adoption or foster care.
3. In order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition.
4. Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.
5. Because of any qualifying exigency (as the Secretary shall, by regulation, determine) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces.
6. In the case in which a husband and/or wife are both employed by the County and are entitled to leave under this policy, the combined total amount of FMLA leave to which both may be entitled shall be limited to twelve weeks during a 12-month period for the following leave categories:
 - a. The birth of the employee’s child or in order to care for the child after birth.
 - b. Adoption of a child or the placement of a foster child, or to care for the child after placement.
 - c. The care of a parent with a serious health condition. The parent cannot be an “in-law”.
7. The employee is required to first use all accrued sick time and then vacation time and any remaining time of the twelve (12) weeks will be “leave without pay” (LWOP).

C. Notice Requirements for Employees

1. When the need for leave is foreseeable, the employee must give at least thirty (30) days advance notice before the FMLA leave begins. (For example, for non-emergency surgery).
2. An employee who does not give thirty (30) days' notice must explain why such notice was not practicable.
3. Employees who need leave for an unforeseeable reason must give as much notice as is practicable, usually the same or next business day after the employee learns of the need for leave.
4. In the event that the County becomes aware that an employee's absence is due to an FMLA-qualifying reason, the County may designate the leave as FMLA leave even though the employee has not requested it.

Note: Once an eligible employee communicates a need to take leave for an FMLA-qualifying reason, neither the employee nor the employer may decline FMLA protection for that leave.

5. The employee will be notified within five (5) working days unless further documentation is required.
6. The employee must provide Medical Certification to the Human Resources & Risk Management Department within fifteen (15) days of request.

D. County Notice Requirements

1. Eligibility, Certification, and Rights and Responsibilities: Within five (5) business days of an employee's request for FMLA leave, the Human Resources Department will provide the employee with an eligibility determination, which addresses whether the employee is a candidate for leave; a notice of the employees' rights and responsibilities (Form WH-381); and a medical certification form, to be completed by a medical provider, if the employee is eligible for FMLA. The employee must return a complete and sufficient medical certification to Human Resources within 15 days.
2. Designation Notice: Once the medical certification is received, Human Resources will determine if the certification demonstrates that the employee is FMLA eligible. If the employee is eligible, a notice designating FMLA leave will be sent to the employee within five days. (Form WH-382).
3. If the certification is incomplete or insufficient, Human Resources will return it to the employee with an explanation as to why it is incomplete or insufficient. The employee has seven (7) days to provide the complete and sufficient certification.
4. Failure to submit the required complete and sufficient medical certification may result in the denial of FMLA Leave. Absences not designated as FMLA may be considered unapproved and subject to corrective action in accordance with the County's Attendance Policy and Procedures.
5. An employee may be absent from work due to an on-the-job illness or injury that also qualifies as a serious health condition under FMLA and still receive workers' compensation. In such cases, workers' compensation leave and FMLA leave will run concurrently. Human Resources, when

necessary, shall make such determinations as to whether workers' compensation leave should be counted as FMLA leave. The employee will be notified in writing that his/her workers' compensation leave is also being counted as FMLA leave when the condition qualifies as an FMLA covered condition.

6. If the workers' compensation leave is longer than the 12-week entitlement under FMLA, such leave will revert to the rules provided by workers' compensation laws and regulations.

E. Continuation of Health Benefits

1. While on FMLA, whether paid or FMLA – Leave Without Pay (LWOP), the County shall continue health and life insurance coverage and payments of its portion of the premium under the same terms that the coverage would have been provided had the employee not taken the leave.
2. While on FMLA, whether paid or FMLA – Leave Without Pay (LWOP), the employee is responsible for payments of his/her portion of group insurance premiums under the same terms that the coverage would have been provided had the employee not taken the leave.

F. Return to Work After Continuous FMLA Leave

1. An employee must notify Human Resources of his/her intention to return from FMLA leave before he/she can be returned to active status.
2. When the employee is able to return to work (within the 12-week period), the County shall return the employee to the same or equivalent position with the same salary, benefits, and responsibilities.
3. A Fitness for Duty will be required at least seven (7) days prior to returning to work for all employees on continuous FMLA. The County will consider any reasonable accommodations to an ongoing condition as required by law.
4. Pursuant to the FMLA, an employee may be denied restoration rights if:
 - a. The individual cannot perform the essential functions of the job, with or without accommodation;
 - b. The individual would pose a significant risk to the safety of other employees;
 - c. The employee's job was eliminated or he/she was laid off because of business conditions.
5. An employee shall be considered to have voluntarily resigned employment if he/she:
 - a. Fails to return to work upon the expiration of the FMLA; or
 - b. Advises the County of his/her intention not to return to work.
6. Employees who voluntarily terminate employment at the end of the FMLA may be required to repay the County the full insurance premiums paid on their behalf during the period of FMLA.

G. Intermittent Leave or Leave on a Reduced Schedule

1. Family or medical leave may be taken as intermittent leave or leave on a reduced schedule only if there is a medical need for such leave (as distinguished from voluntary treatments and procedures), and that such medical need can be best accommodated through an intermittent or reduced leave schedule.
2. An employee needing intermittent FMLA leave or leave on a reduced leave schedule must make a reasonable effort to schedule the leave so as not to disrupt the County's operations. Employees are responsible for following applicable call out procedures.
3. When leave is taken after the birth or placement of a child for adoption or foster care, it must be taken on a continuous basis unless the mother or newborn child has a serious health condition.
4. The County reserves the right to request medical clearance from Intermittent Medical absences if reasonable safety concerns exist due to the approved FMLA condition.

H. Reasonable Break Time for Nursing Mothers

The County will provide a reasonable break time for an employee to express breast milk for her nursing child for one year after the child's birth each time such an employee has the need to express the milk. The County will provide a place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, for the nursing mother.

I. General Provisions

1. The County may request, at its own expense, second or third medical opinions regarding FMLA determination and periodic re-certifications of FMLA status. The Department will pay the cost of such opinions.
2. Employees shall not perform outside employment while receiving paid Sick Leave or Family and Medical Leave Act or Worker's Compensation benefits from the County.
3. The County is allowed to initiate reasonable communication with employees who are on an FMLA leave to discuss the employee's status and intent to return to work, with frequency depending on the circumstances but typically not more than once every thirty (30) days.
4. The County may request recertification of the need for FMLA leave as set forth in the FMLA regulations.
5. The County, through a Human Resources representative or management official other than the employee's direct supervisor, may communicate with the employee's health care provider to authenticate or clarify a medical certification form that the provider has filled out. Before this occurs, the employee first will be allowed a period of seven (7) calendar days to fix the problem(s) with the certification form which, in the County's judgment, require authentication or clarification.
6. Unauthorized or fraudulent use of this benefit shall result in disciplinary action up to and including termination.

J. **Relationship to the Americans with Disabilities Act (ADA)**

1. The Family & Medical Leave Act provides certain job protections and entitlements relating to the “serious health condition” of the employee and/or the employee’s immediate family. The Americans with Disabilities Act requires employers to make “reasonable accommodations” for individuals with qualifying disabling conditions. While the FMLA and the ADA seem to cover separate situations and operate exclusively from each other, supervisors must be aware that in practice there may be circumstances that present themselves in a way that may create difficulty in separating the two Acts.
2. The American with Disabilities Act requires that each case be handled on a case-by-case basis. If an employee requests a modified work schedule following a leave, as a result of an FMLA leave condition, or at any other time, the request must be evaluated to determine if it is a “reasonable accommodation” request falling under the ADA or simply an FMLA leave request.

K. **Employee Responsibility**

All employees are required to notify their immediate Supervisor of any time off required. The employee shall give enough basic information (medical details are not necessary) to allow the Supervisor to make a preliminary determination of the FMLA qualifications.

L. **Department Responsibility**

When an employee notifies his/her Supervisor of a need to take time off, the Supervisor shall obtain enough basic information (medical details are not necessary) to ascertain if the need is for an FMLA-qualifying event. If so, the Supervisor shall notify Human Resources immediately.



REFERENCE: 2.5-10 Leave Without Pay

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.50 Leave Without Pay

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for County employees requesting leave without pay.
- III. **DEFINITIONS:**
 - A. Leave Without Pay: A temporary non-pay status and absence from duty.
- IV. **POLICY:** It is the policy of the Board to permit employees to take unpaid absences from work for personal or other reasons while maintaining the continuity of their employment, in accordance with established Procedures.
- V. **PROCEDURES:**
 - A. Leave Without Pay may be considered for, but not limited to, the following purposes:
 - 1. Education purposes provided such absence will not interfere with County operations or level of service or result in additional expense to the County such as, but not limited to, overtime. The coursework must be designed to enhance the knowledge, skills, and abilities relating to official duties that the employee performs, or for possible advancement with the County. The employee shall provide evidence of enrollment and degree or certification curriculum to Human Resources.
 - 2. Recovery from an illness or disability not of a permanent nature.
 - 3. Certain family and medical needs that meet the provisions of the Family and Medical Leave Act (FMLA).
 - 4. For the period while still employed by the County, the employee is receiving Workers' Compensation.

B. Conditions

1. Leave Without Pay may only be authorized in accordance with the relevant authority, which includes the collective agreement or the appropriate terms and conditions of employment.
2. An employee requesting Leave Without Pay shall submit a Leave Request to their immediate Supervisor for approval prior to the requested leave period, which shall include justification for the request.
3. An employee shall utilize all eligible leave with pay before requesting and utilizing Leave Without Pay. (EXCEPTION: Military Leave.)
 - a. If requesting and utilizing Leave Without Pay for educational purposes, or for personal reasons other than injury or illness, the employee:
 - i. shall not be permitted to utilize accrued Sick Leave; and
 - ii. shall exhaust all accrued Vacation Leave as well as their Floating Holiday.
4. Employees shall not accrue Holiday Pay, Vacation Leave, Sick Leave, or other leaves with pay while on Leave Without Pay, except for such time in leave-without-pay status that has been approved for Military Leave.
5. Leave Without Pay shall be effective, beginning immediately after an employee's leave with pay ends. It shall last through the last working day the employee is absent in Leave Without Pay status.
6. Employees shall not obtain, accept, or participate in outside employment (excluding Military Service), during the period of approved Leave Without Pay. Any employee who violates this procedure shall lose all rights to their leave, and if terminated, shall not be eligible for rehire with the County.
7. Except during periods covered by FMLA, an employee who elects to continue group insurance benefits shall personally pay for COBRA coverage while on Leave Without Pay status in accordance with insurance premium collection schedule. If an employee elects not to personally pay for group insurance, coverage for the employee and their dependents shall be terminated.

NOTE: The Human Resources and Risk Management Department shall make every attempt to notify the employee in writing of the potential termination of benefits and provide detailed options available to the employee for continuation of group insurance coverage. It is the employee's responsibility to contact Human Resources in writing of their intention to continue group insurance coverage.

8. An employee shall not be granted more than a six (6) month Leave Without Pay in a rolling two-year period from the last day of unpaid leave.

9. An employee who is returning from Leave Without Pay status lasting more than sixty (60) days may be considered for return to their former position, however, it is not guaranteed that their former position shall be available. If a position is available, an employee may be considered for return to another classification.

C. **Approval**

1. The employee's immediate Supervisor shall forward the employee's Leave Request to the Department Head including reasons for approval/denial of Leave.
2. The Department Head has the authority to approve or deny Leave Without Pay of ten (10) days or less. If approved by the Department Head, requests for Leave Without Pay of more than ten (10) days shall be forwarded to Human Resources for review and is subject to approval by the County Manager or designee.
3. All Leave Without Pay shall be approved in advance, and the employee shall request Leave Without Pay with as much advance notice as possible.
4. All requests and approval or denial shall be in writing with as much advance notice as possible prior to the date of the leave.



REFERENCE: 2.5-11 Group Health Insurance

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.51 Group Insurance

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines to regulate the Group Insurance plans for the County.
- III. **DEFINITIONS:**
 - A. Regular Full-time Employee: An employee hired on a non-temporary basis who works thirty (30) hours or more per week.
- IV. **POLICY:** The Board is committed to advancing the health and well-being of County employees. To this end, the County offers a comprehensive group health insurance program for employees and eligible dependents. County regular Full-Time Employees may be eligible for group insurance benefits as established by the County Manager/Designee.
- V. **PROCEDURES:**
 - A. Each regular full-time employee will receive upon employment an outline of the benefits offered under Osceola County’s present insurance plan.
 - B. The County Manager, through Human Resources, as so authorized by the Board of County Commissioners, from time to time will negotiate, approve, execute, and renew group insurance contracts that provide group coverage for County employees.
 - C. **Continued or Extension Coverage**
 - 1. An employee, employee’s spouse, and/or employee’s dependents may have the right to continue medical and dental insurance coverage pursuant to the Consolidated Omnibus Budget Reduction Act (COBRA), 29 U.S.C., S 1161 *et seq.* For more information concerning separation from employment, reduction in hours, death, and/or divorce, which may result in such a change, employees should contact the Human Resources and Risk Management Department.

2. Employees who have met the eligibility criteria necessary for receiving retirement benefits under the County's retirement plan may continue participating in group insurance for themselves and any eligible dependent. Retirees and their dependents will be offered the same group insurance coverage as offered to full-time active employees at a premium cost of not more than the premium cost applicable to active employees. This coverage is pursuant to Florida Statutes Chapter 112.0801 or as subsequently amended.
3. Employees on leave without pay may continue their group health insurance for themselves and their eligible dependents by continuing to make premium payments on a timely basis and in accordance with procedures established by the Human Resources and Risk Management Department.



REFERENCE: 2.5-12 Florida Retirement System (FRS)

RELATED STANDARDS: Chapter 121 F.S.; 60S Florida Administrative Code

AMENDS or SUPERSEDES:

2.53 Florida Retirement System (FRS)

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines pursuant to the Florida Retirement System (FRS).
- III. **DEFINITIONS:**
 - A. Regular Full-time Employee: An employee hired on a non-temporary basis who works thirty (30) hours or more per week.
 - B. Eligible Part-time Employee (as defined by FRS): A part-time, regularly established position, which will be in existence beyond six (6) consecutive calendar months.
 - C. Florida Retirement System (FRS): A retirement plan established in 1970 by the Florida State Legislature.
 - D. FRS Pension Plan: A defined benefit plan, qualified under Section 401(a) of the Internal Revenue Code.
 - E. FRS Investment Plan: A plan in which the employee controls contributions that the County makes on their behalf.
 - F. Special Risk Class: A plan that covers employees who work in the occupation of Fire Fighter, Corrections, and/or Law Enforcement, as defined by the Florida Retirement System Law and Rules.
- IV. **POLICY:** Retirement Benefits shall be provided for eligible employees through the Florida Retirement System. Enrollment is automatic for all eligible employees.


V. PROCEDURES:

A. Pension Plan

1. All regular full-time employees and eligible part-time employees are enrolled in FRS with contributions made by the County on behalf of each employee.
2. Regular full-time employees and eligible part-time employees in regular or senior management must complete six (6) or more years of service and reach the age of 62 to be eligible for retirement. If an employee retires before age 62, benefits are reduced by 5% for each year below the normal retirement age of 62. If an employee completes thirty (30) years of service, the employee does not have to meet the 62-year age limit.
3. Regular full-time employees and eligible part-time employees in the Special Risk Class must complete six (6) or more years of service and reach the age of 55 to be eligible for retirement. If an employee completes twenty-five (25) years of service in the Special Risk Class, the employee does not have to meet the 55-year age limit.

B. Investment Plan

1. All regular full-time employees and eligible part-time employees enrolled in the FRS Investment Plan control where their contributions are made.
 2. All regular full-time employees and eligible part-time employees enrolled in the FRS Investment Plan are vested upon completion of one (1) or more years of service.
- C. All retiring employees shall notify Human Resources no later than 30 days prior to their service retirement date in order to process necessary paperwork.
- D. For questions or to obtain information, employees may call the Human Resources and Risk Management Department or FRS toll-free at 1-866-446-9377. Employees may also access their account via the Internet by going to: www.myfrs.com.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION FIVE: Employee Benefits and Leaves DATE: 07/12/93 REVISED: 06/18/10 REVISED: 05/03/22 PAGES: 4
REFERENCE: 2.5-13 Educational Assistance	
RELATED STANDARDS: F.S. 112.063	
AMENDS or SUPERSEDES: 2.54 Educational Assistance	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.

- II. **PURPOSE:** To establish fair and consistent guidelines for Educational Assistance designed to encourage County employees to continue their formal education in areas that shall enhance their contribution to County service.

- III. **DEFINITIONS:**
 - A. Regular Full-time Employee: An employee hired on a non-temporary basis who works thirty (30) hours or more per week.

 - B. Accredited Institution: An educational facility accredited by the Florida Department of Education, Florida Commission for Independent Education, the Florida State Board of Independent Colleges and Universities, or the Florida Board of Independent Post-Secondary Vocations/Technical/Trade and Business Schools.

 - C. Tuition: The price of or payment for instruction at an accredited college or university.

 - D. Formal Education: A formal degree program obtained from an accredited educational institution such as a college or university.

- IV. **POLICY:** Eligible employees are encouraged to continue formal academic education in areas that shall enhance their contribution to County service. To this end, the County Manager is authorized to establish a reimbursement-based educational assistance program for Regular Full-Time Employees in the successful completion of approved coursework or training. The program is subject to the Board approving available funding.

V. PROCEDURES:

A. Eligibility

1. Employee must be a regular full-time employee.
2. Employee must have satisfactorily completed the initial six (6) month probationary period.
3. Employee must be degree-seeking (i.e., Associates', Bachelors', or Masters' degree).
4. Per F.S. 112.063, the coursework must be designed to enhance the knowledge, skills, and abilities relating to official duties that the employee performs.

B. The reimbursement of educational expenses in no way obligates the County to grant time off or leave for the taking or completion of such course or program of instruction.

C. Employees shall not be permitted to utilize any space, personnel, equipment, or supplies of the office by which he or she is employed in the process of fulfilling any of the requirements imposed by the coursework for which he or she is being reimbursed.

D. Educational Assistance Fund

Osceola County Board of County Commissioners may allocate funds each fiscal year for the Educational Assistance program which will be managed by Human Resources. If the allocated funds are exhausted, no further reimbursements will be made for the balance of the fiscal year. This program may be amended or terminated at any time; however, such amendment or termination will have no effect on courses of study previously approved.

E. Maximum Reimbursement

The maximum assistance to be provided to an eligible employee during a fiscal year is \$1,600. To be eligible for Educational Assistance, employees must meet all requirements outlined in this policy. Employees should carefully read through the policy and complete the appropriate paperwork *before* enrolling in or registering in any educational program for which a degree will be obtained. Tuition expenses for which an employee is reimbursed or compensated through scholarships or federal grant programs (state, local, federal), including Veteran Administration benefits, may be considered for reimbursement by Osceola County, provided that no employee shall receive tuition refunds greater than for actual expenditures for tuition paid by the employee.

F. **Reimbursement Calculations**

1. Pre-approved courses that are completed through an accredited institution shall be reimbursed using the following schedule:

<u>Grade</u>	<u>Reimbursement</u>
A	100%
B	75%
C	50%
D or below	None

When used in lieu of letter grade:

Pass	100%
Fail	None

2. The reimbursement is based on employee tuition and associated fees only and will not exceed the approved allotment of \$1,600 per fiscal year.

G. **Course Materials**

Employees shall not be entitled to reimbursement for mileage or housing/food costs.

H. **Separation**

Should you terminate your employment within two (2) years after completion of a course for which you have received tuition assistance for reasons other than layoff due to reduction in force, you will be required to reimburse Osceola County Board of County Commissioners for all tuition reimbursement sums paid by the County during your last two (2) years of service.

- I. Education Reimbursement Request Forms are located on Inside Osceola (Employee Intranet) and through Human Resources.
- J. Employees must submit a completed Education Reimbursement Request Form to their immediate Supervisor for approval.
- K. If the Education Reimbursement Request Form is approved by the immediate Supervisor, it must be submitted to the Human Resources and Risk Management Department within two (2) weeks prior to the beginning of classes.
- L. A copy of the course description from the school catalog or a copy of the course syllabus shall be included with the Education Reimbursement Request when submitted to the Human Resources and Risk Management Department.

- M. The Human Resources and Risk Management Department shall review all Education Reimbursement Requests for approval/denial.
- N. The Human Resources and Risk Management Department shall send out a notification memo to each employee regarding their status (approval or denial) for the program within one (1) week from receipt of the employee request.
- O. Employees shall have thirty (30) days after completion of pre-approved course work to submit original proof of grades along with original tuition payment receipt to the Human Resources and Risk Management Department.
- P. All documentation (grades, receipts, Educational Reimbursement Request Forms) shall be verified by a Human Resources Representative before a Check Request will be made.
- Q. Check Requests shall be submitted to Finance for reimbursement processing.
- R. Finance shall review all submitted tuition reimbursement requests for accuracy and process for payment within two (2) weeks of receipt from the Human Resources and Risk Management Department.



REFERENCE: 2.5-14 Conference and Seminar Attendance

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.55 Conferences and Seminars

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for employees attending conferences and seminars.
- III. **DEFINITIONS:**
 - A. Fair Labor Standards Act: A Federal law that establishes minimum wage, overtime pay, record keeping, and child labor standards.
- IV. **POLICY:** Eligible employees are encouraged to attend conferences and seminars that shall enhance their contribution to County service.
- V. **PROCEDURES:**
 - A. Employees who wish to attend a conference or seminar must obtain their Department Director’s approval prior to attending the event by completing a Travel Authorization Request Form.
 - B. Eligibility for overtime pay shall be determined in accordance with the Fair Labor Standards Act.
 - C. Approved conference attendance shall not be deducted from the affected employee’s accrued Vacation Leave or other leave with a pay balance.
 - D. Mileage and per diem reimbursement shall be made at the rates in effect at the time that travel is completed. These rates are based on the County Administrative Code for mileage and per diem.
 - E. Upon return, the employee shall complete a Travel Expense Form in its entirety and attach an itinerary from the conference or seminar, and a “MapQuest” printout verifying mileage.
 - F. Employees who are approved to attend conferences or seminars may be required to instruct other County employees on the material presented or concepts learned from the sessions they attend.

- G. Employees shall complete a Conference/Seminar Report Form to share information with other employees.
- H. All forms listed above shall be completed within ten (10) working days after returning from the conference.



POLICIES AND PROCEDURES

SECTION FIVE: Employee Benefits and Leaves

DATE: 02/01/12

REVISED: 05/07/13

Effective: 08/16/13

REVISED: 05/03/22

PAGES: 4

REFERENCE: 2.5-15 Sick Leave Bank

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.5-16 Sick Leave Bank

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for the Sick Leave Bank program including eligibility, usage, and accompanying procedures.
- III. **DEFINITIONS:**
 - A. Sick Leave Bank: A depository into which eligible employees contribute vacation leave hours for enrolled employees to use when earned sick, vacation, floating holiday, administrative leave, and compensatory leave has been depleted.
 - B. Dollar Hour: A dollar hour is an employee's rate of pay per hour multiplied by the amount of hours being deposited or withdrawn.

Example:

Employee (A) makes \$20/hour and deposits 8 hours; the deposit is converted into 160 dollar hours (8 hours x \$20/hour = 160-dollar hours).

Employee (B) makes \$15/hour and is authorized to withdraw 5 hours, then Employee (B) would withdraw 75-dollar hours (5 hours x \$15/hour = 75-dollar hours).
 - C. Sick Leave Bank Administrator: The Human Resources and Risk Management Director shall be the Administrator of the Sick Leave Bank and shall review all Sick Leave Bank eligibility requests and withdrawal requests and decide on the appropriate application of this policy. The Human Resources and Risk Management Director shall have the discretion to decide whether a particular withdrawal request is conclusive and binding. Decisions may be appealed through the County Manager's office.
 - D. Eligible Employee: Regular full-time and part-time employees who have been employed for at least six (6) months. Eligible employees shall mean individuals employed on a non-temporary or non-seasonal basis. To be eligible, an employee must not be under disciplinary action (Suspension). Full-

time employees must have a minimum combined balance of eighty (80) hours of accrued vacation leave and sick leave at the time of initial membership application. Part-time employees must have a minimum combined balance of forty (40) hours of accrued vacation leave and sick leave at the time of initial membership application.

- E. 12-Month Period: Osceola County uses the “rolling 12-month” period.
 - F. Catastrophic illness or injury: Life-threatening or serious illness or disability requiring continuing treatment or a period of hospitalization according to the standards utilized to determine FMLA-eligible events. For the purposes of this policy, life-threatening or catastrophic illness and/or injury does not include (1) short-term ailments such as flu, colds, or routine medical or dental appointments; (2) elective, cosmetic, or reconstructive surgery unrelated to another major illness, accident, or injury; (3) job-related illnesses or injuries which may be covered by workers’ compensation; or (4) intentional self-inflicted injuries.
 - G. Continuous Service: Continuous Service shall be defined pursuant to the County’s policy on employment dates.
 - H. Regular Full-Time Employee: An employee hired on a non-temporary basis who works thirty (30) hours or more per week.
 - I. Regular Part-Time Employee: An employee hired on a non-temporary and non-seasonal basis and who works at least twenty (20) hours per week.
 - J. Immediate Family: An employee’s father, mother, son, daughter, husband, wife, brother, sister, grandfather, grandmother, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepparents, stepchildren, grandchildren, legal guardian, or any family member living in the same household. Additionally, the Human Resources and Risk Management Director shall have discretion as to whether an individual qualifies as an immediate family member.
 - K. Lifetime Maximum: The maximum number of hours a full-time employee may withdraw from the Sick Leave Bank over the term of their employment with Osceola County Board of County Commissioners is 480 hours. The maximum number of hours a part-time employee may withdraw over the term of their employment is 240 hours.
- IV. POLICY:** The Sick Leave Bank shall be a benefit available to all eligible full-time employees who meet established guidelines, and who are experiencing, or are a primary caregiver for an immediate family member experiencing, a serious catastrophic illness or injury requiring an extended leave of absence and when all other paid leave has been exhausted in accordance with approved Procedures.
- V. PROCEDURES:**
- A. Eligible employees who choose to enroll in the Sick Leave Bank shall complete the Membership Application and submit it to the Human Resources and Risk Management Department at any time during the year. Upon acceptance for membership, full-time employees shall have the prorated amount of hours of vacation leave deducted from their vacation leave balance for contribution to the Sick Leave Bank. Part-time employees shall have half the pro-rated amount of vacation leave deducted from their vacation leave balance.

- B. Membership in the Sick Leave Bank shall automatically renew in October of each year. Eight (8) hours of vacation leave shall be deducted from each enrolled full-time employee’s vacation leave balance. Four (4) hours of vacation leave shall be deducted from each enrolled part-time employee’s vacation leave balance.
 - 1. If at the time of automatic annual renewal, the enrolled employee’s vacation leave balance is less than the renewal deduction amount as outlined above, the hours of leave shall be deducted from other accrued leave as follows: sick leave, floating holiday, or administrative leave.
 - 2. If an enrolled employee has insufficient leave accruals to meet the contribution requirement at the time of automatic annual renewal as outlined above, the employee’s membership shall be suspended. The employee may renew their membership when able to meet the contribution requirement.
- C. Contributions for annual renewal shall be deducted during the last pay period in October of each calendar year.
- D. The County Manager has the authority to suspend or terminate the Sick Leave Bank program if at any time the program is insolvent.
- E. At the County Manager’s discretion, based on the solvency of the Sick Leave Bank program, regular full-time and part-time employees who have reached their limit of vacation leave accrual shall donate the vacation hours they will lose at the end of the fiscal year to the Sick Leave Bank for the benefit of participating employees.
- F. Contributed Sick Leave Bank hours are deducted from the contributing employee's leave balance and are non-refundable.
- G. Enrolled employees who have completed at least six (6) months of continuous service may be eligible to withdraw sick leave hours from the Sick Leave Bank contingent upon approval of the Human Resources and Risk Management Director. The maximum hours enrolled employees would be eligible to receive within a rolling twelve (12) month period are as follows:

<u>Length of Service</u>	<u>Full-time</u>	<u>Part-time</u>
6 months	40 hours	20 hours
7 months	60 hours	30 hours
8 months	80 hours	40 hours
9 months	100 hours	50 hours
10 months	120 hours	60 hours
11 months	140 hours	70 hours
12 months or more	240 hours	120 hours

- H. Sick Leave Bank hours may be used once all accrued leave (sick leave, vacation leave, administrative leave, floating holiday) has been exhausted. Employees will not be eligible to accrue any additional leave while withdrawing hours from the Sick Leave Bank. Additional leave includes sick leave, vacation leave, floating holiday, and administrative leave.

- I. Enrolled employees approved for Short Term Disability may utilize the Sick Leave Bank contributions to offset their loss of income up to (but not to exceed) 100% of their current salary once all other leave is exhausted (sick leave, vacation leave, administrative leave, floating holiday). The Sick Leave Bank may not be used in tandem with Long Term Disability.
- J. All requests for withdrawals from the Sick Leave Bank must be submitted on the appropriate application and be accompanied by an approved FMLA physician's statement form and medical certification indicating the nature and probable duration of the illness or injury. Such requests for withdrawal shall be submitted to the Human Resources and Risk Management Director.
- K. The Sick Leave Bank shall not be used for accident, illness, or injury in the line of duty for which Workers' Compensation has been applied for or is being received, whether it is Osceola County employment or outside employment.
- L. Participation in the Sick Leave Bank does not guarantee hours may be withdrawn from the bank. All hours will be disbursed by action of the Human Resources and Risk Management Director who shall give consideration to the employee's past sick leave usage. The request must meet the established criteria of the Sick Leave Bank usage.
- M. Usage of Sick Leave Bank hours shall include the following internal procedures:
 - 1. An application form for membership in the Sick Leave Bank.
 - 2. An application form requesting the use of sick leave from the Sick Leave Bank.
 - 3. A physician's statement/FMLA form and the employee's authorized release for such information.
 - 4. All Sick Leave Bank records shall be maintained by the Human Resources and Risk Management Director or designee and all such records, not otherwise protected by law, shall be open to inspection at a time and place convenient to the HR Director or designee.
- N. The Human Resources and Risk Management Director shall have final authority in considering, approving, or denying requests to withdraw hours from the Sick Leave Bank. Consideration may be given to the requesting employee's prior leave balance, usage rate, and seriousness of the illness or injury in authorizing the withdrawal of hours from the Sick Leave Bank.
- O. Cancellation of Sick Leave Bank membership shall only be accepted during the month of September of each calendar year. Cancellation requests must be submitted to the Human Resources and Risk Management Department on the appropriate Sick Leave Bank Cancellation form.
- P. Upon termination of the Sick Leave Bank, separation from employment, or voluntary cancellation, a participating employee shall have no right to contribute hours from the Sick Leave Bank.
- Q. Any discrepancies identified from payments shall be addressed within the adopted Administrative Code.



REFERENCE: 2.6-1 Standards of Conduct

RELATED STANDARDS: Code of Ethics for Public Officers and Employees, Florida Statute, Chapter 112

AMENDS or SUPERSEDES:

- 2.56 Purpose
- 2.57 Administration
- 2.58 General Code of Conduct
- 2.650 Conflict of Interest

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish a framework for general standards of conduct and conditions of employment.
- III. **DEFINITIONS:**
- IV. **POLICY:**
 - A. The privilege of service as a County employee carries with it the responsibility of performing services according to higher standards of conduct and accountability than those that work in the private sector. Employees who fail to do this impair trustworthy and efficient governmental operations and deprive Osceola County citizens of their right to effective government. The County’s business shall be conducted by employees whose duty performance is beyond reproach, both ethically and legally.
 - B. General Code of Conduct: Employees shall not, in performing their duties, take any action or fail to act for reasons of (1) personal advantage or gain for themselves or another; and/or (2) financial advantage or gain of themselves or another; and/or (3) personal animosity or retaliatory intent against another.
 - C. **Conflict of Interest:**
 - 1. County employees shall not use their office for personal or financial gain, no matter how slight or indirect the benefit is to the employee or another, nor shall staff engage in conduct creating the appearance of using their office for such an improper purpose.
 - 2. Employees must conduct their County business in accordance with the Code of Ethics for Public Officers and Employees, Florida Statute, Chapter 112, and knowledge of these statutes is presumed by operation of law.


3. County employees shall not serve on a community agency's board if the agency receives public funding from the County unless appointed by the Board or approved by the County Manager/Designee.
4. Any violation of this policy or its implementing procedures subjects the County employee to disciplinary action, up to and including termination.

V. PROCEDURES:

- A. Osceola County employees must avoid any action (or failure to act), whether or not specifically prohibited by these Policies and Procedures, which might result in or create the appearance of one or more of the following:
 1. Using the Osceola County office for private gain.
 2. Giving preferential treatment to, or taking retaliatory action against, any person.
 3. Losing complete independence or impartiality in decision-making or taking action.
 4. Making an Osceola County government decision outside of official channels.
 5. Conduct unbecoming of a public service employee, in that it brings discredit upon the employee, fellow employees, the Osceola County Board of County Commissioners, Osceola County government, or public service employees generally.
 6. Engaging in conduct or speech that either undermines the efficiency and/or reputation of fellow employees, County departments, divisions, offices, policies, programs, or actions; or interferes with the reasonable supervision or proper administration of disciplinary actions within County government.
 7. Failing to conduct, and/or direct, and/or coordinate their speech and/or efforts to establish and maintain the highest levels of efficiency, morale, and attainment within Osceola County government.
 8. Making a false official statement, false certification, or false employment recommendation under any provision of these Policies and Procedures or in any manner committing or attempting to commit any fraud preventing or obstructive of the impartial and efficient execution of these Policies and Procedures.
- B. Supervisors are prohibited from dating or pursuing sexual or romantic relationships with subordinates that are under their direct or indirect control.
- C. These standards are substantive behavioral principles, the violation of which may result in disciplinary action, up to and including termination.
- D. As these Policies and Procedures constitute part of the terms and conditions of employees' employment relationship with Osceola County, all employees have a duty to be familiar with them.


By virtue of their employment with Osceola County, all County employees are deemed to know these Policies and Procedures and how they impact the employee's employment with the County. In this regard, ignorance of these Policies and Procedures is no defense to any disciplinary action taken hereunder.

- E. All employees have a duty to immediately report to their immediate Supervisors any violations or suspected violations of these Policies and Procedures. Dereliction of this duty, be it negligent, wanton, or intentional, may result in disciplinary action against the employee who fails to report, up to and including termination.
- F. All supervisory personnel to whom the report of a violation or suspected violation of these Policies and Procedures are made have a duty to timely process that report to an appropriate resolution. Any Supervisor who is derelict in this duty, whether by negligence, callous disregard, or intent, is subject to disciplinary action, up to and including termination.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION SIX: Standards of Conduct and Conditions of Employment DATE: 07/12/93 REVISED: 04/29/09 REVISED: 05/03/22 PAGES: 2
REFERENCE: 2.6-2 Political Activity	RELATED STANDARDS: F.S. 104.31
AMENDS or SUPERSEDES: 2.59 Political Activity	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines to regulate the political activities of County employees during regularly scheduled work hours or while performing duties for the County.
- III. **DEFINITIONS:**
 - A. Political Activity: Being actively involved in, relating to, or dealing with the structure or affairs of government, politics, or the state.
- IV. **POLICY:** Under federal and state law, all County employees accept that their employment imposes certain limitations regarding the political activities in which they may engage while on duty. All employees shall conduct their political activities in accordance with Florida Statute, Chapter 104, and its implementing regulations in the Florida Administrative Code, or as they may be amended from time to time.
- V. **PROCEDURES:**
 - A. County employees are encouraged to vote in elections. However, to avoid conflicts of interest or public misunderstanding, employees are prohibited from playing an active role in partisan affairs during work hours.
 - B. Employees shall not take part in political management or political campaigns during duty or when functioning in an official capacity for the County.
 - C. Employees or officials shall not solicit – orally or by letter – or be in any other manner concerned in obtaining assessments, contributions, or services for any political party from any employee or the public during work hours or when functioning in an official capacity for the County.

- D. Political candidates may be greeted, and political campaign material accepted for your personal information, but should be removed from public viewing immediately. No campaign material shall be displayed on counters or desks at any time.
- E. No employee shall hold the office of Osceola County Board of County Commissioners. No employee shall hold or be a candidate for any public office while in the employment of the County unless approval is obtained from their Department Head and the County Manager prior to announcing a decision to run for public office.
- F. The above shall not restrict the right of employees to hold membership in and support a political party, to vote as they so choose, to express their opinions on all political subjects and candidates, to maintain political neutrality, and to attend political meetings after work hours. This also does not restrict employees from campaigning actively during non-work hours in all areas of political activity.

 OSCEOLA COUNTY		POLICIES AND PROCEDURES	SECTION SIX: Standards of Conduct and Conditions of Employment DATE: 07/12/93 REVISED: 02/19/13 EFFECTIVE: 04/05/13 REVISED: 05/03/22 PAGES: 3
REFERENCE: 2.6-3 Outside Employment			
RELATED STANDARDS: Chapter 112, F.S.			
AMENDS or SUPERSEDES: 2.62 Outside Employment		DISTRIBUTION: All Osceola County Employees	

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for employees with other employment.
- III. **DEFINITIONS:**
 - A. Outside Employment: Performing work for an employer other than the County, private or self-employment, or rendering service for private interests.
 - B. Conflict of Interest: A conflict between a person's private interests and public obligations.
- IV. **POLICY:** Due to the unique demands, privileges, and accountability standards applicable to service as a public employee, outside employment is prohibited when it interferes with the employee's County duties, involves a potential Conflict of Interest, the appearance of a Conflict of Interest, or in any way compromises the integrity or credibility of the Osceola County government in the community. The County adheres to the restrictions on outside employment of public employees that are codified in Florida Statute, Chapter 112.
- V. **PROCEDURES:**
 - A. **Requesting Approval**
 - 1. An employee requesting to perform outside employment must complete an Outside Employment Request Form and obtain approval from his/her Supervisor/Department Head.
 - 2. If approval is not granted, a written response from the Department Head must be given to the employee within two (2) weeks of their request.
 - 3. The approval process shall be repeated each time an employee changes outside employment.

B. Conditions of Approval

1. Outside employment shall be one that will not bring disfavor or disrespect upon the employee, their Department, or the County.
2. Such employment shall not involve a conflict of interest or a conflict with the employee's duties.

C. Restrictions of Approval

1. Employees shall not perform outside employment while receiving paid Sick Leave or Family and Medical Leave Act or Worker's Compensation benefits from the County.
2. An employee who is injured, disabled, or who becomes ill as a result of their outside employment shall not be eligible for Worker's Compensation benefits from the County.
3. Employees shall not use equipment, facilities, vehicles, or other County property while engaging in outside employment.
4. Employees shall not promote or conduct outside employment, promotion of private business, or personal business for gain within any County building or property during County time.
5. Failure of the employee to immediately report injury, disability, or illness resulting from outside employment, or utilizing Sick Leave during outside employment, shall be subject to disciplinary action, up to and including termination, and recovery of wages and/or benefits paid by the County.
6. Nothing in this policy is intended to interfere with or impede an employee's exercise of his or her rights under The Family and Medical Leave Act (FMLA). Any employee who believes his or her rights under FMLA have been violated by the enforcement of the Outside Employment policy or any other policy is instructed to immediately notify the Human Resources Director with their concerns in that regard.

D. Withdrawal of Approval

Approval to engage in outside employment shall be denied or withdrawn at any time by the County Manager or designee when it is determined that such activity is interfering with the employee's efficiency and/or production, causes discredit, or is in conflict with the best interests of the County. If the County Manager withdraws an approval, the Human Resources and Risk Management Department shall provide notice of this withdrawal in writing to the employee.



REFERENCE: 2.6-4 Use of County Property

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.63 Use of County Property

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines to regulate the use of County property.
- III. **DEFINITIONS:**
 - A. County Property: All equipment, tools, materials, uniforms, etc., provided by the County to its employees for the purpose of performing their job functions.
 - B. Personal Use: Any use not related to assigned County-related business.
- IV. **POLICY:** County property shall be used with reasonable care in the safekeeping, use, and preservation of said property. Negligence in the use and care of County property, including abuse, misuse, willful, or negligent loss or destruction may result in disciplinary action and/or restitution. More serious cases may result in civil or criminal action in the courts.
- V. **PROCEDURES:**
 - A. Employees are issued equipment appropriate for their job functions as determined by the Department Head or designee.
 - B. All employees shall return all County property to their Supervisor upon request.
 - C. Each employee is responsible for promptly reporting in writing to his/her Supervisor any loss, damage, or unserviceable condition of County property.
 - D. Immediate Supervisors are responsible for reporting such loss, damage, or unserviceable condition to the Department Head for appropriate action.
 - E. Where any County property is to be used for any non-County purpose (e.g., a civic or charitable event), such must be approved by the County Manager/designee in writing.



REFERENCE: 2.6-5 Use of County Vehicles

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.63 Use of County Property (Paragraph "E" only")

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To assign responsibility and accountability for the proper operation and use of all County vehicles.
- III. **DEFINITIONS:**
- IV. **POLICY:** County vehicles shall be used within the scope of the job duties and responsibilities of the County employee operating the vehicle. When there is a demonstrated advantage to the County, an employee may be assigned a County take-home vehicle, authorized by the County Manager. Employees shall only use County vehicles for official County business. The County Manager shall establish the procedures for the use of County vehicles.
- V. **PROCEDURES:**
 - A. **Use of County Vehicles**
 1. Only authorized individuals working within the scope and purpose of County business will use County vehicles. Department Managers are responsible for controlling such use in accordance with these procedures.
 2. Only authorized employees are permitted to operate County vehicles.
 3. The Department Manager shall ensure that each vehicle operator possesses a current Florida State driver’s license for the class of vehicle that they are required to operate.
 4. Passengers must be engaged in County business or be performing in a volunteer capacity for the County in accordance with the County’s Volunteer Policy. Transporting non-County personnel, i.e., family members, friends, hitchhikers, etc., using County vehicles is strictly prohibited, except as approved by the County Manager or his designee.

5. County vehicles shall not be used for hauling personal items/equipment.
6. County vehicles shall be fueled at County facilities only unless traveling outside the County for official County business.
7. Smoking is prohibited in County vehicles.
8. Seat belts are mandatory.
9. Driving while consuming alcohol, illegal drugs, or prescription drugs that prohibit one from driving a motorized vehicle is strictly prohibited while using County vehicles. Transporting alcoholic beverages and illegal drugs in a County vehicle is also prohibited.
10. Operating hand-held cell phones, or computers, applying makeup, or engaging in other activity while operating a County vehicle is prohibited.
11. Only authorized County signage shall be displayed on County vehicles. No bumper stickers, window stickers, license plates, or other signs of any kind shall be displayed unless provided by Fleet Management.
12. Risk Management shall be notified if a County vehicle is to be driven out of state.

B. Evaluation of Vehicle Operators

1. Vehicle operators shall be evaluated by their immediate Supervisor and Risk Management concerning their ability to safely operate a vehicle and their continued insurability when:
 - a. They are newly hired prior to driving a County vehicle.
 - b. They have been involved in an accident while on the job.
 - c. There is evidence that the operator has abused a vehicle, demonstrated poor or questionable judgment, or an inappropriate attitude.
 - d. They have been convicted of any moving traffic violation, including, but not limited to, reckless driving or a DUI.
2. Risk Management has the authority to obtain and review the driving records for each authorized vehicle operator and report any discrepancies to the appropriate Supervisor, as per the County's Driving Privileges policy.

C. Violations

Vehicle operators who receive a citation for moving violations will be personally responsible for payment of fines and court costs.

D. Incidental Stops/Lunch

1. Employees may make incidental stops with a County vehicle en route to or from a work location.

2. Employees are authorized to stop for lunch in a County vehicle if it is impractical to drive back to their privately owned vehicle.
3. Employees located at a County facility shall not take a County vehicle to lunch and return to the same facility unless they have been assigned a take-home vehicle.

E. Loaner Vehicles

Fleet Management maintains loaner vehicles for short-term requirements.

F. Authorization for Take-Home Vehicles

1. The County Manager or designee determines approval for take-home vehicles. It is the responsibility of the department managers to demonstrate to the County Manager that there is a measurable benefit to the County for assigning a take-home vehicle.
2. Criteria to be considered include but are not limited to the following:
 - a. Vehicle is an emergency response or emergency call-out vehicle that must be available to be dispatched for service from an employee's home to meet County needs.
 - b. There is a clearly demonstrated cost benefit to the County.
3. The Department Manager shall submit a Justification Report to the County Manager or designee for their consideration for a take-home vehicle.
4. If the above criteria are not met, employees shall drive their personal vehicle to an appointed County facility to pick up their assigned County vehicle for daily work. At the end of the workday, the employee shall return the vehicle to County property and use his/her privately owned vehicle to return home. If an employee is assigned a take-home vehicle, the vehicle shall not travel outside of the County limits and shall be parked at the County-owned facility closest to the employee's work site.

G. Maintenance/Parts

1. All maintenance and vehicle modifications shall be performed at Fleet Management. Only the Services Division Department Manager can approve services to be performed at other locations.
2. All County vehicle parts shall be obtained at Fleet Management. Only the Services Division Department Manager can approve exceptions to purchase from another location.
3. Employees using take-home vehicles are responsible for cleaning and washing the County vehicles. A wash bay is available at Fleet Management. Car washes are not reimbursable by the County.

H. Responsibility

1. No vehicle is to be operated with a known safety deficiency.
2. Department Managers will ensure compliance with the following:

- a. Vehicle operators maintain a current Florida State driver's license for the class of vehicle assigned to operate, including any endorsements required for the operation of special equipment.
 - b. Vehicles are maintained in accordance with Osceola County Fleet Management Operating Procedures.
 - c. All County vehicles are used in accordance with these procedures.
 - d. Risk Management is notified of any changes in an employee's driving status, and when an employee receives a moving violation.
 - e. Risk Management is immediately notified of any accidents, regardless of fault, that occur involving any County vehicle and/or an employee's personal vehicle while conducting County business.
3. Vehicle Operators shall comply with the following:
- a. Maintain the proper operator's license.
 - b. All federal, state, and local laws relative to the operation of assigned vehicles.
 - c. Report all accidents in accordance with Osceola County's policy.
 - d. Fasten seat belts prior to operating vehicles.
 - e. Immediately notify both their Supervisor and Department Manager upon any change in status of their driver's license (i.e., upgrading from driver to chauffeur, revocation, or suspension), or of any citations received while operating a motor vehicle.
 - f. Not install electronic equipment or alter the vehicle or any device in a County vehicle.
 - g. Not use evading devices and/or radar detectors in County vehicles.
 - h. Inspect assigned vehicles as needed and prior to their operation. Inspection shall include, but not be limited to, the following safety items:
 - i. Foot Brakes
 - ii. Emergency Brakes
 - iii. Headlights and Taillights
 - iv. Turn Signals
 - v. Windshield Wipers
 - vi. Tire Condition/Pressure
 - vii. Mirrors

viii. Oil Level, daily or when fueling

ix. Damage such as dents scratches, or cracked windows

I. **Mechanical Failure or Flat Tire**


In the event of a mechanical failure, the vehicle operator shall notify Fleet Maintenance at 407-343-7153 during working hours, or 407-908-0395/0404 during non-working hours. If a flat tire occurs, the operator shall move the vehicle to a safe distance from traffic and change the tire or call Fleet Maintenance for assistance.

J. **Firearms/Weapons**

Employees are not allowed to carry firearms or weapons in a County vehicle unless it is a requirement of their job. Knives with a blade over four (4) inches are considered a weapon.

K. **Disciplinary Actions**

Violations of this vehicle policy may result in disciplinary action in accordance with the County's Personnel Policies and Procedures.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION SIX: Standards of Conduct and Conditions of Employment DATE: 12/23/09 REVISED: 06/29/10 REVISED: 05/03/22 PAGES: 8
REFERENCE: 2.6-6 Information Security and Acceptable Use	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: None	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.

- II. **PURPOSE:** To outline the acceptable use of computer equipment and information systems at Osceola County as well as to describe required security practices. These rules are in place to protect the employees and Osceola County. Inappropriate use exposes Osceola County to risks including virus attacks, compromise of network systems and services, and legal issues. This policy applies to employees, contractors, consultants, temporary workers, and other workers at Osceola County, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by Osceola County.

- III. **DEFINITIONS:**
 - A. User: This term refers to employees, contractors, consultants, temporaries, and other workers at Osceola County, including all personnel affiliated with third parties.
 - B. Security Incident: Any real or suspected adverse event in relation to the security of computer systems or computer networks or the act of violating an explicit or implied security policy or procedure.
 - C. Blogging: Writing a blog. A blog (short for weblog) is a personal online journal that is frequently updated and intended for general public consumption. For the purposes of this policy, this would also include posting any information to Internet sites of any kind regardless of the technology or method used.
 - D. Host: Includes any desktop or laptop computer, workstation, server, or mobile computing device.
 - E. Workstations: Includes laptops, desktops, PDAs, computer-based equipment as well as authorized home workstations accessing Osceola County's network.
 - F. Spam: Unauthorized and/or unsolicited electronic mass mailings.

IV. POLICY: The public places considerable confidence in Osceola County to ensure the integrity, accuracy, and security of information stored, managed, and shared by the County. The intent of an Information Security Acceptable Use Policy is to balance the protection of the County's electronic information, systems, and data with the County's established culture of openness, trust, integrity, and effective and efficient operations. Osceola County is committed to protecting itself, its citizens, employees, and partners from illegal or damaging actions by individuals, either knowingly or unknowingly. Appropriate measures must be taken to ensure the protection of public information along with confidentiality, integrity, and availability of information and that access to information is restricted to authorized users.

V. PROCEDURES:

A. General Use and Ownership

1. Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, County issued "smart phones" or personal data assistants (PDAs) with email or internet access, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, and FTP, are the property of Osceola County. These systems are to be used for business purposes in serving the interests of the County, and of those we serve in the course of normal operations. However, there are some limited exceptions for personal use as noted in the accompanying Procedures. Inappropriate use or abuse of County Internet/Intranet/Extranet-related systems and devices will subject employees to disciplinary action, up to and including termination.
2. Effective security is a team effort involving the participation and support of every Osceola County employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know and understand these procedures and to conduct their activities accordingly.
3. Employees are responsible for exercising good judgment regarding the reasonableness of personal use. Any personal use of Internet service shall be occasional, incidental use. If there is any uncertainty, employees should consult their supervisor or manager.
4. All usage of the internet must meet professional, ethical, and non-offensive standards.
5. Users are forbidden to transmit any unencrypted data over the internet that is classified as sensitive, reserved, or otherwise restricted by Florida Statutes or any applicable Federal law. This also prohibits sending such information unencrypted via e-mail regardless of whether it is being sent to an internal or external recipient. Further, the owner of the data being transmitted must formally authorize the sending of such data over the Internet, and the data must be encrypted in compliance with **Information Technology's Acceptable Encryption Use Procedure**.
6. While Osceola County's network administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the corporate systems remains the property of Osceola County. Because of the need to protect Osceola County's network, management does not guarantee the privacy of information stored on any host or network device belonging to Osceola County.

7. All information that is created or stored on a County-owned device, including but not limited to email, text messages, and voice mail, is subject to Florida public records laws and therefore may be disclosed to the public at any time.
8. Information Technology recommends that any information that users consider sensitive or vulnerable be encrypted. For guidelines on information classification, see **Information Technology's Confidential Information and Data Classification Procedure**. For guidelines on encrypting email and documents, please contact the Information Technology Service Desk.
9. For security and network maintenance purposes, authorized individuals within Osceola County may monitor equipment, systems, and network traffic at any time, per **Information Technology's Audit Procedure**.
10. Osceola County reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

B. Security and Sensitive or Confidential Information

1. The user interface for information contained on Internet/Intranet/Extranet-related systems should be classified as either confidential or not confidential, as defined by **Information Technology's Confidential Information and Data Classification Procedure**. Examples of confidential information include but are not limited to private, legally protected, personally identifiable information, critical infrastructure, and customer data. Users should take all necessary steps to prevent unauthorized access to this information.
2. Sensitive or confidential information should not be shared with anyone other than persons who are authorized to have such information and have a legitimate business need as a part of performing their job.
3. Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. System-level passwords should be changed at least every 3 months; user-level passwords should be changed every three months.
4. Passwords shall not be kept in conspicuous locations such as under a keyboard or mouse, on a monitor, or in/on a desk. Passwords shall not be inserted into e-mail messages or any other form of electronic communication.
5. At a minimum, passwords must not be a dictionary word or a proper name and must be substantially different than the user ID.
6. All hosts should be secured with a password-protected screensaver with the automatic activation feature set at 10 minutes or less.
7. Use encryption of information in compliance with **Information Technology's Acceptable Encryption Use Procedure**.
8. Because information contained on portable computers is especially vulnerable, special care should be exercised. Protect laptops in accordance with the **"Laptop Security Tips."**

9. Users must use extreme caution when opening or viewing e-mail or opening e-mail attachments received from unknown senders, which may contain viruses, e-mail bombs, or other malicious code.
10. Users must immediately report all violations of this policy and associated procedures to Information Technology.
11. Information Technology will respond to all security incidents following appropriate procedures.

C. **Unacceptable Use**

The following activities are, in general, prohibited. Users may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a host if that host is disrupting production services). Under no circumstances is an employee of Osceola County authorized to engage in any activity that is illegal under local, state, federal, or international law while utilizing Osceola County-owned resources. The lists below are by no means exhaustive but attempt to provide a framework for activities that fall into the category of unacceptable use.

1. **System and Network Activities**

The following activities are strictly prohibited, with no exceptions:

- a. Violations of the rights of any person or entity protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by Osceola County.
- b. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which Osceola County or the end user does not have an active license is strictly prohibited.
- c. Storage of personal files, such as pictures, music, and documents, on any County-owned host.
- d. Exporting software, technical information, encryption software, or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to the export of any material that is in question.
- e. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
- f. Revealing your account password to others or allowing use of your account by others. This includes family and other household members when work is being done at home.
- g. Attempting to access or use the account of another.

- h. Using an Osceola County computing asset to actively engage in any sexual conduct, including but not limited to sexual harassment. Procuring or transmitting material that is sexual in nature or in violation of any applicable federal, state, or local law.
- i. Dissemination of racist, sexist, threatening, profane, sexual, or otherwise objectionable language or images is strictly prohibited.
- j. Making fraudulent offers of products, items, or services originating from any Osceola County account.
- k. Effecting security breaches or disruptions of network communication. Security breaches include but are not limited to, unauthorized modification of data, accessing data of which the user is not an intended recipient, or logging into a server or account that the user is not expressly authorized to access unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
- l. Port scanning or security scanning is expressly prohibited except when performed by Information Technology as a part of carrying out their responsibilities to manage and secure the County's network and information systems.
- m. Executing any form of network monitoring that will intercept data not intended for the user's host, unless this activity is a part of the user's normal job/duty.
- n. Circumventing user authentication or security of any host, network, or account.
- o. Interfering with or denying service to any user other than the user's host (for example, denial of service attack).
- p. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
- q. Providing information about, or lists of, Osceola County employees to parties outside Osceola County if not formally authorized to do so.
- r. The County uses web filtering software. Inappropriate and non-business-related websites identified by the filtering software will be blocked. Attempts by the end user to circumvent or "test" the filtering are forbidden. Users who require access to a blocked site to perform their duties shall contact the Information Technology Service Desk. Upon verification by Information Technology that the blocked site is a valid site to be used for business purposes, Information Technology will enable access to that site.
- s. Using an Osceola County computing asset to perform work or conduct business or for an outside employer or other business.

- t. Using an Osceola County computing asset to engage in social networking, including but not limited to accessing or updating Facebook, Myspace, or other similar sites.

2. **Email and Communications Activities**

Sending unsolicited email messages, including the sending of "junk mail" or other advertising material, to individuals who did not specifically request such material (email spam).

- a. Any form of harassment via email, telephone fax, or paging, whether through language, frequency, or size of messages.
- b. Unauthorized use, or forging, of email header information.
- c. Using someone else's email address to solicit email responses to that email account with the intent to harass or to collect replies.
- d. Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.
- e. Use of unsolicited email originating from within Osceola County's networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by Osceola County or connected via Osceola County's network.
- f. Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).
- g. Unauthorized sending of emails to a large number of County employees through the use of top-level organizational email distribution lists, especially for purposes not directly related to an employee's job responsibilities.

D. **Telephones, Fax Machines, and Copiers**

- 1. Any personal use of County-owned telephones, fax machines, or copiers shall be occasional, incidental use.
- 2. Employees are discouraged from incurring long-distance charges to the County without prior approval, nor shall employees receive faxes that consume other than minor amounts of print paper, nor shall they use other than very minor amounts of copier paper for personal use.

E. **Blogging**

Blogging by employees is subject to the terms and restrictions set forth in this Policy. Limited and occasional use of Osceola County's systems to engage in blogging is acceptable, provided that it is done in a professional and responsible manner, does not otherwise violate Osceola County's policy, is not detrimental to Osceola County's best interests, and does not interfere with an employee's regular work duties. It shall be incidental use. Blogging from Osceola County's systems is also subject to monitoring.

1. Osceola County's **Information Technology's Confidential Information and Data Classification Procedure** also applies to blogging. As such, employees are prohibited from revealing any County confidential information or any other material covered by Osceola County's **Information Technology's Confidential Information and Data Classification Procedure when engaged in blogging.**
2. Employees shall not engage in any blogging that may harm or tarnish the image, reputation and/or goodwill of Osceola County and/or any of its employees. Employees are also prohibited from making any discriminatory, disparaging, defamatory, or harassing comments when blogging or otherwise engaging in any conduct prohibited by Osceola County policy.
3. Employees may also not attribute personal statements, opinions, or beliefs to Osceola County when engaged in blogging. If an employee is expressing his or her beliefs and/or opinions in blogs, the employee may not, expressly or implicitly, represent themselves a representative of Osceola County. Employees assume any and all risks associated with blogging.
4. Apart from following all laws pertaining to the handling and disclosure of copyrighted or export-controlled materials, Osceola County's trademarks, logos, and any other Osceola County intellectual property may also not be used in connection with any blogging activity.


F. **Workstations**

Employees using workstations shall consider the sensitivity of the information that may be accessed and minimize the possibility of unauthorized access. Osceola County will implement physical and technical safeguards for all workstations to restrict access to authorized users. Appropriate measures include:

1. Restricting physical access to workstations to only authorized personnel.
2. Securing workstations (screen lock or logout) prior to leaving the area to prevent unauthorized access.
3. Never install unauthorized software on workstations. Software should only be installed by Information Technology unless otherwise authorized.
4. In general, information should not be stored locally on workstations. All sensitive or confidential information must be stored on network servers unless otherwise authorized. Exceptions require the use of encryption in accordance with the Information Technology's Acceptable Encryption Use Procedure.
5. If workstations will be used to access sensitive or confidential information, ensure that monitors are positioned away from public view. If necessary, install privacy screen filters or other physical barriers to public viewing.
6. All workstations shall be continually executing approved virus-scanning software with a current virus database.

G. **Enforcement**

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment. Non-employee users found to have violated this policy may be subject to other corrective and/or punitive action appropriate to their circumstances.

 OSCEOLA COUNTY POLICIES AND PROCEDURES		SECTION SIX: Standards of Conduct and Conditions of Employment DATE: 05/03/22 REVISED: 05/03/22 PAGES: 1
REFERENCE: 2.6-7 Use of County Cellular Phones/Mobile Devices		
RELATED STANDARDS:		
AMENDS or SUPERSEDES: None	DISTRIBUTION: All Osceola County Employees	

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines to regulate the use of County Cellular Phones and Mobile Devices.
- III. **DEFINITIONS:**
- IV. **POLICY:** Cellular phones/mobile devices are a valuable and necessary tool for County officials and employees to enhance their productivity. Cellular phones/mobile devices can provide an efficient and effective method of coordinating work activities, sharing information, and delivering public services with minimal delay. Therefore, the County will make provisions so that employees who require such devices in the performance of their job duties have access to one. In addition, appropriate efforts will be taken to ensure employees utilizing cellular phones/mobile devices in conjunction with the provision of County services will do so in accordance with all relevant Policies and Procedures.



REFERENCE: 2.6-8 Solicitation/Distribution of Literature

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.64 Restrictions on Solicitations/Distribution of Literature

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines placing certain restrictions on the solicitation of County employees and distribution of literature within County buildings and facilities to ensure that County employees have the opportunity to perform their duties free from intrusions.
- III. **DEFINITIONS:**
 - A. Working Time: The time when employees are on duty and not on an authorized break or meal.
- IV. **POLICY:** The manual and/or electronic dissemination or distribution of materials or messages that advocate, criticize, denounce, or publicize any economic, legal, political, religious, social, or personal agenda or viewpoint, is prohibited in all County work areas. The County limits solicitation and distribution on its premises because, when left unrestricted, such activities can interfere with the normal operations of the County, can be detrimental to employee efficiency, and can pose a threat to security.
- V. **PROCEDURES:**
 - A. No employee shall be permitted to solicit any other employee during working time.
 - B. No employee shall be permitted to post or distribute (manually, electronically, or otherwise) leaflets, notices, or other materials during working or non-working time in work areas.
 - C. The general public shall not be permitted to enter County premises or property at any time for the purpose of soliciting employees or distributing/posting any written, printed, or other materials except in those areas customarily open to the public, and with proper approval.
 - D. It is intended that the above rules shall be interpreted and applied in accordance with applicable law.
 - E. Any County employee’s violation of these procedures or their underlying policy is grounds for disciplinary action, up to and including termination.

- F. The County Manager or designee must preview and approve all communications for which countywide distribution is contemplated.
- G. EXCEPTIONS: County-sponsored events and InsideOsceola.org, the County's intranet, which provides a classifieds section where employees are permitted to post wanted items or items for sale, trade, etc.



REFERENCE: 2.6-9 Information Management

RELATED STANDARDS: Florida Open Records Act, F.S. Chapter 119; HIPAA, 42 U.S.C. § 1329 d, *et. seq.*, and their implementing regulations. Public Records Law, Sunshine Amendment.

AMENDS or SUPERSEDES:

2.66 Disclosure of Information

2.6-10 Information Management

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for disclosing information to the public and requests for records from the public.
- III. **DEFINITIONS:**
 - A. **Public Records:** All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission made or received pursuant to law or ordinances, or in connection with the transactions of official business by the County (FS 119.011{1}).
 - B. **Confidential or Exempt Information:** Statutorily protected data, including but not limited to, home addresses, home or cellular telephone numbers, social security or driver’s license numbers, as well as financial and credit-related data.
 - C. **Health Information:** Any information, whether oral or recorded in any form, that is created or received by a health care provider, health plan, public health authority, employer, life insurer, school/university, or health care clearing house. This also relates to the past, present, or future physical or mental health or the condition of an individual, the provision of health care to an individual, or the payment for the provision of health care to an individual.
 - D. **Simple Media Request:** Requests that are straightforward and non-controversial such as Department information, current or previous projects, background or general information, and historical information.
 - E. **Critical Media Request:** Requests relating to the health and/or wellbeing of County residents, any elected official, financial interest, high profile cases, legal issues, terminations, injury or death of an employee, severe weather conditions where a level of Emergency Operations is activated, and any issue reasonably expected to result in adverse media coverage.

F. Extensive Clerical or Supervisory Assistance: Determined to be more than one-half hour of an employee's time to research, retrieve, and copy the required records.

IV. POLICY: All records, with the exception of exempted or confidential records identified by the Florida Statutes, shall be open for inspection by any person. Employees with access to public records as part of their job responsibilities shall not use their access to such records to make copies or retrieve them for personal use. All public records must be obtained through the Public Records Request process established by the County Manager.

Additionally, employees responsible for, or having access to, confidential or exempt information, including health information, shall maintain and transact such information in compliance with the applicable laws. Violation of this Policy will result in disciplinary actions up to and including termination.

V. PROCEDURES:

A. Release of Information by Employees

1. Information that is obtained in the course of official duties shall not be released by any employee unless that employee is charged with the responsibility as part of their official duties.
2. An employee shall not release, disclose, copy, forward, or otherwise dispose of any confidential, exempt or health information unless coordinated with the Department Head, Human Resources, and or the County Attorney/designee.
3. Employees shall not, either directly or indirectly, use their official position within the County or information obtained in connection with their employment, for private gain.

B. Employment References and Verification of Employment

1. Employment References for Separated Employees
 - a. Because of serious legal consequences that can result from a careless or unfavorable employment reference, the County will respond only to **written** requests for information about separated employees. All requests must be referred to Human Resources. The information released will be according to Human Resources policy. Osceola County personnel records are available for review according to Florida Statue, Section 119 (Public Records).
 - b. County employees are prohibited from giving a personal opinion or assessment of job performance in any way as to be reasonably interpreted as an official reference from the County or its agents. Any employee who fails to comply with this policy is subject to discipline, up to and including termination, according to corresponding County policy.
 - c. The County Manager may exercise his/her authority to offer and/or provide a letter of recommendation to a separated employee.

2. **Verification of Employment**

Verification of employment requests may be made by telephone, in writing, or by fax to Human Resources. The information released will be the hire date, position, and salary. Osceola County personnel records are available for review according to Florida Statute, Section 119 (Public Records).

C. **Release of Information to the Media**

1. Except for the Board of County Commissioners, the County Manager, the County Attorney, the Commission Auditor and/or the Chief Public Information Officer/designee, no County employee shall, without prior authorization, disclose information to the media or general public on a simple or critical inquiry.
2. On receiving such an inquiry, an employee shall contact the Public Information Office (PIO) and inform them of the request.
 - a. If unavailable, the employee shall contact the Public Information Office via email and contact their Department Head.
 - b. If the employee cannot speak with the PIO, at no time shall the employee comment to the media.
3. Any employee who violates these procedures shall be subject to disciplinary action, up to and including termination.

D. **Public Records Requests**

1. Florida Statutes 119.07(1)(a) provides that “every person who has custody of a public record shall permit the records to be inspected and examined by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record or the custodian’s designee.”
2. For the purpose of this policy, “reasonable” time to provide access to public records is during normal working hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. A “reasonable” timeframe to provide copies depends upon the volume of records requested, and will normally be no more than 3-5 working days.
3. All requests shall be made through the Public Information Office. Any and all responses for public records requests shall be forwarded to the Public Information Office. The Public Information Office shall determine if a review by the County Attorney’s office is necessary prior to release.

E. **Fees**

1. Florida Statutes 119.07(1)(b) provides “if the nature or volume of public records required to be inspected, examined, or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both, the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use

of information technology resources or the labor cost of the personnel providing the service that is incurred by the agency or attributable to the agency for the clerical and supervisory assistance required or both.”

2. For public record requests requiring more than one-half hour, the applicant will be required to pay the hourly salary of the employee doing the research, copying the records, and/or supervising the applicant’s research.
3. For requests estimated to require more than one hour of a County employee’s time, a minimum deposit of \$25.00 will be required (the deposit will be adjusted dependent on the volume of the records/research requested). The deposit will be applied to the final cost of the public records request.

4.	<u>REQUEST TYPES AND INFORMATION</u>	<u>CHARGES</u>
	Single-sided copies up to 8 ½” by 14”	.15 each page
	Double-sided copies up to 8 ½” by 14”	.20 each page
	Oversize copies	Based on the actual cost of duplication
	Certified copy of a public record	\$1 in addition to the actual copy cost
	Duplicate audio tape	\$2 (no charge if citizen provides their tape unless extensive clerical assistance is needed)
	Extensive Research	Hourly salary
	Minimum Deposit for research requests estimated to require more than one hour of a County employee’s time	\$25 (Deposit will be adjusted dependent on the volume of records/research requested)



REFERENCE: 2.6-10 Productive Work Environment

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.6-11 Productive Work Environment

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for personal mail, e-mail, faxes, phone calls, and visits conducted while an employee is on duty.
- III. **DEFINITIONS:**
- IV. **POLICY:** Time spent on duty for the County is to be devoted, to the greatest extent practicable, to transacting the County’s business. Consequently, employees are to structure their personal affairs so that these matters intrude as seldom as possible in the transaction of County business, regardless of whether that intrusion takes the form of personal telephone calls, e-mail, texts, faxes, personal mail, or visits conducted while an employee is on duty.
- V. **PROCEDURES:**
 - A. All employees shall advise correspondents, businesses, etc., that personal mail, i.e., mail having no reasonable relation to the employee’s duties with the County, is to be delivered to the employee’s home address and not to the employee’s County workplace.
 - B. Employees are greatly discouraged from receiving personal visitors during County work time. Such visitations shall be kept at a minimum.
 - C. Personal telephone calls and texting should be restricted to break periods. However, in the event that it is necessary for an employee to receive personal telephone calls to their work number during County work time, it is the employee’s responsibility to ensure that the caller has the exact number and correct extension so that in case of an emergency, the calls will go directly to the proper work area. County toll-free telephone lines shall not be used without prior approval from the employee’s immediate Supervisor, and then only in emergency situations. Employees shall reimburse the County for all personal long-distance telephone call expenses that they incur using County property or resources.

- D. Personal e-mail should be kept to a minimum. No explicit or inappropriate e-mail shall be sent from a County computer. Employees shall not view such e-mail on any computer, County-owned or personally owned, while at work or on County property.
- E. Any County employee's violation of these procedures or their underlying policy is grounds for disciplinary action, up to and including termination.



REFERENCE: 2.6-11 Personal Appearance

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.68 Appearance

2.6-12 Personal Appearance

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines governing employees' manner of dress, personal grooming and hygiene, and overall appearance.
- III. **DEFINITIONS:**
- IV. **POLICY:** The County Manager and County Attorney shall ensure employees' work attire, grooming, and personal hygiene are appropriate for their assigned duties. Employees are expected to present a professional, business-like image, including when telecommuting. Radical departures from conventional business dress or personal grooming and hygiene standards are not permitted.
- V. **PROCEDURES:**
 - A. Employees are prohibited from wearing any apparel, and are required to conceal any tattoos, that express in either pictures or words:
 - 1. Content of a sexual nature;
 - 2. Sexually, racially, religiously, or ethnically offensive sentiments;
 - 3. Sentiments advocating violence or subversion;
 - 4. Gang affiliations, or otherwise tending to incite violence or disruption in the workplace, or;
 - 5. Other content, which if expressed by other means would violate Osceola County policies.
 - B. Employees are prohibited from wearing any apparel that promotes or advertises another company or organization. Apparel with the Osceola County logo is permitted.
 - C. Any employee not meeting the standards of this policy, or the departmental operating procedures

may be subject to disciplinary action, which may include requiring the employee to leave the premises. Employees will be required to use available Vacation Leave or Leave Without Pay for time missed because of failure to comply with this policy.

- D. Some positions in County service require specific uniforms. Employees serving in such positions are expected to comply with the uniform requirement. Uniforms furnished by the County shall not be worn after regularly scheduled working hours.
- E. Each Department Head is responsible for determining what appropriate attire is, including the proper use of assigned uniforms.



REFERENCE: 2.6-12 Gifts and Gratuities

RELATED STANDARDS: F.S. 112.313 (2)

AMENDS or SUPERSEDES:

- 2.60 Conflicts of Interest
- 2.70 Gifts and Gratuities
- 2.6-14 Gifts and Gratuities

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for documenting and maintaining records that provide accountability of gifts accepted by County employees from individuals or businesses that either conduct business with, would like to conduct business with, or have conducted business with Osceola County.
- III. **DEFINITIONS:**
 - A. **Tangible Property:** Property that has physical substance and can be touched; anything other than real estate or money, including furniture, cars, and jewelry.
 - B. **Intangible Property:** Assets which are saleable, though not material or physical.
- IV. **POLICY:** Employees are paid by the County for their duties and are not allowed to solicit or receive any gratuity or gift of value from any outside source. All employees shall comply with the Code of Ethics for Public Officers and Employees, Florida Statute, Chapter 112, and its implementing regulations as may be amended from time to time, and any corresponding ordinance which the Board may adopt.
- V. **PROCEDURES:**
 - A. Accepting gifts may create or appear to create conflicts of interest in the discharge of their official duties. Employees are encouraged to be aware of this prior to the receipt of such gifts. All gifts accepted must be reported to the employee’s Department Head.
 - B. Employees should never solicit or accept anything of value, including a gift, loan, promise of future employment, favors, or services that would cause a reasonable person to be influenced in the discharge of their public duties.

- C. The intentional or deliberate failure to comply with these guidelines makes an employee subject to discipline up to and including termination.
- D. In order to maintain records of gifts received by County employees and the appropriateness of such gifts, employees shall adhere to the following:
 - 1. Gifts valued between \$51 and \$100 may be accepted and shall be reported to the Department Head. The Department Head shall forward the Disclosure Statement Form to Human Resources, who will then determine the appropriateness of the gift.
 - 2. Gifts exceeding \$100 in value shall not be accepted.
 - 3. Gifts determined to be unacceptable shall be returned to the outside source.
 - 4. Money shall **never** be accepted by any County employee.
 - 5. Should a Department Head accept a gift up to \$100 in value, they shall submit the Disclosure Statement Form to the County Manager.
- E. The following are items that should never be accepted:
 - 1. Real property, or the use of said property.
 - 2. Tangible or intangible property, or the use of said property.
 - 3. Preferential rates or terms on a debt, loan, goods, or services, except as provided in F (3) or F (5) below for approved government business.
 - 4. Forgiveness of a debt.
 - 5. Membership dues.
 - 6. Meals costing over \$100.
- F. A gift does not include:
 - 1. An honorarium.
 - 2. An award, plaque, certificate or other similar personalized gift given in recognition of the recipient's public, civic, charitable, or professional service.
 - 3. Transportation, lodging, or other related travel costs provided in relation to approved government business.
 - 4. Meals costing under \$100.
 - 5. Admissions or similar items provided in relation to approved government business, including but not limited to, education, training, and product familiarization.

- G. The Employee Hotline may be used to report any violation of this policy. The number is **1-877-888-0004**. The caller may remain anonymous.



REFERENCE: 2.6-13 Emergency/Disaster Deployment

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.6-16 Emergency & Disaster Employment

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** All Osceola County employees are trained in the fundamentals of the National Incident Management System enabling employees to properly respond to an emergency/disaster within the County. This policy establishes the framework under which employees are assigned to work in preparation for, response to, and/or recovery from, the impacts of a wide variety of disasters or emergency situations that could adversely affect the health, safety and /or general welfare of the County, and establish a method to fairly compensate everyone.
- III. **DEFINITIONS:**
 - A. Emergency Operations Center (EOC): is a central command and control facility responsible for carrying out the principles of emergency preparedness and emergency management, or disaster management functions at a strategic level in an emergency situation, and ensuring the continuity of operation of a company, political subdivision or other organization.
 - B. Employee Reception Center (ERC): a central point of coordination for Osceola County employees assisting in the recovery of Osceola County after an emergency or disaster. The employees that are registered through the ERC become an additional asset to a pre-established resource pool. These resources are available for assignments as requested by the Emergency Operations Center (EOC).
 - C. Tier 4 Employees: Those employees who are granted an exemption, and not required to carry out normal departmental functions during or immediately after a disaster.
 - D. Tier 3 Employees: Those employees who must return to work immediately as directed to carry out specific departmental/County essential functions. The department’s normal or emergency support function(s), as outlined in the Comprehensive Emergency Management Plan, determine this tier. These employees are assigned to Tier 3 so the County can assign them alternate work as necessary.

- E. Tier 2 Employees: Those employees required to remain at work throughout the impact of a disaster or are required to immediately report after the impact of disaster to carry out specific departmental/County essential functions. Examples include personnel assigned to the EOC or ERC, Corrections, Road & Bridge, Asset Management, etc.
- F. Tier 1 Employees: Those employees whose normal job function is emergency response. This includes Fire and EMS personnel generally in high-risk categories.
- G. “Know Your Role” Program: The program focusing on each employee recognizing and understanding the specific responsibilities related to disaster impact, response, and recovery. The program specifically requires employees to complete an annual information assessment, attend training in accordance with the Emergency Support Training Matrix and may be related to pay enhancement for specific disaster duty.

IV. POLICY: It is the Policy of the Board to efficiently support the citizens of Osceola County during an emergency or a disaster. The County Manager shall initiate employee emergency deployment procedures when deemed necessary upon the declaration of a State of Local Emergency.

V. PROCEDURES:

- A. The County Manager, or his designee, may at any time during a declared local emergency suspend normal government operations when conditions are such that normal work cannot be performed. Such suspension shall be announced through a declaration suspending routine government operations.
- B. Despite the suspension of government operations, employees may be required to be available to work either before, during, or immediately after an emergency occurs. Employees shall not assume they are not required to work based solely on any media or news reports regarding County closings.
- C. During an emergency or disaster event, employees may be assigned to perform their normal duties, or they may be temporarily assigned to work at different job sites specific to an emergency event (i.e., working inside the Emergency Operations Center, comfort stations, evacuation shelters, a staging area or point of distribution, etc.). Efforts shall be made to assign employees to duties according to their respective knowledge, skills, abilities, and physical capabilities.
- D. All Department Heads shall follow their respective Departmental emergency procedures and timelines. Department Heads shall establish an emergency schedule and identify those positions required to work during the pre-emergency, emergency, and post-emergency phases. Additionally, each Department Head shall designate an alternate contact person should an emergency or disaster occur.
- E. Employees shall be notified of duty assignments either prior to an event, if practical, or when contact is made with the Department Head or designee. Those who do not have an assignment shall be placed on a standby list and are to report to a designated location identified by the Department Head or designee. The Department Head or designee shall supply the list of names and their location to the Personnel Unit leader in the logistics section at the EOC.

F. Employees will be expected to work normal hours during any emergency event unless otherwise instructed. Employees shall make contact with the designated Department contact person prior to regularly scheduled work time to verify work assignments including alternate work locations. Employees may be required to work flexible hours in order to accommodate the needs of the people as required by the County during an emergency.

G. **“Know Your Role” Program**

1. Addressing the needs of Osceola County citizens must continue during an impending or declared local state of emergency and subsequent recovery period. To accomplish this, County BOCC employees shall complete an Employee Disaster Information Form (EDIF) within 30 days of employment. Every employee shall update the EDIF anytime pertinent information changes.
2. Supervisors shall review employees’ EDIF in January, ensuring each employee has provided updated information as necessary, and shall assign each employee a work classification tier (Tier 1 - 4). Additionally, the Office of Emergency Management shall review countywide EDIF assignments annually and before the start of the Atlantic hurricane season.
3. Each employee shall complete the online EDIF document at the link provided by Human Resources. For a detailed review of Employee Disaster Information Form instructions and a list of Frequently Asked Questions, please visit <http://insideosceola> – Human Resources – Know Your Role.
4. **Employee Duty**
 - a. Work Classification Tier: All employees receive a work classification tier (Tier 1 - 4). This is determined using the current Comprehensive Emergency Management Plan and Employee Disaster Information Form (EDIF).
 - b. Service Priority: County operations to provide emergency services may supersede normal operations resulting in altering or suspending processing timeframes for personnel actions until the disaster recovery period has ended.
 - c. Alternate Work Assignments: During the pre-disaster and disaster recovery periods, employees may perform duties other than the essential functions of their position. Depending on the needs of the County, employees may work at different locations rather than their normal duty assignment.
 - d. Monitor Radio/TV Stations: Employees should monitor local media outlets when a declaration of a local state of emergency exists. The following stations provide information specific to Osceola County:
 - i. 88.3 FM
 - ii. 89.1 FM (Spanish)
 - e. Pre-Assigned Employees (Tier 2): Many employees are assigned duties assisting with official County disaster response/recovery efforts. These employees will report to their designated worksite when requested/directed to do so.

- f. Tier 3 Employees: Employees assigned to Tier 3 should contact the Osceola County Employee Information Line at **407-742- WORK** and report to the Employee Reception Center (ERC) at Osceola Heritage Park Silver Spurs Arena (or other secondary location) when so directed. Employees are reminded to keep their County ID badge with them at all times to aid law enforcement officials during curfews and re-entry.
- g. Contact with the County: Regardless of an employee's disaster assignment, all employees must maintain daily contact with the County. If telephone lines are down or conditions exist where contact by telephone is not possible, employees should make contact as soon as possible. Employees are responsible for keeping their department and supervisor informed of their status and activity including careful tracking of all hours worked and the specifics of the work performed.

5. County Duty

- a. Department directors and managers shall ensure all employees have completed the Employee Disaster Information Form (EDIF), and the Human Resources and Risk Management Department shall maintain the accuracy of the EDIF data with the Human Resources Information System (HRIS).
- b. The Human Resources and Risk Management Department shall maintain the HRIS database module for entering, tracking, and reporting countywide Employee Disaster Information Forms.

H. Eligibility

1. Essential Non-Emergency (ENE - Tier 3)

Employees classified as Essential Non-Emergency may be directed not to report to their regular job assignment during the pre-disaster, disaster, and post-disaster phases of a locally declared state of emergency or disaster.

They may work on other assignments and activities as situations necessitate. Reassignment may include, but is not limited to support of the following:

- a. County Staging Area(s)
- b. Volunteer Reception Center
- c. Point of Distribution Sites (POD's)
- d. Food or Services distribution sites
- e. Feeding Stations
- f. Sandbag filling stations
- g. Disaster Recovery Centers
- h. Employee Reception Center (ERC)
- i. Emergency Operation Center or associated facility
- j. Emergency Shelters

2. Emergency Essential (EE – Tier 2)

Employees designated as Emergency Essential are required to perform regular work functions during the pre-disaster, disaster, and post-disaster phases of an imminent or declared

emergency. Administrators, Directors, and Managers are responsible for identifying Emergency Essential positions and shall ensure that employees are aware of individual responsibilities by communicating and notifying them of their emergency work assignment prior to the declaration of an emergency. Reassignment of Tier 2 employees may include, but is not limited to support of the following:

- a. County Staging Area(s)
- b. Volunteer Reception Center
- c. Point of Distribution Sites (POD's)
- d. Food or Services distribution sites
- e. Feeding Stations
- f. Sandbag filling stations
- g. Disaster Recovery Centers
- h. Employee Reception Center (ERC)
- i. Emergency Operation Center or associated facility
- j. Emergency Shelters
- k. Employees designated as Emergency Essential must maintain contact accessibility with their supervisors. Emergency Essential employees who fail to report to their work assignment may be subject to disciplinary action up to and including termination.
- l. Employees who are unable to report to work should contact their supervisor by telephone. If telephone lines are down or existing conditions prevent contact by telephone, employees are to make contact with their work unit as soon as possible.

3. Emergency Response Support Employees (ERS – Tier 2)

- a. Emergency Response Support employees are those specifically trained through the Osceola County Office of Emergency Management and other authorized agencies to perform one or more support functions outside their regular work duties.
- b. Trained employees designated in an emergency response support capacity are required to work in emergency functions during the pre-disaster, disaster, and post-disaster phases of a declared emergency. This may include operating in the Emergency Operations Center, the Employee Reception Center, or other designated area in periods of heightened threat conditions.
- c. Emergency Response Support employees must maintain contact accessibility with their supervisors and may be reassigned to an alternative operational supervisor for the duration of the disaster or emergency. Emergency Response Support employees who fail to report to their work assignment may be subject to disciplinary action up to and including termination.
- d. Employees who are unable to report to work should contact their supervisor by telephone. If telephone lines are down or existing conditions prevent contact by telephone, employees are to make contact with their work unit as soon as possible.

4. Emergency Response (Tier 1)

Emergency response employees are those employees in a high-risk category and are generally public safety employees. Work assignment and compensation classification is determined by departmental policy, operational guidelines, and collective bargaining agreement.

I. Emergency Administrative Leave

1. In the event an imminent or declared emergency results in disruption of normal County business, the County Manager or designee may suspend normal County operations and direct non-essential employees **NOT** to report to work. The County Manager may grant up to five (5) days paid Emergency Administrative Leave (EAL) to employees who are directed to **NOT** report to work.
2. Hours reported as EAL are not considered hours worked for overtime purposes. The Essential Non-Emergency Employees returning from approved leave and who are scheduled to report to work during the period of disruption shall be compensated for their normally scheduled work hours using EAL.
3. Temporary employees are eligible for EAL for their previously scheduled shift at the base hourly wage up to a maximum of eight (8) hours within the first 24 hours of the disruption of normal County business.
4. During this period, employees should monitor local radio and television stations for information and instructions on when to report to their job assignments. All employees shall call the Osceola County Employee Information Line at **407-742-WORK**, at least twice daily to confirm a required return-to-work date, time, and location. Employees will call the information line before 7:00 AM and again after 7:00 PM but no later than 9:00 PM.
5. Should the disruption extend beyond five (5) days, employees will be required to use accrued personal leave or use Leave Without Pay. Personnel not required for the direct support of their respective work sites are encouraged to acquire Emergency Response Support Employee classification.
6. The Personnel Unit (HR) will coordinate the Osceola County employee responder effort identified as Essential Non-Emergency. The Personnel Unit and the Office of Emergency Management will regularly publish and distribute a training schedule with required courses to achieve required emergency training.
7. Regular and temporary non-exempt employees assigned to work during the period when normal operations are suspended will be paid regular wages in accordance with applicable law, County policy, and Union contracts. In addition to regular wages, and any overtime wages in accordance with the Fair Labor Standards Act (FLSA), eligible employees may receive additional emergency compensation at 0.5 (half) the amount of their hourly rate for each hour worked during this period.
8. Exempt employees assigned to work during the period of time when regular County operations are suspended will be paid their base salary regular wages for all regularly scheduled number of hours worked per workday. Any hours worked over 60 hours will be paid as additional straight time at the hourly rate for each hour.
9. The additional compensation does not apply to employees who are members of the Florida Retirement System (FRS) Senior Management Service Class.

J. **Compensation Classification**

1. **Tier 4 Employees**

See section L below.

2. **Tier 3 Employees**

a. **Emergency Non-Exempt Pay Classification (ENP):** This classification applies to all eligible non-exempt employees who respond during the time the County Manager or designee suspends normal business. These employees shall be paid Emergency Non-Exempt Pay (ENP). In addition to regular wages, and any overtime wages in accordance with the Fair Labor Standards Act (FLSA), eligible employees may receive additional emergency compensation at .5 (half) the amount of their hourly rate for each hour for time worked during this period.

b. **Emergency Exempt Pay Classification (EE1):** This classification applies to all eligible exempt (salaried) employees who respond during the time the County Manager or designee suspends normal business. These employees shall be paid Emergency Exempt 1 (EE1), which is the base salary for all regularly scheduled number of hours worked per workday. Any hours worked over 60 hours shall be paid as additional straight time at the hourly rate each hour.

3. **Tier 2 Employees**

a. **Emergency Response Support Employee Non-Exempt Pay (EC2):** This classification applies to trained/certified non-exempt employees performing emergency operations work assignments as:

- i. Emergency Operations Center Command and General Staff
- ii. Branch Directors
- iii. Division and Group Supervisors
- iv. Unit/Team Leaders
- v. Field Operations Center Coordinators
- vi. Disaster Mental Health Counselors
- vii. Points of Distribution (POD) Managers
- viii. Staging Area Managers
- ix. Shelter Managers
- x. Citizen Information Center Operators
- xi. Employee Reception Center (ERC) Coordinators/Managers

In addition to regular wages, and any overtime wages in accordance with the Fair Labor Standards Act (FLSA), eligible employees may receive additional emergency compensation at .5 (half) the amount of their hourly rate for each hour for time worked during this period.

b. **Emergency Response Support Employee Exempt Pay (EC3):**

This classification applies to trained/certified exempt employees performing emergency operations work assignments as:

- i. Emergency Operations Center Command and General Staff
- ii. Branch Directors
- iii. Division and Group Supervisors

- iv. Unit/Team Leaders
- v. Field Operations Center Coordinators
- vi. Disaster Mental Health Counselors
- vii. Points of Distribution (POD) Managers
- viii. Staging Area Managers
- ix. Shelter Managers
- x. Citizen Information Center Operators
- xi. Employee Reception Center (ERC) Coordinators/Managers

Eligible employees shall be paid the base salary for all regularly scheduled number of hours worked per workday. Additional hours worked over 60 hours shall be paid as additional straight time at the hourly rate each hour.

4. Employee on Leave

Employees on any type of approved leave prior to or during the declared emergency do not receive additional paid time off and are paid according to the original, approved leave request. Employees whose leave is canceled in a declared emergency are compensated according to the pay schedule delineated in this document.

5. Employees Directed Not to Report – Paid Administrative Leave Not Granted

In circumstances where the County Manager has not granted paid Administrative Leave, employees directed not to report to work, or who are unable to report to work, may utilize leave in accordance with existing policies. Otherwise, employees shall be placed on unpaid leave of absence until the declared emergency ends.

K. Disaster & Emergency Labor Tracking

1. Disaster work assignments shall be tracked using the ICS-214 form. It is the responsibility of each employee to ensure an accurate record of work conducted during a disaster.
2. It is each department's responsibility to verify all hours worked. Since departments are responsible for all wages paid to County employees during a disaster/disaster recovery period, departments shall carefully review hours submitted, including those for alternate work assignments. The ICS-214 form shall be verified by the department and forwarded to the Time Unit Leader who is responsible for coordinating payment of all emergency-related hours worked.
3. All departments must maintain accurate timekeeping records during disaster/disaster recovery periods.
4. It is the responsibility of the department director to ensure that all grant-funded employees work in accordance with grant requirements.
5. Members of collective bargaining units will receive wages and benefits in accordance with the collective bargaining agreement.

L. Request for Exemption from Emergency or Disaster Duty

1. Employees may be exempt from working during an emergency event upon providing an accepted notice of extenuating circumstances. (Having a spouse who also works for the County, having children, or not wanting to be away from your home during an event are NOT exemptions). It is your responsibility during an event to report as directed to work.
2. Employees requesting exemption from emergency or disaster duty due to extenuating circumstances shall be required to submit an "Emergency/ Disaster Request for Exemption from Duty" form to their Department Head. This form shall be completed on an annual basis, and submitted by June 1st each year, or upon a change of circumstances. The form shall provide verifiable documentation of the extenuating circumstances. The Department Head shall review all requests and forward to the Human Resources & Risk Management Department for final approval. The determination of exemption shall be given in writing to the employee. All employees that have been exempted shall be required to use Vacation Leave, if available, otherwise the time off shall be without pay. Any employee who has applied for an exemption and has been denied shall report for duty as assigned or they will be subject to disciplinary action up to, and including, termination.
3. Should an emergency exemption be required after an emergency event, a request shall be made in writing and approved by the Human Resources & Risk Management Department.

M. Failure to Report

1. Any Employee designated as Tiers 1, Tier 2, or Tier 3, must report as directed. Employees who fail to report to their work assignment may be subject to disciplinary action up to and including termination.



REFERENCE: 2.6-14 Employee Cooperation

RELATED STANDARDS:


AMENDS or SUPERSEDES:

2.72 Hearing Refusal

2.6-18 Employee Cooperation

DISTRIBUTION: All Osceola County Employees


- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for an employee’s cooperation during a hearing, investigation, or for other proceedings.
- III. **DEFINITIONS:**
 - A. Authorized Person: Includes, but is not limited to, the Board of County Commissioners, County Manager/Designee, County Attorney/Designee, Commission Auditor/Designee, Department Directors, Managers, Supervisors, County Investigative Committees or Boards, and Law Enforcement Personnel, as well as State and Federal courts.
- IV. **POLICY:** All County employees shall cooperate and appropriately respond to job-related investigations, hearings, depositions, meetings, inquiries, or proceedings conducted by any person authorized by law or employees authorized by the County.
- V. **PROCEDURES:**
 - A. All County employees shall cooperate and appropriately respond to any job-related deposition, investigation, meeting, hearing, inquiry, or proceeding conducted by any person authorized by law or by the County.
 - B. Any County employee who willfully refuses or fails to appear or appears but refuses to answer any questions relating to matters arising out of County employment, shall be subject to immediate termination from employment with the County for insubordination.

 OSCEOLA COUNTY	POLICIES AND PROCEDURES SECTION SIX: Standards of Conduct and Conditions of Employment DATE: 07/12/93 REVISED: 04/29/09 REVISED: 05/03/22 PAGES: 2
REFERENCE: 2.6-15 Legal Issues	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: 2.73 Indictment 2.6-19 Legal Issues	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for employees when reporting arrests, the filing of criminal information against them, and/or convictions.
- III. **DEFINITIONS:**
 - A. Nolo Contendere: The defendant neither admits nor disputes the charge. Nolo contendere is an alternative to pleading guilty or not guilty.
 - B. Moral Turpitude: Conduct done knowingly contrary to justice, honesty, or good morals.
 - C. Quash: A criminal conviction is quashed if it is overturned, usually due to the trial having been in some way improper.
 - D. Indictment: A formal charge delivered by a Grand Jury, when a most serious criminal offense has been committed.
 - E. Acquittal: The legal result of a verdict of not guilty.
 - F. Trial (Tried): The presentation of information in a formal setting, usually a court.
- IV. **POLICY:** A County employee is responsible for notifying their immediate supervisor or other authorized officials when arrested and/or when subpoenaed and the subpoena is related to their job when information has been filed by a prosecuting official against the employee for an offense or violation of the law, and/or when indicted by a grand jury. The County Manager/Designee will confer with the County Attorney to determine the appropriate course of action to be taken by the County.

V. PROCEDURES:

- A. An employee who has been arrested, has had information filed against them by a prosecuting official for an offense or violation of the law, and/or has been indicted by a Grand Jury, shall notify their immediate Supervisor within 24 hours. This can be done verbally or in writing. Upon notification, the Department Head, the Human Resources and Risk Management Department, and the County Attorney's office shall determine what action is to be taken, if necessary. This determination shall be based on the seriousness of the arrest and/or charge.
- B. An employee shall notify their Supervisor/Department Head of a moving traffic violation when it involves a County vehicle and/or if the employee is responsible for driving a County vehicle. The employee shall report the incident no later than the next business day. The Department Head shall notify the Human Resources and Risk Management Department immediately. The Human Resources and Risk Management shall determine, on a case-to-case basis, whether the employee shall remain on the job, be suspended with pay or without pay, or be terminated.
- C. If an employee pleads nolo contendere or guilty to any charge or is tried and found guilty of crimes involving moral turpitude, the employee may be discharged from employment with the County immediately without an appeal or grievance process.
- D. In the event an employee is tried and acquitted, or the information or indictment is dismissed or quashed, the affected employee's Department Head shall notify the Human Resources and Risk Management Department. The Human Resources and Risk Management Department shall review the affected employee's employment status regarding reinstatement, re-employment, and/or continued employment.
- E. Any County employee's violation of this policy or its implemented procedures is grounds for disciplinary action, up to and including termination.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION SIX: Standards of Conduct and Conditions of Employment DATE: 07/12/93 REVISED: 06/10/09 REVISED: 05/03/22 PAGES: 3
REFERENCE: 2.6-16 Attendance	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: 2.74 Tardiness 2.6-20 Attendance	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish attendance standards for non-exempt employees and develop a method for addressing excessive tardiness.
- III. **DEFINITIONS:**
 - A. Tardiness: Failing to report promptly, ready to work at the scheduled starting time of the shift, or taking unauthorized extended rest or meal periods.
 - B. Excessive Tardiness: Six (6) occurrences in any rolling twelve-month period.
 - C. Telecommuting: A work-at-home or remote access arrangement, for at least part of the workweek, on a regular basis.
- IV. **POLICY:** Employees are required to report to work as scheduled, on time, and prepared to work, in accordance with their standard work schedule. Timely and regular attendance is a condition of employment and is an expectation of performance for all employees.
- V. **PROCEDURES:**
 - A. This policy applies to all County employees and prohibits excessive tardiness. The County assumes a commitment to regular attendance. Employees are expected to report for duty as scheduled and to notify the designated departmental representative in a timely manner whenever they are unable to do so.
 - B. The intent is to promote a high level of attendance through a cooperative relationship between Management and employees. By working with an employee who has a poor attendance record, Management can help the employee correct problems related to excessive tardiness.

C. Attendance

1. Employees are expected to be present for work every day they are scheduled to work. This includes telecommuters, who have been approved to work from home or other remote sites, but still have a specific work schedule.
2. Employees are expected to report for work on time and complete their regularly scheduled workday.
3. If an employee must be absent or late, it is the employee's responsibility to notify his/her Supervisor/designee. This notification must be given as soon as the employee knows he/she will be tardy or unable to work and must be given by the employee directly to his/her immediate Supervisor. Notification of absence must be provided no later than one (1) hour prior to the starting time of the employee's workday. Employees must make every attempt to notify their Supervisors that they will be late prior to the start of the employee's scheduled work shift.
4. Employees who fail to report for duty without contacting their Supervisor/designee for two (2) consecutive workdays shall be disciplined, up to and including termination.
5. Employees who fail to report for duty without contacting their Supervisor/designee for three (3) consecutive workdays shall be considered resigned.
6. Employees are required to record their actual work in accordance with the Fair Labor Standards Act (FLSA).
7. Employees working overtime without prior authorization shall be subject to disciplinary action, up to and including termination.

D. On Time

1. An employee who reports to work at any time after the employee's regular starting time is considered to be tardy.
2. Employees are considered tardy if they fail to report to their assigned workplace at the scheduled time, including returning from breaks or lunch.

E. Excessive Tardiness

1. An employee who abuses tardiness to the point it becomes excessive shall have disciplinary action taken in order to correct the abuse.
2. If any employee who has received disciplinary action continues to abuse this standard, they shall be subject to further disciplinary action, up to and including termination.
3. Departments are advised to develop and communicate to employees departmental guidelines that indicate both the needs of the Department and the importance of timely and regular attendance.

F. **Exceptions**

1. As job conditions vary from job to job, an employee's working hours may also vary according to the schedule set by the Department Head.
2. Flexibility in the regular workday is permitted providing operational efficiency is maintained, and an employee has approval from their Department Head.



REFERENCE: 2.6-17 Telecommuting

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.6-21 Telecommuting

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for the use of telecommuting when appropriate.
- III. **DEFINITIONS:**
 - A. Telecommuting: A work-at-home arrangement, or a remote-access arrangement, for at least part of the workweek on a regular basis.
- IV. **POLICY:** The County Manager is directed to develop a telecommuting Procedure as a viable work arrangement alternative when it is reasonable, practical, and/or necessary to do so. The Procedure will ensure that administrative efficiencies are created, operational needs will not be adversely affected, and increased productivity, job satisfaction, and retention of a highly qualified workforce are encouraged.
- V. **PROCEDURES:**
 - A. Each request to telecommute will be decided on an individual basis under the guidelines set forth below. The decision shall be made by the Department Head, the Human Resources and Risk Management Department, and the County Manager. In certain cases, telecommuting may be a requirement of the position, and employees will be so notified at the time of hire.
 - B. Telecommuting is not intended to permit employees to have time to work at other jobs or to run their own businesses. Failure to fulfill normal work requirements, both qualitative and quantitative, may be cause for disciplinary action up to and including termination.
 - C. Telecommuting assignments do not change conditions of employment or require compliance with the County’s Policies and Procedures.
 - D. The employees’ compensation and benefits, and hours worked, do not change due to telecommuting.

E. Requests for Telecommuting

1. The employee shall complete the Telecommuting Request Form with their immediate Supervisor. The Telecommuting Request Form shall be routed to the Department Head, the Human Resources and Risk Management Department, and County Manager for final approval. If approved, the employee shall sign a Telecommuting Agreement. The employee and Department Head shall receive copies of the Telecommuting Request Form and the Telecommuting Agreement, and the originals shall be kept in the employee's personnel file.
2. Requests to telecommute should be contemplated when:
 - a. The employee has demonstrated sustained high performance, and when the Department Head believes the employee can maintain the expected quantity and quality of work while telecommuting.
 - b. Quality of service can be maintained for employees, the County, and its citizens.
 - c. Telecommuting is appropriate considering the nature of the employee's job.
3. Requests to telecommute should not be contemplated when:
 - a. The nature of the job requires the employee's physical presence (e.g. telecommuting may not be appropriate where the employee must supervise the work of other employees), or efficiency is compromised when the employee is not present.
 - b. The employee's performance evaluations do not indicate sustained high performance.
 - c. The employee's observed productivity levels are problematic.
 - d. The employee requires close supervision as indicated, for example, by the employee's consistent need for guidance on technical matters.
 - e. The employee has less than one year of service with the County. The employee's current assignment requires frequent supervision, direction, or input from others who are on-site.
 - f. The employee has received disciplinary action or has a demonstrated attendance problem.

F. Duration

All telecommuting arrangements are granted on a temporary and revocable basis and may be discontinued by the County at any time and for any reason. In addition, an employee may discontinue participation in telecommuting at any time with the approval of the Department Head.

G. Guidelines


The following guidelines apply to telecommuting arrangements:

1. A specific work schedule, including workdays and hours, must be agreed upon in advance.
2. Employees must be on site as necessary to attend meetings, training sessions, or similar events or occurrences.

3. Employees must maintain a normal workload.
4. Employees who are unable to work due to illness must use sick leave and must report their absence to their supervisor.
5. Employees who wish to be relieved of responsibility for work on a particular day or days must use Vacation Leave.
6. Employees are responsible for the safety and security of all County property and proprietary information.
7. County property such as computers, printers, fax machines, and other equipment loaned to an employee is the employee's responsibility while it is not on County premises. It is the employee's responsibility to make sure that their homeowners or renters insurance covers injury arising out of or relating to business use of the home.

H. **County Property**

1. Equipment and services may be provided by and paid for by the employee's department at the department's sole discretion. In many cases, employees will be expected to provide their own equipment, such as computers and telephone lines, if they wish to telecommute.
2. Equipment such as computers, printers, software, and services such as fax lines provided on loan by the County remain the property of the County while on loan and must be returned upon termination of the telecommuting arrangement.
3. If County equipment is provided, each piece of equipment must be listed with its serial number when the employee takes possession.
4. Employees must return the equipment in the same condition in which it was originally received, minus normal wear and tear. Employees are personally liable for missing and/or damaged equipment.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION SIX: Standards of Conduct and Conditions of Employment DATE: 05/19/09 REVISED: 05/03/22 PAGES: 3
REFERENCE: 2.6-18 Timekeeping	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: 2.6-22 Timekeeping	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish timekeeping standards for employees in non-exempt positions.
- III. **DEFINITIONS:**
 - A. Non-Exempt (Hourly) Position: A position that is paid per work hour and is eligible for overtime as regulated and defined by the U.S. Department of Labor.
 - B. Management: Immediate Supervisor and/or Manager, and/or Department Head.
 - C. Over time: Excess work time as defined and regulated per the Fair Labor Standards Act (FLSA)
 - D. Flex time: Management approved the adjustment of weekly work hours.
- IV. **POLICY:** The County Manager shall ensure accurate reporting/recording of employee’s time worked through a comprehensive Procedure. All employees, managers and supervisors shall be responsible to review and approve time records in order to calculate employee pay and Benefits correctly.
- V. **PROCEDURES:**
 - A. **Time Worked**
 Time worked includes all time that an employee is required to be physically at work for the organization. Time worked is used to determine overtime pay required for non-exempt positions. The following provisions are included as time worked:
 - 1. **Work Away from Premises or at Home**
 Those employees in non-exempt (hourly) positions shall not be permitted to perform work away from the premises, job site, or at home unless approved in advance by Management. If approved, work performed off the premises, job site, or at home by this employee will be counted as time worked.

2. Break Time

Rest periods of 15 minutes or less are counted as time worked. Employees may be eligible for a 15-minute break at Management's discretion. Employees must seek Management approval prior to the break.

B. Time Not Worked

Per the Fair Labor Standards Act (FLSA), the Osceola County Board of County Commissioners does not count the following provisions as time worked:

1. Paid Leave

Approved paid absences, including but not limited to Sick Leave, Vacation Leave, Holidays, FMLA, Military Leave, Jury Duty, Bereavement Leave, and Voting time off (all of which are not counted as time worked).

2. Meal Periods

Uninterrupted time off for a meal is not counted as time worked provided time off is for thirty (30) minutes or more.

C. Timekeeping

1. Employees in non-exempt (hourly) positions must accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period through the use of the timekeeping system. They must also record the beginning and ending time of any departure from work for personal reasons. Typically, employees will register four (4) punches per workday. Per Management, punches will be registered on either a bio-metric time clock, workstation computer, or telephone.
2. It is the employee's responsibility to record and review his or her time record in the timekeeping system to certify the accuracy of all time recorded. The employee's immediate Supervisor shall daily review the time record and search for any discrepancies. Bi-weekly, the Supervisor will electronically approve the previous pay period's time records. The Department Head (or designee) will approve his/her Department's time records, transmitting them to Payroll for processing. In the event of an error in reporting time (e.g. missed punch), employees must immediately report the problem to their immediate Supervisor.
3. Altering, falsifying, tampering with time records, or recording, or entering, time for or on another employee's time record may result in disciplinary action, up to and including termination of employment. The timekeeping system includes an audit trail that can display any changes to an employee's timecard.
4. During a particular workweek, any leave time taken must not contribute to total work hours exceeding the usual weekly hours. Management must adjust schedules by flexing time to ensure weekly hours do not exceed the usual amount.
5. Each Department Head is responsible for the method and approval process/procedure of timekeeping to ensure accurate timekeeping records.

6. Time records must be reviewed and approved by Department Management prior to payroll submission.



SECTION: Six Standards of Conduct and Conditions of Employment

DATE: 07/12/93

REVISED: 04/29/09

REVISED: 05/03/22

PAGES: 5

REFERENCE: 2.6-19 Fraud, Waste, Abuse Prevention and Detection

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.6-23 Fraud Prevention and Detection

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for a work environment that supports the prevention and detection of fraud, waste, and abuse and to respond to allegations of fraud, waste, and abuse in connection with County programs, functions, and activities.
- III. **DEFINITIONS:**
 - A. Abuse: The intentional destruction, diversion, manipulation, misapplication, mistreatment, or misuse of County resources; the wasteful or improper use of County property, or the extravagant or improper use of a person’s position or authority. Abuse can occur in a financial or non-financial environment.
 - B. Fraud: The intentional misrepresentation of a material fact made to another person with the knowledge of its falsity for the purpose of inducing the other person to act, and upon which the other person relies consequently suffers injury or damage.
 - Examples include the following:
 1. Embezzling or other financial irregularities.
 2. Forging, improperly altering, or falsifying documents.
 3. Falsely reporting hours or days worked.
 4. Buying overpriced office equipment from a favored vendor.
 5. Buying unnecessary equipment for personal use of gain.
 6. Receiving or offering bribes or kickbacks.

C. Waste: The unnecessary spending or squandering of County resources, whether intentional or unintentional. Inefficient or ineffective practices may result in waste.

IV. POLICY: In order to establish a work environment that supports the prevention and detection of Fraud, Waste, and Abuse, employees must, at all times, comply with all applicable laws and regulations. The County will not condone the activities of employees who achieve results through violation of the law or unethical business dealings. The County does not permit any activity that fails to withstand the closest possible public scrutiny. As such, the Fraud, Waste, and Abuse Prevention and Detection Policy implementing procedures shall provide guidance to all employees regarding the circumstances, or “red flags” which may potentially lead to Fraud and the initiation of Fraud prevention controls.

V. PROCEDURES:

A. Fraud, Waste, and Abuse Detection

1. County Management and all County employees share the responsibility to maintain a fair, honest, and ethical business environment for employees, suppliers, citizens, and persons that have a business relationship with the County. This Policy is intended to detect and prevent fraud, waste, and abuse from County operations.
2. The County has a “Zero Tolerance” Policy regarding fraud, waste, and abuse. This includes the individual committing fraud or those with knowledge of a fraudulent act who do not act in accordance with the Policy. Failure to comply with this Policy will result in disciplinary action up to and including termination as determined necessary by the County.
3. County Management is responsible for establishing a system of internal controls to provide reasonable assurance of the detection and prevention of fraud, waste, and abuse. County Departments should be familiar with the types of improprieties that might occur within their own area(s) of responsibility and be alert for any indication of irregularities. If a Department would like assistance in establishing, reviewing, or testing internal controls, they may contact the Office of Audit and Operational Improvement.
4. Opportunities for fraud occur because of the following reasons:
 - a. Poor internal controls.
 - b. Management override of internal controls.
 - c. Collusion between employees and third parties.
 - d. Poor non-existent ethical standards.
 - e. Lack of control over Supervisors by their managers.
5. Frequently Cited “Red Flags” of Fraud:
 - a. Changes in an employee’s lifestyle, spending habits, or behavior.
 - b. Poorly enforced internal controls, procedures, policies, or security.

- c. Overly complex and confusing financial information.
- d. Inventory shortages.
- e. Failure to take action on results or internal/external audits or reviews.
- f. Unusually high expenses/purchases.
- g. Frequent complaints from customers/citizens.
- h. Missing files and supporting documentation.
- i. Ignored employee comments concerning possible fraud.

B. Fraud, Waste, and Abuse Prevention

The following internal controls should minimize the risk and help to prevent fraud, waste, and abuse:

1. Adherence to all organizational procedures, especially those concerning documentation and authorization of transactions.
2. Physical security and controlled access over assets, such as locking doors and restricting access to certain areas.
3. Proper training of employees.
4. Independent reviews and monitoring of tasks by department supervisors, such as approval processing of selected items.
5. Segregation of duties so that no one employee is responsible for a transaction from start to finish.
6. Clear lines of authority.
7. Rotation of duties in positions more susceptible to fraud.
8. Ensuring that employees take regular vacations.
9. Regular process reviews of areas susceptible to fraud.
10. Conduct regular internal monitoring of the County's grant program(s), including the Florida Commerce CDBG-MIT programs, and report results to program and grant managers (e.g. Florida Commerce).
11. Oversight monitoring for CDBG-MIT and other contractors.
12. Regular monitoring for any duplication of benefits, anomalies, suspected fraud related to performance problems, and any abuse of funds as stated in 5844 Federal Register/Vol.83, No.28.
13. Review the risk level of all grant programs to determine the frequency of monitoring, as stated in 5844 Federal Register/Vol. 83, No. 28.

14. Depending upon the risk level of grant programs, monitoring frequency of monitoring, as stated in 5844 Federal Register/Vol.83, No. 28.
15. Monitor internal financial management or programmatic oversight related to the County's grant program(s) activities and monitoring. 5844 Federal Register/Vol.83, No.28.

C. Internal Complaint Reporting Procedures

1. Any employee who has reason to suspect that fraudulent behavior has occurred, shall immediately report the concern (s) to one of the following:
 - Osceola County Government Employee Hotline at (877)888-0004
 - Online reporting at ethicspoint.com
 - ethics@osceola.org

The Hotline, online reporting website, and email are accessible 24 hours a day, 7 days a week. The Hotline/online reporting program is independently managed by a third-party company, NAVEX.

2. Complainants reporting fraud, waste, and abuse may remain anonymous.
3. All information received, all investigative materials developed, and interviews conducted to substantiate the allegations of suspected fraud, waste, and abuse will be treated confidentially.
4. A proper complaint must contain, at a minimum, specific examples of situations that have occurred, dates the alleged incident(s) occurred (or the time period within which the alleged incident occurred), names of any known or potential witnesses, and any other relevant information to allow for the complaint to be investigated.
5. A timely response will be provided within 15 working days of receipt of a complaint.
6. Employees who intentionally or knowingly make false accusations or provide false information concerning instances of fraud, waste, and abuse will be subject to disciplinary action up to and including termination.

D. Internal Investigation Responsibilities


1. Once a suspected fraud is reported to the County, the fraud team, as determined by the County Manager, County Attorney, Human Resources and Risk Management Director, and Audit & Operational Improvement Manager, will conduct the fraud investigation in an objective and impartial manner.
2. The fraud investigation team will work with law enforcement as deemed necessary during the course of the investigation. Decisions to prosecute or forward matters to appropriate law enforcement and/or regulatory agencies, such as DEO's OIG, for independent investigation will be made by the County Manager and County Attorney.

E. **Retaliation**

1. Employees who report suspected fraudulent activities in accordance with Sections 112.3187-112.31895 of the Florida Statutes are protected from retaliation.
2. An employee who believes he or she experienced retaliation for making a report or assisting in an investigation shall report this as soon as possible to the Human Resources and Risk Management Department.

F. **Training**

1. All current and new employees will be trained on these procedures and asked to sign a statement acknowledging the Fraud, Waste, and Abuse Prevention and Detection Policy and agreeing to abide by it.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION SEVEN: Workplace Health and Safety DATE: 07/12/93 REVISED: 04/29/09 REVISED: 05/03/22 PAGES: 3
REFERENCE: 2.7-1 Workplace Safety & Loss Prevention	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: 2.71 Safety Policy 2.6-15 Workplace Safety	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish the framework for safety program responsibilities and procedures in the workplace.
- III. **DEFINITIONS:**
- IV. **POLICY:**
 - A. The Board is committed to providing a healthy and safe workplace in which to deliver governmental services. The County shall provide for protection against the financial consequences of accidental losses, reduce the total "long-term" cost of all activities related to loss prevention, and establish, to the fullest extent possible, an "exposure-free" work environment in which employees, as well as members of the public, can enjoy safety and security in the course of their daily pursuits.
 - B. It is the Policy of the Board to integrate safety and health considerations into business planning, decision-making, and daily operations in order to promote continuous performance improvement. To this end, the County Manager shall cause to develop and maintain a Safety and Loss Prevention Program conforming to, or exceeding all federal, state, and local regulations and one that is in line with the best practices of organizations of this type. The County Manager will designate the parties responsible for administering the program.
 - C. Non-Smoking: It is the Policy of the Board to promote a healthy environment for employees and the public, and to reduce insurance and other costs related to health problems and illnesses that may be caused or exacerbated by exposure to tobacco smoke. In compliance with the Florida Clean Indoor Air Act, smoking and the use of electronic cigarettes in all public places, at all public meetings, and in all enclosed areas within any of the buildings owned by or leased to Osceola County, is prohibited. Smoking is also prohibited in all County vehicles.

1. The County Manager shall ensure “No-Smoking” signs are posted and maintained in appropriate locations for purposes of public awareness provided. However, failure to post said signs shall not be a defense in any action, whether administrative or judicial, arising from a violation of the Florida Clean Indoor Air Act and this policy.
 2. The County Manager/Designee shall strictly enforce this prohibition administratively on behalf of the Board. Complaints regarding violations of this policy should be directed to the appropriate Department Director or to the Human Resources & Risk Management Department.
 3. All violations shall also be considered a violation of the Florida Clean Indoor Air Act, and Florida Statutes and will be subject to the penalties provided therein.
- D. Weapons and Firearms: No employee shall possess or use any weapon or firearm on Osceola County Property or in Osceola County vehicles. The exception is law enforcement or security personnel engaged in official duties, training, or activities. Employees, however, may keep a legal firearm locked inside a private motor vehicle in the County’s parking lot, so long as the firearm itself is kept for lawful purposes, as provided by Florida Statute.
- E. The County’s Safety and Loss Prevention Program’s implementing Procedures shall define the requirements of this Policy. In addition, the Safety and Loss Prevention Program shall provide provisions and methods that direct the development of effective programs to manage occupational health, safety, and injury prevention.

V. PROCEDURES:

A. **Accountability and Responsibility**

Accountability and responsibility of Osceola County’s Safety Program begins with the County Administration supporting and guiding its structure and activities. Implementation and administration of this program are facilitated through the County Safety Coordinator. Department Heads and Supervisors shall actively uphold the policies and procedures as they pertain to the day-to-day operations of their departments and divisions. Each employee is to always place safety requirements as first importance in the performance of their work duties.

B. Administration and enforcement of the County Safety Policy will be accomplished by applying the following components:

1. **Communication:**

A vital piece of the County’s Safety Program is effective communication among employees, Administration, Safety Coordinator and the Safety Committee. This will ensure an active understanding of the County’s Safety Program policies and procedures, demonstrated through on-the-job safety behaviors. Additionally, immediate communication regarding the occurrence of workplace safety incidents, as well as near-miss incidents is expected.

2. **Prevention:**

For a safety program to be successful, a proactive approach to safety hazards needs to become part of the workplace culture. This means identifying potential risks before they become a problem. Catching potential risks through a comprehensive self-inspection audit is one prevention strategy, coupled with daily observations of work surroundings to identify hazards.

Once identified, strategies to modify potential risks must be discussed with management in order to establish procedures to engineer out the hazards.

3. Training:

Employee training is the single most important activity in any organization. Thorough training provides employees with the most efficient and safe methods to perform their jobs. Therefore, it is essential that all jobs be evaluated on their specific safety training needs and that each employee's Supervisor adheres to those requirements to ensure proper and timely training is completed.

4. Investigation:

Prompt reporting of safety incidents as well as near misses begins the investigation process, another vital piece of administering the County's Safety Program. The County's Safety Program supports an active Safety Committee, along with the Safety Coordinator and administrative staff. These individuals serve as a vehicle to conduct incident investigations that include identification of root causes and strategies to implement appropriate and timely prevention methods.

- C. The safety of each County employee is a shared responsibility. Adherence to this policy will be a measurable component of the individual employee performance evaluation process. Violation of this policy shall be enforced in accordance with the applicable sections of the Osceola County Personnel Policies and Procedures.
- D. It is the County's responsibility to provide safe working conditions for all employees, comprehensive instructions covering safe work practices, and special equipment to protect employees against hazards. The County will give safety precedence over the operational expediency of shortcuts and will comply with any applicable laws.
- E. The Safety Committee is charged with, and all County employees are responsible for, promoting accident prevention by actively supporting the Safety Policy and observing the safety regulations.
- F. This policy should not be considered to be comprehensive or sufficient as training materials for all situations. The County provides a more comprehensive Safety Manual, which outlines specific safety training needs for employees. Departments will also be required to provide employees with their departmental Safety Operating Guide (SOG) that will outline job specific safety information.



REFERENCE: 2.7-2 Workers' Compensation

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.49 Workers' Compensation

2.5-10 Workers' Compensation

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To explain the employees' rights under the Workers' Compensation Law.
- III. **DEFINITIONS:**
 - A. Leave Without Pay: A temporary non-pay status and absence from duty.
 - B. Modified Duty/Return to Work Program: A temporary assignment of duties in accordance with the Workers' Compensation medical provider's restrictions.
 - C. Release to Return to Work Notification: Documentation from a Workers' Compensation medical provider that either 1) provides physical limitations that the employee needs to adhere to while performing a work-related function or 2) releases the employee back to a full-duty capacity.
 - D. Work-Related Injury: Any injury or illness that arises out of and in the course of employment pursuant to state law.
 - E. Workers' Compensation: Benefits payable to employees who are injured or disabled because of an injury or illness arising out of and in the course and scope of their employment, pursuant to state law.
- IV. **POLICY:** In accordance with the Florida Workers Compensation Act, Chapter 440, Florida Statute, as may be amended, the County provides medical care and indemnity Benefits to employees who are injured or disabled because of an injury, accident, or occupational illness arising out of and in the course and scope of their job duties.
- V. **PROCEDURES:**
 - A. Any employee who is injured or contracts an illness in the course and scope of his/her employment is responsible for immediately reporting such injury or illness to his/ her Supervisor and completing an injury report. The duty to report an injury or illness shall begin when the employee knows or

should have known, that the injury was related to the job. All employees seeking medical treatment as a result of a work-related injury shall submit to a drug test as outlined in Policy 2.7-3 Drug/Alcohol-Free Workplace.

1. An employee who fails to timely report such an injury or illness, who refuses to submit to an alcohol and/or drug test, or who is reported by the Medical Review Officer as testing positive for drugs and/or alcohol may become ineligible to receive Workers' Compensation benefits and/or may also be subject to disciplinary action, up to and including termination.
 2. Any Supervisor who receives an injury report but fails to submit the report to his/her Department Head immediately upon receipt, or later than 24 hours after the date of receipt, may be subject to disciplinary action, up to and including termination. Each Department Head must immediately forward injury reports to Risk Management.
 3. If the County receives a fine from the State of Florida for a late reporting of a Workers' Compensation claim, the responsible Department that did not timely report an injury shall have the amount of any fine imposed upon the County deducted from its budget by Human Resources.
- B. An employee who sustains a job-related injury or illness resulting in disability which is compensable pursuant to state law shall have a waiting period of seven (7) calendar days before Workers' Compensation indemnity benefits begin. To be eligible for payments, the employee must be placed out of work by the Workers' Compensation medical provider or be placed on work restrictions which are not able to be accommodated by the employee's assigned department or any other County department. During this waiting period, an employee may elect to use applicable leave, if available. Family Medical Leave will be applied concurrently with Workers' Compensation, if applicable.
- C. If the disability continues into the eighth calendar day following the date of injury or illness, normal Workers' Compensation indemnity benefits will begin at the rate of $66 \frac{2}{3}$ of the employee's average weekly wage, in accordance with state law now in effect or as subsequently amended.
1. In addition to the Workers' Compensation indemnity benefits, an employee may elect to receive applicable leave payments equivalent to one-third ($\frac{1}{3}$) of the scheduled daily hours for each day of eligibility for benefits. However, in no case shall an employee's paid leave plus Workers' Compensation benefits exceed 100% of the total amount of an employee's regular pay.
- D. If disability continues into the twenty-first calendar day, the employee will receive Workers' Compensation indemnity benefits retroactive to the date of injury or illness, at the same rate discussed above. Any applicable leave used during the seven (7) day waiting period is eligible to be restored upon the appropriate repayment of the amount of leave to be restored.
- E. Upon returning to work after a work-related injury or illness, absences for follow-up treatment as prescribed by the Workers' Compensation medical provider may be granted during normal work hours, provided the treatment is not available during non-working hours. The employee may utilize his/her applicable leave balance for such appointments. Absences for follow-up treatment may not exceed two (2) hours per day. Any hours over two (2) hours per day will be charged to an applicable leave balance unless otherwise prescribed for in a Collective Bargaining Agreement.

- F. Determination of the existence of a work-related disability will be made in accordance with state law governing Workers' Compensation claims.
- G. If an employee is not receiving any paid leave, the employee shall be deemed to be on leave without pay status. (See Policy 2.5-10 Leave Without Pay.)

H. **Modified Duty/Return to Work Program**

1. Employees may be assigned to a Modified Duty/Return to Work assignment when temporarily unable to perform their essential job functions due to a work-related injury or illness, provided that the following requirements are met:
 - a. The assignment shall not create a new job but may incorporate or modify a present position on a temporary basis.
 - b. The assignments shall be considered and handled on a case-by-case basis.
2. Employees shall be compensated at their regular rate of pay.
3. There shall be regular communication among Human Resources, the affected department's management team, the employee, the medical provider, and the third-party administrator throughout the course of treatment and recovery.
4. A tracking system shall be established for documentation and to ensure all applicable parties are updated on the employee's status.
5. An employee who fails to report for his/her next regularly scheduled workday or shift upon receiving a Release to Return to Work Notification by the attending physician may be subject to disciplinary action, up to and including termination.
6. If an employee is not medically able to perform the essential functions of their position, the employee may be medically separated from County employment in accordance with the County's Medical Separation procedures (see Policy 2.4-12, Separation from Employment).
7. If an employee has attained maximum medical improvement and is still unable to return to his/her regular duties and no further reasonable accommodations can be made and/or no other suitable employment is available, the employee may be medically separated from County employment.



REFERENCE: 2.7-3 Drug & Alcohol-Free Workplace

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.65 Drug and Alcohol Policy

2.6-9 Drug-And-Alcohol-Free Workplace

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To eliminate the abuse by any Osceola County Board of County Commissioners (hereafter known as County) covered worker of alcohol, drugs, or any other substance that could affect safety, job performance, and/or the general welfare of the citizens of the community.
- III. **DEFINITIONS:**
 - A. CDL-required position: A position with Osceola County that requires the maintenance of a Commercial Driver’s License as a condition of employment.
 - B. Confirmation Test: A second analytical test performed following the initial screening test that provides quantitative data of alcohol concentration or identifies the presence of a specific drug or metabolite in a specimen; considered the final test result.
 - C. Covered Worker: Any individual who conducts business for the County or is applying for a position with the County. This includes but is not limited to executives, management, supervisors, full-time, part-time, and temporary employees, off-site employees, volunteers, interns, and job applicants.
 - D. Drug: Alcohol, including a distilled spirit, wine, a malt beverage, or intoxicating liquor; an amphetamine, a cannabinoid (marijuana), cocaine, phencyclidine (PCP), a hallucinogen, methaqualone, an opiate, a barbiturate, a benzodiazepine a synthetic narcotic, a designer drug, or a metabolite of any of the substances listed in this paragraph.
 - E. Drug Test: Any chemical, biological, or physical instrumental analysis administered by a laboratory certified by the United States Department of Health and Human Services or licensed by the Agency for Health Care Administration, for the purpose of determining the presence or absence of alcohol or drug or its metabolites.
 - F. Employee: A person who works for salary, wages, or other remuneration for the County.

- G. Employee Assistance Program (EAP): An established program capable of providing expert assessment of employee personal concerns; confidential and timely identification of 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.
- H. Last Chance Agreement: An agreement between the County and an employee who tests positive for drugs or alcohol, specifying the terms the employee must abide by in order to maintain employment with the County. Last Chance Agreements are entered into at the sole discretion of the County Manager or his designee.
- I. Medical Review Officer (MRO): A licensed physician contracted by the County, 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 a covered worker's positive test result in relation to their medical history or any other relevant biomedical information.
- J. Prescription or Non-Prescription Medication: A drug or medication obtained pursuant to a lawful prescription, 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.
- K. Reasonable Suspicion: A belief based on objective facts and the rational inferences which may be drawn from such facts or based on direct or reported observations from a verifiable source, that the particular covered worker is using or is impaired by drugs or alcohol.
- L. Safety-Sensitive Position: A position in which drug impairment constitutes an immediate and direct threat to public health or safety, including but not limited to:
 - 1. Positions that require the possession of a Commercial Driver's License.
 - 2. Positions defined as Special Risk by Florida Statute, including Certified Law Enforcement Officers, Certified Corrections Officers, Firefighters, Nurses, Emergency Medical Technicians, and Paramedics.
 - 3. Positions that require a security background check, including fingerprinting, as a condition of employment, because of the special trust or responsibility or sensitive location of those positions.
 - 4. Positions that require the employee to carry firearms or other weapons.
 - 5. Positions that require the employee to work with controlled substances.
 - 6. Positions where a lapse in attention could result in the injury or death of the covered worker or another person.

Safety-sensitive positions are designated by Osceola County Human Resources' Risk Management section.

- M. Split-Specimen: A testing procedure created when an initial urine sample is split into two. One sample is used for the initial screen, and if positive, the second sample is used for the confirmation test. If there is a positive result, the individual being tested may request the confirmation test be done at a different laboratory.
- N. Substance Abuse Provider (SAP): A licensed physician or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or the International Certification Reciprocity/ Alcohol & Other Drug Abuse) who has clinical experience in the diagnosis and treatment of drug and alcohol-related disorders.
- O. Under the Influence: To be physically, mentally, or emotionally subject to the effects of a drug or alcohol.
- P. Work-Related Illness: Any abnormal health condition or disorder caused by exposure to factors associated with the work environment (e.g., repetitive conditions such as carpal tunnel syndrome).
- Q. Work-Related Injury: Any wound or other damage to the body resulting from an event in the work environment.

IV. POLICY:

- A. County employees are prohibited from using, selling, dispensing, distributing, possessing, or manufacturing illegal drugs and alcoholic beverages on County premises, work sites, or in County vehicles. Employees are prohibited from off-premise possession, use, or sale of illegal drugs. In addition, employees are prohibited from off-premise use of alcohol and drugs when such activity adversely affects job performance, and job safety, or interferes with the County's ability to carry out its mission.
- B. While the Florida Constitution has been amended to authorize medical marijuana use, it did not limit the ability of the County to establish, continue, or enforce a drug-free workplace program or policy. The Constitutional Amendment did not require the County to accommodate the medical use of marijuana in the workplace or any employee working while under the influence of marijuana.
- C. Moreover, in as much as marijuana remains a Schedule I substance under the Federal Controlled Substance Act (CSA), even though medical marijuana is available in Florida, marijuana remains illegal under federal law. Additionally, the United States Department of Transportation's Drug and Alcohol Testing Regulation (Title 49, *Code of Federal Regulations*, Part 40, at Section 40.151(e)) does not authorize "medical marijuana" under State law to be a valid medical explanation for a positive test result of an employee required to hold a Commercial Driver's License (CDL).
- D. The Human Resources & Risk Management Department shall be responsible for implementing this Policy through a Drug-Free Workplace Program, established and administered in accordance with Florida Statutes Section 440.102, Drug-Free Workplace Program Requirements and any applicable provisions of the Code of Federal Regulations (CFR).

V. PROCEDURES:

A. General Procedures

The Human Resources and Risk Management Department shall implement this policy through a Drug-Free Workplace Program, established and administered in accordance with Florida Statutes Section 440.102, Drug-Free Workplace Program Requirements, and any applicable provisions of the Code of Federal Regulations (CFR).

1. Applicability

This policy is intended to apply whenever anyone is representing or conducting business for the County. Therefore, this policy applies to all covered workers during all working hours, whenever conducting business or representing the organization, while on call, on paid standby, and at County-sponsored events.

2. Testing

All drug and alcohol testing under this policy shall be conducted in accordance with any applicable state or federal laws or regulations. A certified Medical Review Officer (MRO) who is not employed by the testing laboratory will be responsible for interpreting the drug test results. The County shall pay for all drug tests that it requires. The County is not required to pay the costs of treatment for a covered worker with a drug-related problem.

3. Testing Standards

- a. **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 is 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 the standard procedures as practiced by the local law enforcement agencies or a blood alcohol test performed by the County designated Physician/Staff and tested by an approved Laboratory.
- b. **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. (See Attachment 1, Thresholds for Positive Screen and Confirmation Tests.) 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. The Department of Transportation's alcohol and drug testing regulations require all tests be performed using this collection process.

4. Positive Test Results

- a. 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 covered worker shall provide to the MRO an authorized physician verification of current prescription for any drug or medication identified within five (5) working days. The prescription must be in the covered worker's name. The MRO is responsible for administering the procedures for this process.
- b. The County shall provide a copy of the final test results to the covered worker upon request. The County will not discharge, discipline, refuse to hire, discriminate against, or request or require rehabilitation of a covered worker on the sole basis of a positive test result that has not been verified by a confirmation test.

5. Test Tampering

Evidence that an applicant has tampered with a drug sample shall lead to the rejection of his or her application for employment or internship. Evidence that an employee has tampered with a drug sample shall lead to discipline, up to and including termination of employment.

6. Searches

The County reserves the right to search all areas of property for which the County maintains control or joint control with the covered worker. Management shall not physically search the covered worker or the covered worker's personal possessions, without his or her consent, nor without the presence of a witness.

7. Prescription Drug Use

The mere use of prescription drugs is not a violation of this Policy. However, a covered worker must notify their supervisor when taking any prescription or over-the-counter medication that could interfere with his or her safe and effective performance of assigned job duties, including but not limited to, the operation of County equipment, a County vehicle, or a personal vehicle.

8. Employee Assistance Program

The County provides an Employee Assistance Program (EAP) through Cigna where employees may voluntarily seek treatment for drug or alcohol abuse. Cigna may be contacted at (888) 371-1125. An employee who has not previously tested positive by the County 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.

9. Confidentiality

Except as otherwise required by law, all information, interviews, reports, statements, memoranda, and drug tests, written or otherwise, received or produced as a result of a drug testing program shall be treated as confidential and shall only be disclosed or released in accordance with the provisions of Florida Statute Section 440.102 or any other applicable law.

10. Duty to Report

A covered worker who is arrested, charged, or issued a citation for any criminal violation of a criminal drug statute or for driving under the influence or while intoxicated, must report such arrest, charge, or citation to the County on their next scheduled workday. Such reporting shall be to the covered worker's supervisor, the department director, or the Human Resources and Risk Management Department. The department must notify Human Resources immediately. Failure to make such a report shall result in discipline, up to and including termination of employment.

11. Collective Bargaining Agreements

The policies and procedures contained herein are not intended to amend, modify, or impact the terms and conditions of the employment of bargaining unit members, without the benefit of the collective bargaining process that may be applicable by law. The Drug-Free Workplace program requirements are a mandatory topic of negotiation, therefore, the Collective Bargaining Agreement in effect shall control when the provisions contained herein conflict with the terms of the Collective Bargaining Agreement. Covered employees have the right to appeal to the Public Employees Relations Commission or applicable court. Nothing herein is intended to waive the County's right to exercise management rights or discretion.

B. Testing Procedures

Drug and alcohol testing shall be conducted in accordance with the following procedures:

1. HR Coordination

All drug testing shall be coordinated through the Human Resources and Risk Management Department.

2. Consent and Disclosure

The Osceola County Drug Screening Questionnaire and Consent Form shall be completed by the covered worker and provided to the assigned testing facility. The form shall be used to obtain the covered worker's consent for the drug or alcohol test and will allow the covered worker to disclose any information to the MRO that he or she considers relevant to the test, including identification of currently or recently used prescription or nonprescription medication or other relevant medical information. A list of the most common medications by brand name or common name, as applicable, as well as by chemical name, which may alter or affect a drug test, shall be provided to the covered worker.

3. Post-Offer Drug Testing

All selected applicants for employment or internship must submit to a post-offer drug test as a condition of employment. The refusal to submit to a post-offer drug test or a positive confirmed post-offer drug test shall result in the revocation of the offer for employment or internship. Applicants who test positive in a post-offer drug test shall be restricted from employment with the County for a period of one (1) year.

4. Reasonable Suspicion Testing

When there is a reasonable suspicion that a covered worker is intoxicated or under the influence of drugs or alcohol while on duty or on standby, the covered worker may be required to submit to a drug test. Reasonable suspicion shall be based on sufficient articulable facts to lead management to believe that a covered worker's ability to perform the functions of the job is impaired.

- a. Any supervisor or manager making a reasonable suspicion determination must be trained, through a source approved by the County, to conduct a reasonable suspicion evaluation. Where a trained manager or supervisor is not on site, the supervisor or manager in charge shall immediately contact the Human Resources' Risk Management section to report the behavior. Where practicable, the behavior should be witnessed by two supervisors or managers, at least one of whom must be trained by an approved source to make a reasonable suspicion determination.
- b. Factors in making a reasonable suspicion determination shall include, but not be limited to:
 - i. Slurred speech;
 - ii. Alcohol odor;
 - iii. Unsteady walking or movement;
 - iv. Causing, contributing to, or being involved in an accident while at work;
 - v. Physical or verbal altercation;
 - vi. Documented unusual or erratic behavior while at work or a significant deterioration in work performance;
 - vii. Direct observation of drug/alcohol use, or the symptoms of being under the influence of a drug or alcohol, while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment;
 - viii. Evidence that an employee has used, possessed, sold, or solicited drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment;
 - ix. A report of drug use, provided by a reliable and credible source.
- c. The supervisor or manager making the reasonable suspicion determination shall complete the Osceola County Reasonable Suspicion Worksheet (Attachment 5) in its entirety and have it signed by all required parties. The document shall be faxed to Human Resources Risk Management section immediately.
- d. The appropriate Human Resources representative shall contact the testing facility to schedule and approve testing.

- e. The supervisor/designee shall transport the covered worker to the testing facility designated by the Human Resources and Risk Management Department.
- f. The supervisor/designee shall make arrangements with the covered worker for post-test transportation home.

5. Fitness for Duty Testing

Employees shall be required to submit to a drug test if the drug test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination or part of a medical exam to determine the employee's ability to perform the essential functions of their position.

- a. The Human Resources and Risk Management Department shall maintain and routinely update a list of all classifications that are subject to a drug screen as part of a routine fitness-for-duty medical examination. All employees in such classifications shall be notified that they are subject to this type of screen.
- b. Fitness for Duty drug testing shall be coordinated through the Risk Management section of Human Resources. The HR representative shall contact the testing facility to schedule testing.
- c. The employee shall complete any necessary paperwork to complete the screen.

6. Return to Duty Testing

An employee who was required by the County, after a positive confirmed test result, to enter a drug rehabilitation program as a condition of continued employment shall be subject to a Return to Duty drug test prior to returning to work. All Return to Duty drug testing shall be coordinated through HR.

7. Follow Up Testing

An employee who was required by the County to enter a drug rehabilitation program as a condition of continued employment shall be subjected to required random drug tests at least once a year for a two (2) year period after completion of the program. Employees are subject to at least six (6) follow-up tests in the first twelve (12) months after a return to duty. Follow-up testing may be extended for up to sixty (60) months following return to duty. All follow-up tests shall be unannounced.

8. Random Drug Testing

Employees in safety-sensitive positions (see Attachment 6) or positions that require a Commercial Drivers License (CDL) may be randomly drug tested at work as provided by law or County policy.

- a. Random testing will be conducted for employees in safety-sensitive and CDL-required positions.
- b. Employees in CDL-required positions will not be tested in the same pool as other employees in safety-sensitive positions, as per Federal Motor Carrier Safety Administration (FMCSA) guidelines.
- c. Random testing will be spread reasonably throughout the calendar year.

- d. All random alcohol and drug tests will be unannounced, with each employee having an equal chance of being tested each time selections are made.
- e. The Human Resources and Risk Management Department will provide the testing facility with a list of all employees in the random pool. The testing facility then generates a list of employees that will be tested.
- f. Once notified that he/she has been selected for testing, the employee must proceed immediately to the assigned collection site.
- g. The employee must provide a breath and/or urine sample to the site collector.
- h. If the randomly selected employee is found to have an alcohol concentration of 0.02 but less than 0.04, he or she shall not perform, and not be permitted to perform safety-sensitive functions until the start of the employee's next regularly scheduled duty period, but not less than 24 hours following administration of the test.
- i. If the employee is found to have an alcohol concentration of 0.04 or greater, this is considered to be a positive drug test and requires immediate removal from safety-sensitive functions.

9. Post Injury Drug Testing

- a. The County shall drug and alcohol test covered workers who sustain a work-related injury as follows:
 - i. Any covered worker who sustains a workplace injury that requires medical attention beyond basic first aid.
 - ii. Any covered worker who causes or contributes to a work-related injury of another, where such injury requires medical treatment beyond basic first aid.
 - iii. Covered workers who develop a work-related illness, as defined by this policy, shall not be subjected to drug or alcohol testing based solely on the development of such an illness.
- b. Testing shall occur as soon as practicable following a work-related injury or following notice to the County that medical treatment beyond basic first aid has been sought.
- c. Upon notification of a work-related injury, the designated Human Resources representative will contact the testing facility to schedule and approve testing.
- d. The supervisor/designee will transport the covered worker to the testing facility designated by the Human Resources and Risk Management Department unless Emergency Transport is required.
- e. The supervisor/designee will make arrangements with the covered worker for post-test transportation home post-test.

10. General Motor Vehicle Accident Testing

The County shall drug and alcohol test all covered workers who are involved in a work-related vehicular accident as follows:

- a. Whoever was performing safety-sensitive functions with respect to the vehicle during the occurrence of a motor vehicle accident;
- b. Whoever caused or contributed to the motor vehicle accident;
- c. Whoever sustained an injury that required medical attention beyond first aid as a result of the motor vehicle accident;
- d. Covered workers shall be subjected to drug and alcohol testing for work-related motor vehicle accidents regardless of whether the accident occurred on or off County property or in a County or personal vehicle, as long as the accident was work-related.

11. Motor Vehicle Accident Testing (CDL Holders)

In addition to the general post-accident testing procedures detailed above, covered workers in CDL-required positions who are involved in an occurrence with a County vehicle weighing 26,000 pounds or more shall be further subjected to drug and alcohol testing where:

- a. the CDL holder performed safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
- b. the CDL holder received a citation within 8 hours (for alcohol testing) and/or 32 hours (for drug testing) of the occurrence under state or local law for a moving traffic violation arising from the accident, if the accident:
 - i. involved bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - ii. involved one or more motor vehicles incurring disabling damage as a result of the accident which required the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

12. Property Damage Testing

Any covered worker who causes or contributes to damage to County property or the property of another while performing work on behalf of the County shall be subject to drug and alcohol testing, regardless of whether any bodily injury occurs.

13. Baseline Testing

At the discretion of the County Manager, County employees may be subject to baseline testing upon the implementation of the Drug-Free Workplace Program.

C. Procedures to Contest or Challenge a Confirmed Positive Drug or Alcohol Screen

1. A covered worker who receives notification of a positive confirmed test result from the MRO may contest or explain the result to the MRO within five (5) working days after receiving written notification of the test result. If the explanation or challenge is unsatisfactory to the MRO, the MRO shall report a positive test result to the County. The covered worker may then contest the drug test result pursuant to law or to rules adopted by the Agency for Health Care Administration.
 - a. A covered worker who wishes to contest the positive drug result pursuant to law or to the rules adopted by the Agency for Health Care Administration must notify the laboratory of any administrative or civil action brought pursuant to Section 440.102, Florida Statutes.
2. Within five (5) working days after receipt of a positive confirmed test result from the MRO, the County shall inform the covered worker in writing of the positive test result, the consequences of the positive test result, and available options, if applicable (see Attachment 7).
3. The covered worker may within five (5) working days after receiving notice of a positive confirmed test result, submit information to the County explaining or contesting the test result, and explaining why the result does not constitute a violation of the County policy.
4. If the covered worker's explanation of the positive test result is unsatisfactory to the County, the County must provide a response as to why the explanation was not satisfactory, along with the report of the positive test result. This confidential information shall be retained by the County for at least one (1) year in a confidential folder secured in the Human Resources and Risk Management Department.
5. Per Florida statute 112.0455 8.2(h) Drug-Free Workplace Act, covered workers have 180 days after receiving written notification of a positive test result to have the sample retested at his or her expense at another licensed or certified laboratory chosen by the covered worker. The County is not required to allow an individual to submit a new sample for re-testing.

D. Consequences of a Positive Confirmed Drug or Alcohol Test

1. Job Applicant or Intern

A confirmed positive result from a drug screen performed on a job applicant or intern shall result in the rejection of the prospective employee or intern. Applicants or interns who test positive on a post-offer drug test shall be restricted from employment with the County for a period of one (1) year.
2. Current Employee
 - a. A positive confirmed result from a drug and/or alcohol screen performed on a current County employee shall subject the employee to discipline, up to and including termination of employment. An employee in a safety-sensitive position or on a Last Chance Agreement who tests positive on a drug or alcohol screen shall be subject to an automatic termination.

- b. At the discretion of the County Manager or designee, employees may be offered, as a condition of continued employment, a Last Chance Agreement contingent upon participation and successful completion of a drug or alcohol rehabilitation program. All Last Chance Agreements must be coordinated through the Human Resources and Risk Management Department. Refusal to participate in an offered Last Chance Agreement shall subject the employee to automatic termination.

E. Consequences of Refusal to Submit to a Drug Test

1. Job Applicant or Intern

The refusal of a job applicant or intern to submit to a drug screen shall result in the rejection of the prospective employee or intern. Applicants who refuse to take a post-offer drug test shall be restricted from employment with the County for a period of one (1) year.

2. Current Employee

The refusal of any County employee to submit to a drug screen as required or authorized under this policy or by law shall subject that employee to discipline, up to and including termination of employment.

3. Failure to submit to testing includes, but is not limited to:

- a. Failure to provide an adequate specimen for testing without a valid medical explanation.
- b. Providing an adulterated sample.
- c. Providing a specimen from someone other than the employee.
- d. Failure to appear or remain at the testing facility as directed.
- e. Declining to take a second test, as directed.
- f. Leaving the scene of an accident during work hours or failing to remain readily available for testing following an accident.
- g. Refusing to cooperate in the collection process including refusing to sign the necessary testing forms.



REFERENCE: 2.7-4 Violence-Free Workplace

RELATED STANDARDS:

AMENDS or SUPERSEDES:

2.6-17 Violence-Free Workplace

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To provide employees with a framework that defines workplace violence, establishes a complaint procedure, and outlines remedial actions.
- III. **DEFINITIONS:**
 - A. Employee: Any person employed by the Osceola County government.
 - B. Workplace Violence: Workplace violence is violence or the threat of violence against workers. It can occur at or outside the workplace and can range from threats and verbal abuse to physical assaults and homicide, one of the leading causes of job-related deaths. However, as it manifests itself, workplace violence is a growing concern for employers and employees nationwide.
 - C. Domestic Violence: A pattern of coercive behavior in which one person attempts to control another through threats or actual use of tactics that may include any or all of the following:
 - 1. Physical
 - 2. Sexual
 - 3. Verbal
 - 4. Psychological
- IV. **POLICY:**
 - A. The County shall promote a safe work environment for its employees. In support of this commitment, the County will work with its employees to maintain a work environment free from violence, threats of violence, verbal or physical abuse, harassment, intimidation, stalking, and other disruptive behavior.

- B. The Board has zero tolerance for workplace violence and directs the County Manager to develop a Procedure for reporting and dealing with violence and/or threats of violence. Such actions will be taken seriously and will be dealt with appropriately including oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm.
- C. Safety and security are both personal and shared responsibilities. While all members of our management staff are to report inappropriate behavior immediately, the collective involvement of every employee is both important and required. Cooperation from each employee is needed to implement this policy effectively and maintain a safe work environment.

V. PROCEDURES:

- A. Any individual who commits such acts as outlined above shall be removed from County property and may be subject to criminal procedures. If the individual is an employee, he/she shall also be subject to county disciplinary action up to and including termination from employment.
- B. Employees shall not ignore violent, threatening, harassing, intimidating, or other disruptive behavior. If such behavior is observed or experienced, employees must report it immediately to a Supervisor or Manager. Supervisors and Managers who receive such reports shall seek advice from Human Resources regarding the appropriate steps involved in investigating the incident and initiating the appropriate actions.

C. Prevention

1. In order to prevent workplace violence, it is every employee's duty to understand what violence is, how to identify indicators for potential violence, how to protect themselves from violence, and what to do if they become a victim or witness of workplace violence. Early intervention and awareness strategies are crucial to avoiding or minimizing the occurrence and effects of violence in the workplace.
2. Workplace violence can be actual violence or the threat of violence against workers or the public. It can occur at or outside the workplace and can range from threats and verbal abuse to physical assaults and homicide.
3. Indicators: No one can predict human behavior, and there is no specific "profile" of a potentially dangerous individual. However, recognized indicators of increased risk of violent behavior have been made available by the "Federal Bureau of Investigation's National Center for the Analysis of Violent Crime, Profiling, and Behavioral Assessment Unit," in its analysis of past incidents of workplace violence. The following are some of these indicators:
 - a. Direct or veiled threats of harm;
 - b. Intimidating, belligerent, harassing, bullying, or other inappropriate and aggressive behavior;
 - c. Numerous conflicts with supervisors and other employees;

- d. Bringing a weapon to the workplace, brandishing a weapon in the workplace, or making inappropriate references to guns;
 - e. Statements showing fascination with incidents of workplace violence, statements indicating approval of the use of violence to resolve a problem, or statements indicating identification with perpetrators of workplace violence;
 - f. Statements indicating depression (over family, financial, and other personal problems) to the point of contemplating suicide;
 - g. Drug/alcohol abuse;
 - h. Extreme changes in behavior.
4. **Other Considerations:** To ensure a positive work environment, all Osceola County employees are expected to conduct themselves in an appropriate and professional manner. In addition to the above warning signs, the following are examples of behavior that are unacceptable and should be reported immediately:
- a. Uncooperative with supervisors and co-workers;
 - b. Belligerent toward customers/public;
 - c. Uses profanity or curses at customers or co-workers;
 - d. Unwanted and/or inappropriate sexual comments;
 - e. Refuses to obey County/Departmental policies and procedures;
 - f. Increased absenteeism on the job (productivity drop, appears to lack focus);
 - g. Involved in fights or assaults;
 - h. Stalks co-workers or their families.
5. Employees should look for multiple warning signs, repeated behavior, or escalation. If an employee is unsure whether the behavior should be viewed as an indicator of violence, he/she should speak with his/her Supervisor or Human Resources.

D. Reporting Workplace Violence

After taking immediate steps necessary to preserve life and safety, employees are responsible for following these procedures:

1. **VIOLENCE IN PROGRESS**

- a. All employees – Dial 911.
- b. Advise the 911 Operator of any medical emergencies at the time of the call.

- c. The employee who contacts emergency personnel is responsible to also notifying their Supervisor of the situation. The Supervisor is responsible for immediately notifying the Department Head and Human Resources.

2. POTENTIAL VIOLENCE

- a. Any employee who becomes aware of a situation involving possible workplace violence should immediately contact their Supervisor.
- b. The Supervisor will contact the Department Head, who will determine if additional actions are necessary and if so, will contact Courthouse Security or the appropriate law enforcement agency for their location.

E. Documentation

In all situations involving workplace violence, or potential workplace violence, all employees with knowledge of the incident must provide a written statement to their Supervisor. Copies of the reports must be provided to Human Resources. If the occurrence involves co-workers, the Supervisor and the Department Head will determine the appropriate disciplinary actions in accordance with the County Personnel Policies and Procedures.

F. Domestic Violence in the Workplace

1. Domestic Violence is abusive behavior that is physical, sexual, and/or psychological, and intended to establish and maintain control over a partner. Domestic Violence is a serious problem that affects people from all walks of life. It can adversely affect the well-being and productivity of employees who are victims, as well as their co-workers. Other effects of domestic violence in the workplace include increased absenteeism, turnover, healthcare costs, and reduced productivity.
2. It is important that all employees know how best to respond to the effects of domestic violence in the workplace. In addition, employees should also be aware of physical or behavioral changes in other employees to communicate their concerns to their Supervisor, and not attempt to diagnose the employee.
3. Supervisors and Department Heads shall:
 - a. Be responsive when an employee who is a victim or perpetrator of domestic violence asks for help. Contact the Human Resources and Risk Management Department for information regarding the County's Employee Assistance Program (EAP) and make that information available to the employee.
 - b. Maintain confidentiality. Information regarding the employee should only be given to others in order to provide assistance and security for the affected employee or other employees of Osceola County.
 - c. Work with the victim, the Human Resources and Risk Management Department, and Security or other appropriate law enforcement agency to assess the need for and development of a workplace safety plan for the victim.

- d. When necessary, adjust the employee's work schedule and leave time, when practical, to allow for medical appointments, legal appointments, relocation, and counseling. (See Domestic Violence Leave Policy.)
 - e. Consider steps needed to be taken to provide safety for other employees, customers, citizens, and visitors.
4. Options for employees who are victims of domestic violence:
- a. Tell a trusted co-worker, Supervisor, or Department Head of your circumstances and ask for assistance.
 - b. Contact the County Employee Assistance Program (EAP) for assistance.
 - c. Notify your Supervisor of the possible need to be absent, and work with management to arrange leave options and work schedules that may be available for you. Be clear about your plan to return to work and maintain communication with your Supervisor during your absence. (See Domestic Violence Leave Policy.)
 - d. If appropriate, and if safety is a concern, submit a recent photograph of the abuser and a copy of your protection order to your Supervisor. This will assist management and co-workers in identifying the abuser should they appear at your work location.
 - e. Keep a copy of your protection order with you at all times, if one is available.
5. Options for employees who are perpetrators of domestic violence:
- a. Tell a trusted co-worker, Supervisor, or Department Head of your circumstances and ask for assistance.
 - b. Contact the County EAP for assistance.
 - c. Enroll in a certified domestic violence treatment program.
- G. Workplace violence can have a devastating effect on the productivity of an agency and on the quality of life of its employees. Osceola County's goal is to maintain a safe and comfortable workplace for its employees. This goal can be achieved only through the commitment and efforts of all County officers and employees.



REFERENCE: 2.7-5 Fitness for Duty Evaluation


RELATED STANDARDS:

AMENDS or SUPERSEDES:

None

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To explain the Fitness for Duty Evaluation.
- III. **POLICY:**
 - A. The Board is committed to maintaining a safe environment for all employees and citizens. Such an environment is possible only when each employee is able to perform his or her job duties in a safe, secure, and effective manner, and remains able to do so throughout the entire time they are working.
 - B. In support of this Policy, the County Manager shall develop a Fitness for Duty Evaluation Procedure. The Procedure will address when the County has a reasonable belief, and based on objective evidence, that the employee’s ability to perform essential job functions will be impaired by a medical condition or will pose a direct threat due to a medical condition.
 - C. The County may use the results of the Fitness for Duty Evaluation to make decisions regarding the employee’s employment status, including, without limitation, and as applicable, provision of Reasonable Accommodation or whether medical separation or termination is appropriate.
 - D. A Fitness for Duty Evaluation shall be conducted by an independent and licensed healthcare provider of the County’s choosing.
 - E. To the extent allowed by law, Osceola County shall protect the confidentiality of the evaluation and the results.
 - F. This policy does not limit Osceola County’s right to take employment action under its normal disciplinary policies and procedures. Employees who fail to perform their job functions and/or engage in misconduct may face disciplinary action up to and including termination notwithstanding a referral for a Fitness for Duty Evaluation.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION SEVEN: Workplace Health and Safety DATE: 07/12/93 REVISED: 10/10/12 EFFECTIVE: 01/24/13 REVISED: 05/03/22 PAGES: 3
REFERENCE: 2.7-6 Driving Privileges	RELATED STANDARDS:
AMENDS or SUPERSEDES: 2.6 Driving Privileges 2.6-13 Driving Privileges	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.

- II. **PURPOSE:** To establish fair and consistent guidelines and standards for the privileges of driving County vehicles and/or using personal vehicles on County business, to promote safe driving habits and reduce our liability exposure, and to underscore the idea that driving for the County is a privilege and, in some cases, required to effectively perform certain job duties.

- III. **DEFINITIONS:**
 - A. Valid Driver’s License: An active state-issued driver’s license that has not expired, been revoked, or suspended.

 - B. Drive Status: An employee has a motor vehicle record that would allow them to drive a County vehicle or their personal vehicle while on County business.

 - C. Watch Status:
 - 1. Two (2) or more driving infractions in a 12-month period.
 - 2. Conviction of reckless driving and other major offenses.

 - D. No Drive Status:
 - 1. Three (3) or more moving violations within a three-year period.
 - 2. The employee is not in possession of a valid license due to suspension or revocation.
 - 3. The employee possesses any type of hardship or business purposes license.

4. The employee failed to comply with any law that results in a negative impact on the employee's driving privileges in any State or County, including, but not limited to refusal to submit to a field sobriety test, breathalyzer test, or other drug or alcohol testing.
5. DWI/DUI conviction within three (3) years.
6. Conviction of vehicular homicide or any driving offenses which result in serious bodily injury to any person.


IV. POLICY:

- A. It is the Policy of the Board to promote the safety of our drivers and protect County resources, employees, and the public from vehicular harm or incidents. Driving for the County is a privilege. As such, employees who drive for County business are expected to represent the County in a professional, courteous, and law-abiding manner.
- B. The following points represent key expectations:
 1. Adherence to the State of Florida traffic laws;
 2. Maintenance of a Florida driver's license, and a Commercial driver's license, if applicable, invalid and good standing;
 3. Awareness of high public visibility when driving County vehicles;
 4. Prompt reporting of accidents, violations, and tickets issued while conducting County business to supervisors and managers; and
 5. Awareness and abidance of this Policy and Department-specific policies and procedures related to driving.
- C. All employees' motor vehicle records shall be reviewed on regular basis to ensure that Board employees continue to meet the driving standards set by the County's vehicle insurance carrier.

V. PROCEDURES:

- A. Employees driving on behalf of Osceola County shall possess a Florida driver's license.
- B. Employees shall immediately inform his/her immediate Supervisor in the event the driver's license is denied, expired, suspended, revoked, or restricted.
- C. Upon candidate selection, and on an annual basis thereafter, the Human Resources and Risk Management Department shall review and analyze the employee's motor vehicle record against the County's vehicle insurance carrier's guidelines.
- D. In the event of a Watch Status, the employee shall sign a statement acknowledging that their motor vehicle record will be run on a monthly basis until he/she is deemed clear to drive without restrictions.

- E. In the event of a No Drive Status, the Human Resources and Risk Management Department shall review the employee's job description to determine if the No Drive Status results in a loss of job requirement.
- F. In the event of a No Drive Status, the employee and their Supervisor shall sign a statement acknowledging that the employee will not be allowed to drive a County vehicle or their own personal vehicle for County business until the Human Resources and Risk Management Department advises, in writing, that the employee is able to resume driving. Employees on a No Drive Status will not be allowed to drive a County vehicle and are not eligible for mileage reimbursement or car allowance. Once the employee resumes driving privileges, he/she shall be placed on a Watch Status for a period of at least one (1) year.
- G. If the employee does not meet the County's vehicle insurance carrier's guidelines or if the employee loses his/her driving privileges, and the ability to lawfully operate a vehicle is a job requirement, the County may reassign the employee to a position which does not require driving privileges. Any reassignment may result in a pay decrease. Notwithstanding this, the County has no obligation to create a position for the employee and may choose to discipline the employee, up to and including termination. If the employee loses their insurability or driving privileges due to a disability within the meaning of the Americans with Disabilities Act, the County shall make efforts to provide reasonable accommodations to the extent feasible and required by law.
- H. The County Manager has the final authority to designate driving status based on the needs of the County and insurance carrier guidelines for driving qualifications.

 OSCEOLA COUNTY POLICIES AND PROCEDURES	SECTION EIGHT: Disciplinary Actions and Grievances DATE: 07/12/93 REVISED: 09/12/12 EFFECTIVE: 09/28/12 REVISED: 05/03/22 PAGES: 9
REFERENCE: 2.8-1 Offenses and Disciplinary Actions	
RELATED STANDARDS:	
AMENDS or SUPERSEDES: 2.75 Offenses and Disciplinary Actions 2.7-1 Offenses and Disciplinary Actions	DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for employee offenses and disciplinary actions.
- III. **DEFINITIONS:**
 - A. Major Offenses: Acts or omissions considered to be so serious in nature that termination is appropriate without regard for an employee’s length of service, prior conduct, or performance record.
 - B. Lesser Offenses: Instances of improper conduct that require lesser degrees of disciplinary action for the first offense. Lesser offenses, however, even for the first offense, do not preclude termination depending upon the circumstances of the offense.
 - C. Moral Turpitude: "Crimes of moral turpitude" as used herein include any criminal conviction or plea of nolo contendere, under a city, county, state, or federal ordinance, regulation, statute, or law, where the criminal act or conduct involves conduct contrary to justice, honesty, modesty, community morality, or good morals, generally. A crime of moral turpitude thus includes, but is not limited to, any crime, the commission of which, reflects adversely on a person's reputation, integrity or reliability, of which otherwise brings, tends to bring, or may reasonably be expected to bring discredit or disrepute upon that person or that person's employer.
- IV. **POLICY:** Employment as a public servant is a privilege that demands the best efforts of anyone who is honored with the opportunity. A County employee’s commission of misconduct or unsatisfactory duty performance will make that employee subject to corrective action or termination, depending on the evaluation of all the circumstances surrounding the situation. Neither this policy nor its implementing procedures alter the at-will employment relationship that exists between the County and its employees. This means that employees are free to terminate their employment at any time, for any reason, and Osceola County retains that same right. To this end, the County reserves the right to administer discipline

in any manner it sees fit. This policy and its implementing procedures are not to be considered as a promise of specific treatment.

V. PROCEDURES:

A. Types of Major Offenses

1. Insubordination

Failure, or unreasonable delay, in carrying out specific instructions given by any Supervisor; blatant disregard of supervisory instructions; failure to cooperate with supervisory directives.

2. Dereliction of Duties

Willful failure of duty, or deliberate or conscious neglect of duty.

3. Physical Harm/Assault

Assault on or inflicting bodily harm on another employee, Supervisor, or member of the public. Assault is defined as an indirect or direct threatening or aggressive act or language toward another employee, Supervisor, or member of the general public.

4. Theft or Pilfering

Possessing, taking, destroying, or tampering with County property without proper authorization.

5. Abuse of County Property

Willful or malicious destruction, negligence, or abuse of County property, equipment, or facilities; damage to property by failing to use proper equipment, care, and/or good judgment.

6. Drug/Alcohol Use and/or Possession

Using alcohol or a controlled substance or having alcohol and/or a controlled substance in his/her possession while on County property and/or on County work time; possession, use, or sale of alcohol or a controlled substance on County property and/or County time.

7. Violations of Law

a. Pleading guilty or nolo contendere to a felony, job-related misdemeanor, or misdemeanor involving moral turpitude.

b. Being arrested, charged, or found guilty of a traffic offense, felony, job-related misdemeanor, or misdemeanor involving moral turpitude.

c. Failure to notify the Supervisor or appointing authority that information has been filed against him by a prosecuting official.

d. Gambling on County time and/or property.

8. Incarceration

Failure to notify a Supervisor of an employee's incarceration for an offense, charge, or alleged crime.

9. Conflict of Interest

Beginning or maintaining an outside personal or business economic relationship which affords present or future financial benefits to the employee by securing advantage of goods, services, or influence due to position of the employee with the County.

10. Safety Violations

Unauthorized possession and/or use of weapons, ammunition, or explosives; neglect for the safety of others or the commission of unsafe acts in the use and care of County property or equipment.

11. Illegal Driving

- a. Issued driver's license has expired, or has been denied, restricted, revoked or suspended during employment.
- b. Failure to notify Supervisor if license becomes denied, expired, restricted, suspended, or revoked, where valid driver's license is required in employee's job description during employment.
- c. Driving a private or county vehicle while on County business when not possessing a valid driver's license.
- d. Permitting unauthorized individuals to ride in or drive a County vehicle.

12. Nepotism

Hiring or recommending the hiring of a relative in the same Department or Division over which one has some degree of authority.

13. Gifts and Gratuities

Employee acceptance of loans, advances, gifts, gratuities, favors and/or entertainment from a supplier, bidder, or other parties doing business or having an interest in/with County government.

B. Types of Lesser Offenses

1. Dangerous Horseplay

Pranks resulting in physical harm or property damage.

2. Misconduct

- a. Smoking in restricted areas.
- b. Parking in an unauthorized parking area reserved for County vehicles.
- c. Any act or language which adversely affects morale, production, or the maintenance of discipline.

- d. Rudeness or acts of disrespect to the public, Supervisors, or co-workers.
- 3. Absenteeism/Unauthorized Absences
Habitual or excessive absences from work even if caused by legitimate illness.
 - a. Unauthorized absence is defined as failure to report for work for one or more workdays without approval.
 - b. Failure to report for three (3) consecutive working days is considered a major offense.
- 4. Tardiness
Failure to be present at the beginning of the workday, the start of a work shift, or when work assignments are being issued.
- 5. Leaving the Assigned Work Area
Leaving assigned work area or work site, except for emergencies or when approved by the Supervisor.
- 6. Misuse of County Time
Sleeping or other acts of inattention or neglect of duty.
- 7. Abuse or Violation of County Policies
Abuse or violation of County policies including Personnel Policies and Procedures, any Department Operating Policies and Procedures, or otherwise established rules and regulations not constituting a major offense.
- 8. Incompetence
Incompetence or inefficiency in the performance of assigned duties.
- 9. Inducement
Attempting to induce any officer or employee of the County to commit an action in violation of any lawful or reasonable policy or regulation.
- 10. Safety Violations
Failure to observe County safety practices and regulations.
- 11. Loss of job requirements
Loss of a required license or certificate or other job requirement during employment.
- 12. False Statements
Making intentionally false statements, either verbally or in writing, about the County, other employees, themselves, supervision, or work situations.
- 13. Outside Employment
Failure to obtain appropriate approval to participate, or continue participation in, employment other than with Osceola County.

14. Personal Use of County Property

Personal use of County equipment, materials, tools, and supplies, without written permission of the issuing Department Director.

15. Promotion of Private Business

Promotion of private business for gain within any County building, property, or on County time.

16. Personal Calls, Mail, and email

Receiving a large amount of personal phone calls, personal mail, or personal e-mails while on county-compensated time such that there is a negative impact on the work operation of the employee or his/her Department.

C. Disciplinary Guidelines

1. Examples of misconduct provided in any rule do not limit the generality of such a rule. There is no mechanical or precise formula for determining the type of discipline appropriate in any case, except for violations of major offenses for which termination is the appropriate disciplinary action. However, conduct that constitutes a lesser offense should be decided on an individual basis and generally follow a progressively stringent corrective course until the affected employee either recognizes the need for correcting a deficiency, corrects deficiencies, or failing this, should be discharged from employment. At a minimum, the County will attempt to consider the following factors in determining the best course of disciplinary action:
 - a. The seriousness and circumstances of the particular offense.
 - b. The employee's past record, length of service, performance, disciplinary records, and the type of work performed by the employee.
 - c. The lapse of time since the employee was last disciplined, and frequencies of disciplinary problems.
 - d. County practice in similar cases.
 - e. Impact on the employee and implications for other employees.
 - f. Available justification and objective documentation to support the action, given an appeal.
 - g. Any extenuating circumstances which may exist.
2. **EXCEPTION:** These considerations do not apply to first occurrences of major offenses where termination is appropriate.
3. Department Heads and Administrators may be suspended or discharged with or without cause in the sole authority of the County Manager under the Charter.

D. Types of Disciplinary Actions

Acceptable disciplinary actions may, depending upon the circumstances, include, but will not be limited to, the following:

1. Oral Warning

- a. An oral warning should be administered and documented by the affected employee's immediate Supervisor for the first occurrence of a lesser offense; or when the Supervisor first observes less than acceptable performance from the affected employee.
- b. An oral warning should be given as soon after the violation as practicable and should be given after the most recent basis for the oral warning has come to the employee's immediate Supervisor's attention.
- c. Although an employee's immediate Supervisor will generally initiate an oral warning, administer it, and properly document the issuance of an oral warning in the employee's personnel file, any higher-level Supervisor also has the authority to issue oral warnings to subordinate employees within their respective Departments.
- d. Oral warning notices shall contain the following:
 - i. An explanation of the offense or problem;
 - ii. An explanation as to why the offense violates County policy;
 - iii. An outline that prescribes or identifies the corrective action expected by the County and the date or timeframe by which improvement must be accomplished, and;
 - iv. A statement of the consequences to the affected employee if the undesirable conduct or performance continues.

2. Written Reprimand

- a. A written reprimand will normally be administered and documented by the affected employee's immediate Supervisor, when less-severe disciplinary action has been unsuccessful and/or corrective action has not been taken by the employee for the initial serious offense, and/or for repeated minor offenses.
- b. A written reprimand should be given as soon after the violation as practicable, and usually should be given after the most recent basis for the written reprimand was known by the employee's immediate Supervisor.
- c. Although an employee's immediate Supervisor is normally the person to initiate, administer, and document written reprimands, any higher-level Supervisor also has the same authority, within respective Departmental parameters.
- d. Written reprimands shall contain the following:

- i. An explanation of the offense or problem;
- ii. An explanation as to why the offense violates County policy;
- iii. An outline that prescribes or identifies the corrective action expected by the County and the date or timeframe by which improvement must be accomplished, and;
- iv. A statement of the consequences to the affected employee if the undesirable conduct or performance continues.

3. Demotion

- a. An employee can be demoted to a position with a lower pay rate in the same pay grade and/or to a position in a lower pay grade.
- b. A demotion would be appropriate, for example, when it appears that an employee does not deserve to remain in his/her former position by reason of his/her poor performance and/or conduct warranting imposition of discipline.
- c. The following information shall be documented:
 - i. Any oral warnings and/or written reprimands containing an explanation of the offense or problem;
 - ii. Outline of Performance Improvement Plan (PIP) if one was administered;
 - iii. Outcome of corrective action.

4. Suspension

- a. The immediate Supervisor or other reviewing Supervisor may recommend the suspension of an employee to the Department Head, for ultimate approval by Human Resources.
- b. Suspension constitutes disciplinary time away from the job, usually without pay.
- c. Suspensions should be considered and initiated when:
 - i. Less severe disciplinary actions have been unsuccessful;
 - ii. An employee fails to take corrective action as identified in previous disciplinary actions;
or
 - iii. As preliminary disciplinary actions pending investigation of major offense(s); or

- iv. The severity of the offense warrants discipline or suspension.
- d. Suspensions shall be for a period of no less than one (1) working day and shall normally not exceed five (5) consecutive working days or shifts. If suspension is initiated, it shall be effective the day action was taken. Exempt employees shall only be suspended for five-day increments.
- e. Suspension actions should be given soon after the violation as practicable and should be given after the most recent basis for the suspension becomes known to the employee's immediate Supervisor.
- f. All suspension actions without pay must have the prior approval of Human Resources prior to the disciplinary discussion with the affected employee.
- g. Suspension actions may serve as interim disciplinary action when termination is warranted as a result of the employee's offense for the reasons that:
 - i. Sufficient time is allowed for a thorough investigation of the offense and circumstances.
 - ii. Such action provides the opportunity for the Supervisor to request and/or accept written, signed statement(s) from the affected employee.
 - iii. Time is provided for careful and well-reasoned documented determinations.

5. Pre-Determination

- a. Prior to any involuntary termination of employment, demotion, or suspension without pay, the affected employee shall receive written notice of the proposed action, which shall include a written statement of the reasons for such action and provide the affected employee with an opportunity to rebut such reasons.
- b. The affected employee shall then have the right and opportunity to respond in writing to the proposed action and the reasons therefore, and/or orally respond to such matters before the person having the responsibility for making such decision.
- c. Following completion of such procedures, the person responsible for the employment decision will notify the affected employee in writing of the final decision.
- d. Eligible employees have the right to challenge the employment decision by using the grievance procedure set forth in Personnel Policies and Procedures 2.8-2, Grievances.
- e. Department Heads are required to consult with the Human Resources and Risk Management Department prior to initiating any action involving a demotion, suspension, or termination, and prior to conducting a Pre-Determination Meeting.

- f. The County Manager, County Attorney, and Commission Auditor serve at the pleasure of the Board of County Commissioner under the Charter and, therefore, are not eligible to utilize this process.
- g. Department Heads and Administrators are not eligible to utilize this process as they may be suspended or discharged with or without cause in the sole authority of the County Manager under the Charter.

6. Termination

- a. The County has provided a list of certain offenses that will result in a termination of employment. The County cannot foresee and advise the employee of every possible act that may result in dismissal from employment and therefore the County reserves the right to dismiss an employee, for a reason that is not listed under "major offenses" when the County determines that the circumstances warrant such disciplinary action.
- b. A suspension will not necessarily precede a termination action.
- c. All termination actions must be approved by the Human Resources and Risk Management Department prior to discussion with the affected employee.



REFERENCE: 2.8-2 Grievances

RELATED STANDARDS:

AMENDS or SUPERSEDES:

- 2.80 Purpose
- 2.81 Definition
- 2.82 Eligibility
- 2.83 General Provisions
- 2.84 First Step
- 2.85 Second Step
- 2.86 Third Step
- 2.7-2 Grievances

DISTRIBUTION: All Osceola County Employees

- I. **AUTHORITY:** Osceola County Board of County Commissioners.
- II. **PURPOSE:** To establish fair and consistent guidelines for employee grievances.
- III. **DEFINITIONS:**
 - A. **Grievance:** A job-related complaint raised by an employee who believes that he/she has not been treated in accordance with the employment policies and procedures set forth by the Osceola County Board of County Commissioners. If an employee has a complaint concerning any matter not covered by the provisions of this Chapter, he/she should informally discuss the complaint with his/her Supervisor to attempt clarification or resolution of the concern, but such complaint may not be appealed through the grievance procedure set forth below. Accordingly, if an employee attempts to file a grievance concerning a matter which is not grievable, the employee will be informed that he/she has no resort to the grievance procedure.
- IV. **POLICY:**
 - A. The County maintains a fair and equitable grievance process that provides employees with a formal, structured method through which they may voice complaints concerning work-related issues, and seek administrative redress for alleged violations, misinterpretations or inequitable applications of County Policies, departmental rules, and/or standards of conduct.
 - B. Employees should pursue, if possible, an informal resolution of their complaints, utilizing all available avenues within their Department before filing a formal, written grievance. An employee has the right to use the grievance process without fear of reprisal or retaliation. The filing of a grievance by an employee will not reflect adversely on the employee's standing or performance.

- C. This Policy and its implementing Procedures do not create or grant covered employees with a property interest in their employment or tenure rights of any kind and do not constitute a contract of employment, express or implied. The grievance procedure may be modified or eliminated by the County at any time, with or without prior notice.
- D. This Policy is not intended to deal with either of the following:
 - 1. Disputes of a collective nature which are dealt with under the procedures outlined in the collective bargaining agreements; or
 - 2. Complaints arising from alleged discrimination or Harassment incidents covered under the Equal Employment Opportunity and Anti-Harassment policies.

V. PROCEDURES:

A. Applicability

- 1. These procedures apply to all Board of County Commissioners employees with the exception of Corrections Department employees.
- 2. The IAFF, Local 3284 collective bargaining agreement (“CBA”) includes language which specifically sets forth the grievance procedure bargaining unit members may elect to utilize should a dispute or difference concerning the interpretation, application, or claimed violation of the CBA or employment policies and procedures arise.

B. Eligibility

- 1. Full-time and part-time regular employees have the right to pursue any and all grievances through the grievance procedure.
 - 2. Employees terminated during their probationary period are not eligible to utilize the grievance process and shall have no rights to appeal the discharge decision.
 - 3. The County Manager, County Attorney, and Commission Auditor serve at the pleasure of the Board of County Commissioner under the Charter, therefore, are not eligible to utilize the grievance process with regard to employment discharge/termination.
 - 4. Department Heads and Administrators are not eligible to utilize the grievance process as they may be suspended or discharged with or without cause in the sole authority of the County Manager under the Charter.
- C. It is the intent and desire of Osceola County to adjust complaints or grievances informally, and both Supervisors and employees are expected to make every effort to resolve problems as they arise. However, it is recognized that there will be grievances that will be resolved only after a complete review. The submission of a grievance by an employee shall in no way adversely affect his/her employment with the County.
 - D. Employees are expected to follow all written and verbal directives of Supervisors. Compliance with such directives will not in any manner prejudice an employee's right to file a grievance within the

time limits contained herein, nor shall compliance affect the ultimate resolution of the grievance. No employee or group of employees may refuse to follow Supervisory directions pending the outcome of a grievance.

- E. An employee shall have the right to be represented by any person, or legal counsel at any time throughout the processing of a grievance through the procedure contained herein.
- F. When an employee pursues the following grievance and appeal procedure, failure to strictly follow the time limits will automatically result in a final and binding denial of the grievance. If the County does not follow the time limits, the appropriate County official will be deemed to have denied the grievance and it may be appealed to the next step as if the official had timely rendered a decision.
- G. Time limits expressed in this policy refer to calendar days unless expressly defined in terms of working days. Further, the day upon which the event or decision occurs shall not be included in calculating the number of days remaining for an appeal.
 - 1. An employee must file a grievance within ten (10) calendar days after a grievance occurrence. The day of the occurrence is not included in the ten (10) day period.
- H. If a grievance alleges the misconduct or actions of another County employee, then the named employee shall be entitled to:
 - 1. Full disclosure of the grievance by being provided with a copy of said grievance.
 - 2. Presence and/or representation at all grievance meetings.
 - 3. The right to present evidence at all grievance meetings including the right to testify and present witnesses.
 - 4. The right to file a counter-grievance, subject to all the policies and procedures herein, either concurrently or within five (5) calendar days of resolution of the primary grievant's case.
- I. All grievances must be submitted in writing and must refer specifically to the sections and subsections of this Chapter upon which the grievance is based. Each grievance shall include a concise statement of the facts asserted to support the grievance and any remedy that is claimed or requested by the grievant.
- J. **First Step**
 - 1. The grievant must file a signed and written grievance using the Employee Grievance Form with his/her Department Head within ten (10) calendar days after the date of the occurrence on which the grievance is based.
 - 2. Within ten (10) calendar days after receiving this grievance, the Department Head will schedule a meeting with the grievant, a representative of the Human Resources and Risk Management Department, and any other representative of the County, for the purpose of deciding the grievance.

3. The Department Head will notify the grievant within ten (10) calendar days in writing of his/her decision.

K. **Second Step**

1. If the grievance is not resolved through the First Step, the grievant may submit the grievance in writing to the County Manager, within ten (10) calendar days after receipt of the decision from the First Step.
2. Upon receipt by the County Manager, the employee will be given an opportunity within ten (10) calendar days to explain his/her position in writing and/or orally to the County Manager or his/her designee.
3. After considering all the information, the County Manager shall make a decision, which shall be final and binding.

APPENDIX A

DEFINITIONS

The following terms shall have the meanings set forth below whenever they appear in Chapter 2 of the Administrative Code and/or correlating County Manager Policies and Procedures Manual.

“Abuse” means the intentional destruction, diversion, manipulation, misapplication, mistreatment, or misuse of County resources; the wasteful or improper use of county property; or the extravagant or improper use of a person’s position or authority. Abuse can occur in a financial or non-financial environment.

“Administrative Code/Code” means the compilation of the Board’s Policy/rules for its operations.

“At-Will Employment” describes a working environment in which employers are free to terminate employees at any time, without cause, explanation, or prior warning, provided it does not violate state and federal anti-discrimination laws. Similarly, employees can quit a job at any time without reason or notice.

“Benefits” means employee benefits, excluding salaries and wages, but including employer contributions to a retirement system, social security, insurance, and similar direct benefits as well as other costs such as Other Post-Employment Benefits (OPEB) expense accrual, Worker’s Compensation, and Unemployment Compensation Insurance.

“Board” means the Osceola County Board of County Commissioners that is the duly elected legislative branch responsible for setting policies, adopting ordinances, appropriating funds, etc.

“Change in Status” means any change or modification in terms and conditions of employment including, but not limited to, salary, paygrade, hours, cost center, reporting relationship, Department, job classification etc.

“Catastrophic Illness and or Injury” means an acute or prolonged illness or injury that is considered life-threatening or with the threat of serious residual disability which result in the employee's inability to work. A “Catastrophic Illness and or Injury” does not include: (1) short term ailments such as flu, colds, or routine medical or dental appointments; (2) elective, cosmetic or reconstructive surgery unrelated to another major illness, accident or injury; (3) job-related illnesses or injuries which may be covered by workers’ compensation; or (4) intentional self-inflicted injuries.

“Conflict of Interest” means a situation in which an employee is in a position to derive personal benefit from actions or decisions made in their official capacity.

“Constitutional Officers” means the five Officers who are independently elected

countywide on a partisan ballot with no term limits including the Clerk of the Circuit Court, Property Appraiser, Tax Collector, Supervisor of Elections, and Sheriff.

“County” means Osceola County, Florida, a charter county and political subdivision of the State.

“County Administration” means the County Manager, Chief Administrative Officer, Deputy County Manager(s) and/or Assistant County Manager(s) when acting in the capacity of the County Manager in accordance with approved, written delegation of authority, and determined necessary by the County Manager to assist with overseeing the day-to-day operations of the County.

“County Manager” means the chief executive officer of the County appointed pursuant to Section 2:3 A of the Osceola County Home Rule Charter, or such person's designee, who oversees county operations.

“County Manager’s Procedure/Procedure” means an established process in alignment with the Administrative Code (Board’s Policies) developed by the relevant staff, reviewed by the County Attorney’s Office and approved by the County Manager, in order to provide direction to staff in carrying out the day-to-day administration of the County.

“Department(s)” means an administrative Department, Division, or Office of the County Manager’s Organizational Chart with a particular area of responsibility.

“Departments’ Administrators/Directors/Department Head” means executive-level managers assigned to oversee a specific division/area of responsibility in accordance with the County Manager’s Organizational Chart.

“Employee” Any person who is employed by Osceola County Government.

“Equal Employment Opportunity” means a principle that asserts that all people should have the right to work and advance on the bases of merit and ability, regardless of their race, sex, color, religion, disability, national origin, or age.

“E-Verify” means an internet-based system that compares information entered by an employer from an employee’s Form I-9, Employment Eligibility Verification, to records available to the U.S. Department of Homeland Security and the Social Security Administration to confirm employment eligibility.

“Fair Labor Standards Act (FLSA)” is the federal law intended to protect workers against certain unfair pay practices. As such, the FLSA sets out various labor regulations regarding interstate commerce employment, including minimum wages, requirements for Overtime pay, and limitations on child labor.

“Family and Medical Leave Act (FMLA)” means the labor law requiring employers of a certain size to provide employees with unpaid time off for serious family health issues or

situations. Qualified reasons may include adoption, pregnancy, foster care placement, family or personal illness, or military leave. It also provides for the continuation of insurance coverage and job protection while the employee is on leave.

“Fiscal Year” means the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law as the fiscal year for the County.

“Federal Controlled Substance Act (CSA)” places all substances which were in some manner regulated under existing federal law into one of five schedules. This placement is based upon the substance’s medical use, potential for Abuse, and safety or dependence liability.

“Fitness for Duty Evaluation” means a medical or psychological examination in which a licensed professional seeks specific information about an employee’s physical or mental health condition as is related to, or within the scope of the work of job duties.

“Fraud” means the intentional misrepresentation of material fact made to another person with knowledge of its falsity for the purpose of inducing the other person to act, and upon which the other person relies and consequently suffers injury or damage. Examples include the following:

- Embezzling or other financial irregularities.
- Forging, improperly altering, or falsifying documents.
- Falsely reporting hours or days worked.
- Buying overpriced office equipment from a favored vendor.
- Buying unnecessary equipment for personal use or gain.
- Receiving or offering bribes or kickbacks.

“Furlough” means a period of time when an employee is told not to come to work and is not paid.

“Harassment” means a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA). Harassment is unwelcome conduct that is based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, older age (beginning at age 40), disability, or genetic information (including family medical history). Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit Harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

“Immediate Family” means the employee’s spouse, domestic partner, parents (including stepparents, foster parents, parents-in-law, and domestic partner’s parents), grandparents, siblings, children, children of a domestic partner, stepchildren, adopted children, a child for whom the employee has parenting responsibilities, and a relative or friend who resides with the employee.

“Immigration Reform and Control Act” amends the Immigration and Nationality Act to make it unlawful for a person or entity to (1) hire (including through subcontractors), recruit, or refer for a fee for U.S. employment any alien knowing that such person is unauthorized to work, or any person without verifying his or her work status; or (2) continue to employ an alien knowing of such person’s unauthorized work status.

The Act also established an employment verification system that requires: (1) the employer to attest, on the I-9 Employment Eligibility Verification Form, that the employee’s work status has been verified by examination of a passport, birth certificate, social security card, alien documentation papers, or other proof; (2) the worker to similarly attest that he or she is a U.S. citizen or national, or authorized alien; and (3) the employer to keep such records for three years in the case of referral or recruitment, or the later of three years or one year after employment termination in the case of hiring.

“Nepotism” means a form of favoritism shown to acquaintances and family members. Nepotism is the act of abusing one’s power or official position to offer a job or a favor to a family member or acquaintance while disregarding their merit and qualifications.

“Overtime” refers to any hours worked by an employee that exceed their normally scheduled working hours. While a generalized Overtime definition refers simply to those hours worked outside of the standard working schedule, Overtime commonly refers concurrently to the employee’s remunerations for such work.

“Reasonable Accommodation” means a change that accommodates employees with disabilities so they can do the job without causing the employer “undue hardship” (too much difficulty or expense).

“Regular Full-Time Employee” means an employee occupying a permanent, budgeted position that requires thirty (30) hours or more of work per week. Such employees are eligible for all County Benefits as set forth in the Personnel Policies and Procedures.

“Regular Part-time Employee” means an employee occupying a permanent, budgeted position that requires less than thirty (30) hours of work per week. Such employees are not eligible for health insurance benefits but are eligible for certain Benefits as set forth in the Personnel Policies and Procedures.

“Relative” means an individual who is connected by blood or marriage, such as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife,

domestic partner, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half- brother, or half-sister.

“Schedule I Substances” means drugs with no currently accepted medical use and a high potential for abuse.

“Title I of the Americans with Disabilities Act (ADA)” means the federal civil rights law that prohibits discrimination of qualified persons with disabilities. The law:

- Helps people with disabilities access the same employment opportunities and benefits available to people without disabilities.
- Applies to employers with 15 or more employees.
- Requires employers to provide Reasonable Accommodations to qualified applicants or employees.
- Defines disability, establishes guidelines for the Reasonable Accommodation process, and addresses medical examinations and inquiries.

“Waste” means the unnecessary spending or squandering of County resources, whether intentional or unintentional. Inefficient or ineffective practices may result in Waste.

APPENDIX B

ACCEPTABLE ENCRYPTION PROCEDURE

Created: 5/22/2009

Modified: 12/21/2009

Purpose

The purpose of this policy is to provide guidance that limits the use of encryption to those algorithms that have received substantial public review and have been proven to work effectively. Additionally, this policy provides direction to ensure that Federal regulations are followed, and legal authority is granted for the dissemination and use of encryption technologies outside of the United States.

Definitions

Proprietary Encryption - An algorithm that has not been made public and/or has not withstood public scrutiny. The developer of the algorithm could be a vendor, an individual, or the government.

Symmetric Cryptosystem - A method of encryption in which the same key is used for both encryption and decryption of the data.

Asymmetric Cryptosystem - A method of encryption in which two different keys are used: one for encrypting and one for decrypting the data (e.g., public-key encryption).

Scope

This policy applies to all Osceola County employees.

Guidelines

Proven, standard algorithms such as DES, Blowfish, RSA, RC5 and IDEA should be used as the basis for encryption technologies. These algorithms represent the actual cipher used for an approved application. For example, Network Associate's Pretty Good Privacy (PGP) uses a combination of IDEA and RSA or Diffie-Hellman, while Secure Socket Layer (SSL) uses RSA encryption. Symmetric cryptosystem key lengths must be at least 56 bits. Asymmetric crypto- system keys must be of a length that yields equivalent strength. Osceola County's key length requirements will be reviewed annually and upgraded as technology allows.

The use of proprietary encryption algorithms is not allowed for any purpose, unless reviewed by qualified experts outside of the vendor in question and approved by Osceola County Information Technology. Be aware that the export of encryption technologies is restricted by the U.S. Government. Residents of countries other than the United States should make themselves aware of the encryption technology laws of the country in which they reside.

Data that is classified as Osceola County Confidential "More Sensitive" or "Most Sensitive" according to Information Technology's Confidential Information and Data Classification Procedure may need to be stored in an encrypted format. If it is stored for any length of time on a mobile computing device such as a laptop, or a mobile storage device such as an external hard drive or USB storage device, appropriate encryption should be

used to secure the data and protect it against theft or loss of the mobile device. For further guidance please contact the Information Technology Service Desk.

APPENDIX C

CONFIDENTIAL INFORMATION AND DATA CLASSIFICATION PROCEDURE

Created: 5/26/2009

Modified: 12/21/2009

1.0 Purpose

The Confidential Information and Data Classification Procedure is intended to help employees determine what information can be disclosed to non-employees, as well as the relative sensitivity of information that should not be disclosed outside of Osceola County without proper authorization.

The information covered in these guidelines includes, but is not limited to, information that is either stored or shared via any means. This includes electronic information, information on paper, and information shared orally or visually (such as telephone and video conferencing).

All employees should familiarize themselves with the information labeling and handling guidelines that follow this introduction. It should be noted that the sensitivity level definitions were created as guidelines and to emphasize common sense steps that you can take to protect Osceola County Confidential information (e.g., Osceola County Confidential information should not be left unattended in conference rooms).

Please Note: The impact of these guidelines on daily activity should be minimal.

All County employees shall comply with all applicable laws and regulations regarding the inspection, copying, redacting, release, and storage of public records, including, but not limited to, Florida Statute, Chapter 119 Public Records (the "Sunshine Law"). Nothing in this procedure shall be interpreted or construed as the County requiring non-compliance with or deviation from any federal, state, or local laws or regulations governing the inspection, copying, redacting, release, or storage of public records.

Questions about the proper classification of a specific piece of information should be addressed to your manager. Questions about these guidelines should be addressed to Information Technology.

Scope 2.0

All Osceola County information is categorized into two main classifications:

- Osceola County Public
- Osceola County Confidential

Osceola County Public classifies information that has been declared public knowledge by someone with the authority to do so and can freely be given to anyone without any possible damage to Osceola County. Public Information Requests should be submitted to the Public Information Office.

Osceola County Confidential classifies all other information. It is a continuum; in that it is understood that some information is more sensitive than other information and should be protected in a more secure manner. Included is information that should be protected very strictly, such as plans for critical infrastructure, personally identifiable information, protected health information (HIPAA), juvenile court records, as well as personal information related to public safety, law enforcement and correctional employees, and other legally protected

information. Also included in Osceola County Confidential is information that is less critical, such as telephone directories, general personnel information, etc., which does not require as stringent a degree of protection.

A subset of Osceola County Confidential information is "Osceola County Third Party Confidential" information. This is confidential information belonging to or pertaining to another corporation which has been entrusted to Osceola County by that company under non-disclosure agreements and other contracts.

Examples of this type of information include everything from vendor lists, copyrighted or other proprietary information. Information in this category ranges from extremely sensitive to information about the fact that we've connected a supplier / vendor into Osceola County's network to support our operations.

Osceola County personnel are encouraged to use common sense judgment in securing Osceola County Confidential information to the proper extent. If an employee is uncertain of the sensitivity of a particular piece of information, he/she should contact their manager.

3.0 Guidelines

The Sensitivity Guidelines below provide details on how to protect information at varying sensitivity levels. Use these guidelines as a reference only, as Osceola County Confidential information in each column may necessitate more or less stringent measures of protection depending upon the circumstances and the nature of the Osceola County Confidential information in question. Those measures may include storing the information using an approved encryption method in accordance with Information Technology's Acceptable Encryption Procedure.

3.1 Minimal Sensitivity: General County information; some personnel and technical information

Marking guidelines for information in hardcopy or electronic form.

Note: any of these markings may be used with the additional annotation of "3rd Party Confidential".

Marking is at the discretion of the owner or custodian of the information. If marking is desired, the words "Osceola County Confidential" may be written or designated in a conspicuous place on or in the information in question. Other labels that may be used include "Osceola County Proprietary" or similar labels at the discretion of your individual division or office. Even if no marking is present, Osceola County information is presumed to be "Osceola County Confidential" unless expressly determined to be Osceola County Public information by an Osceola County employee with authority to do so.

Access: Osceola County employees, contractors, people with a business need to know.

Distribution within Osceola County: Standard interoffice mail, approved electronic mail and electronic file transmission methods. **Distribution outside of Osceola County internal mail:** U.S. mail and other public or private carriers, approved electronic mail and electronic file transmission methods.

Electronic distribution: No restrictions except that it be sent to only approved recipients.

Storage: Keep from view of unauthorized people; erase whiteboards, do not leave in view on tabletop. Machines should be administered with security in mind. Protect from loss; electronic information should have individual access controls where possible and appropriate.

Disposal/Destruction: Deposit outdated paper information in specially marked disposal bins on Osceola County premises; electronic data should be expunged/cleared. Reliably erase or physically destroy media.

Penalty for deliberate or inadvertent disclosure: Up to and including termination, possible civil and/or criminal prosecution to the full extent of the law.

3.2 More Sensitive: Business, financial, technical, and most personnel information

Marking guidelines for information in hardcopy or electronic form.

Note: Any of these markings may be used with the third annotation of the 3rd Party Confidential. As the sensitivity level of the information increases, you may, in addition or instead of marking the information "Osceola County Confidential", wish to label "Osceola County Internal Use Only" or other similar labels at the discretion of your individual department to denote a more sensitive level of information. However, marking is discretionary at all times.

Access: Osceola County employees and authorized non-employees who have a business need to know.

Distribution within Osceola County: Standard interoffice mail, approved electronic mail and electronic file transmission methods.

Distribution outside of Osceola County internal mail: Sent via U.S. mail or approved private carriers.

Electronic distribution: No restrictions to approved recipients within Osceola County, but should be encrypted or sent via a private link to approved recipients outside of Osceola County premises.

Storage: Individual access controls are highly recommended for electronic information.

Disposal/Destruction: In specially marked disposal bins on Osceola County premises; electronic data should be expunged/cleared. Reliably erase or physically destroy media.

Penalty for deliberate or inadvertent disclosure: Up to and including termination, possible civil and/or criminal prosecution to the full extent of the law.

3.3 Most Sensitive: Legally protected information, protected health information, plans for critical infrastructure, juvenile court records, emergency response plans, personnel, financial, source code, & technical information integral to the successful operation of the County.

Marking guidelines for information in hardcopy or electronic form.

Note: any of these markings may be used with the additional annotation of "3rd Party Confidential". To indicate that Osceola County Confidential information is very sensitive, you may should label the information "Osceola County Internal: Registered and Restricted", "Osceola County Eyes Only", "Osceola County Confidential" or similar labels at the discretion of your individual department. Once again, this type of Osceola County Confidential information need not be marked, but users should be aware that this information is very sensitive and be protected as such.

Access: Only those individuals (Osceola County employees and non-employees) designated with approved access and/or signed and executed non-disclosure agreements.

Distribution within Osceola County: Delivered direct - signature required, envelopes stamped confidential, or approved electronic file transmission methods.

Distribution outside of Osceola County internal mail: Delivered direct; signature required; approved private carriers.

Electronic distribution: No restrictions to approved recipients within Osceola County, but all information be strongly encrypted as defined in the Information Technology's Acceptable Encryption Procedure.

Storage: Individual access controls are very highly recommended for electronic information. Physical security is generally used, and information should be stored in a physically secured computer.

Disposal/Destruction: Strongly Encouraged: In specially marked disposal bins on Osceola County premises; electronic data should be expunged/cleared. Reliably erase or physically destroy media.

Penalty for deliberate or inadvertent disclosure: Up to and including termination, possible civil and/or criminal prosecution to the full extent of the law.

4.0 Enforcement

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

5.0 Definitions Terms and Definitions

Appropriate measures

To minimize risk to Osceola County from an outside business connection. Osceola County computer use by competitors and unauthorized personnel must be restricted so that, in the event of an attempt to access Osceola County information, the amount of information at risk is minimized.

Configuration of Osceola County-to-other organizations connections

Connections shall be set up to allow other organizations to see only what they need to see. This involves setting up both applications and network configurations to allow access to only what is necessary.

Delivered Direct; Signature Required

Do not leave in interoffice mail slot.

Approved Electronic File Transmission Methods

Includes supported FTP clients and Web browsers.

You are not required to use a special envelope. Put your document(s) into an interoffice envelope, seal it, address it, and stamp it confidential.

Approved Electronic Mail

Includes all mail systems supported by the IT Support Team. These include, but are not necessarily limited to, Microsoft Outlook 2007. If you have a business need to use other mailers contact Information Technology.

Envelopes Stamped Confidential

Approved Encrypted email and files

Please refer to Information Technology's Acceptable Encryption Procedure.

Company Information System Resources

Company Information System Resources include but are not limited to, all computers, their data and programs, as well as all paper information and any information at the Internal Use Only level and above.

Expunge

To reliably erase or expunge data on a PC or Mac you must use a separate program to overwrite data, supplied as a part of Norton Utilities. Otherwise, the PC's normal erasure routine keeps the data intact until overwritten. The same thing happens on UNIX machines, but data is much more difficult to retrieve on UNIX systems.

Individual Access Controls

Individual Access Controls are methods of electronically protecting files from being accessed by people other than those specifically designated by the owner. On Windows servers and PC's, NTFS security should be used to create mandatory access controls using a role-based approach. On UNIX machines, this is accomplished by careful use of the chmod command. On PC's this includes using passwords on screensavers.

Insecure Internet Links

Insecure Internet Links are all network links that originate from a locale or travel over lines that are not totally under the control of Osceola County.

Encryption

Secure Osceola County Sensitive information in accordance with the Information Technology's *Acceptable Encryption Policy*. International issues regarding encryption are complex. Contact the Information Technology Service Desk for further guidance.

One Time Password Authentication

One Time Password Authentication on internet connections is accomplished by using a one-time password token to connect to Osceola County's internal network over the internet.

Physical Security

Physical security means either having actual possession of a computer at all times or locking the computer in an unusable state to an object that is immovable. Methods of accomplishing this include having a special key to unlock the computer so it can be used, thereby ensuring that the computer cannot be simply rebooted to get around the protection. If it is a laptop or other portable computer, never leave it alone in a conference room, hotel room or on an airplane seat, etc. Make arrangements to lock the device in a hotel safe, or take it with you. In the office, always use a lockdown cable. When leaving the office for the day, secure the laptop and any other sensitive material in a locked drawer or cabinet.

Private Link

A Private Link is an electronic communications path that Osceola County has control over its entire distance. For example, several major County facilities are connected to Osceola County's network via a private fiber link. For example, a computer with an established VPN connection to the County's network has established a private link. An employee connecting to the County's network via a Citrix terminal services session has established a private link.

APPENDIX D

AUDIT PROCEDURE

Created: 5/22/2009

Modified: 12/21/2009

Purpose

The purpose of this document is to define network security scanning and investigative activities performed by Osceola County Information Technology staff or a contracted third-party vendor and to ensure Osceola County employees understand the potential for and cooperate with, any authorized investigative activities, monitoring, and review of information stored on County systems, electronic scans of the networks and/or firewalls or on any system owned by Osceola County.

Audits may be conducted to:

- Ensure integrity, confidentiality, and availability of information and resources.
- Investigate possible security incidents.
- Ensure conformance to Osceola County security policies.
- Monitor user or system activity where appropriate.

The Osceola County Information Technology Office will not perform activities which would effectively result in a Denial of Service.

Scope

All computer and communication devices owned or operated by Osceola County, as well as any computer and communications device that are present on Osceola County's premises, but which may not be owned by Osceola County.

Guidelines

Osceola County hereby provides its consent to allow Information Technology to access its networks, systems and/or firewalls to the extent necessary to perform authorized scans or investigative activities. When necessary, and only for the purpose of performing an authorized audit, consent to access the County's networks, systems and/or firewalls can be granted a third party contracted vendor to the extent necessary to perform authorized scans or investigative activities. Information Technology shall provide protocols, addressing information, and network connections to a third party contracted vendor if network scanning will be performed by said vendor.

This access may include:

- User level and/or system level access to any computing or communications device
- Access to information (electronic, hard copy, etc.) that may be produced, transmitted or stored on Osceola County equipment or premises.
- Access to work areas (labs, offices, cubicles, storage areas, etc.)
- Access to interactively monitor and log traffic on Osceola County networks.

Network Control

If the County does not control a network and/or Internet service is provided via a second or third party, these parties are required to approve scanning or other investigative activities in writing if it is to occur outside of the Osceola County LAN. By signing such an agreement, all involved parties acknowledge that they authorize the County use their service networks as a gateway to conduct of these tests during the dates and times specified.

Service Degradation and/or Interruption

Network performance and/or availability may be affected by the network scanning. Osceola County releases Information Technology or third party contracted vendor of any and all liability for damages that may arise from network availability restrictions caused by the network scanning, unless such damages are the result of Information Technology, or third party contracted vendor's gross negligence or intentional misconduct.

APPENDIX E

LAPTOP SECURITY TIPS

Created: 5/19/2009

Modified: 12/21/2009

Purpose

The security tips in this document are provided as guidelines to secure County laptops

Definitions

Laptop – Any mobile computing device such as a portable notebook computer, ruggedized laptop, or tablet PC

Scope

These security tips apply to all Osceola County employees.

Tips

- Never leave your laptop unattended for any reason. Thieves often work together to steal laptops. Always be aware of your surroundings, keeping your laptop under your direct control at all times.
- Be suspicious of any unusual activity or behavior, especially those exhibited by individuals you don't know.
- Use a security cable when appropriate. This will deter some thieves as it is an added layer of protection. Please contact County Information Technology for a quote for a compatible security cable.
- Back up all important data regularly to minimize the risk of permanent data loss. If it's not already configured or you are uncertain, please request assistance from County Information Technology to connect your laptop to the County's network and instruct you on where and how to store and access your data on the network. Common locations will be your department's network share or your home folder on the H:\drive.
- Encrypt all sensitive data in compliance with the Acceptable Encryption Procedure. If you are not already doing this, please contact the Information Technology Service Desk. Information Technology can assist you with classifying the data on your laptop and provide encryption options when necessary.
- All County laptops shall be configured to connect to the County's network which provides a secure password policy to protect the laptop computer.

- Laptops should be connected to the County's network via a ethernet cable at least once each week for a minimum of one (1) to ensure the latest security updates and policies are loaded and installed.
- All County laptops shall be identified by a label providing information about who to contact in the event it is lost or inadvertently switched with someone else's laptop.

APPENDIX F
THRESHOLDS FOR POSITIVE SCREENS AND CONFIRMATION
TESTS

<u>Drug</u>	<u>Emit Screen Cut-Off</u>	<u>Confirmation Cut-Off</u>
Amphetamines	1,000 ng/mL	500 ng/mL
Cannabinoids (Marijuana)	50 ng/mL	15 ng/mL
Cocaine (benzoylecgonine)	300 ng/mL	150 ng/mL
Opiates	300 ng/mL	300 ng/mL
Phencyclidine (PCP)	25 ng/mL	25 ng/mL
Methaqualone	300 ng/mL	150 ng/mL
Barbiturates	300 ng/mL	150 ng/mL
Benzodiazepines	300 ng/mL	150 ng/mL
Methadone	300 ng/mL	150 ng/mL
Propoxyphene	300 ng/mL	150 ng/mL

Updated 4/28/2010

APPENDIX G

OVER THE COUNTER AND PRESCRIPTION DRUGS WHICH COULD ALTER OR 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, Biphedamine, 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 (Hydromorphone), 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	Ativan, 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.**

List obtained from the website of the Florida Agency for Health Care Administration

http://ahca.myflorida.com/mchq/health_facility_regulation/Laboratory_Licensure/drugs.shtml

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APPENDIX H

LOCAL SUBSTANCE ABUSE PROVIDER LISTING

Cigna

MH/SA Provider Listing – Substance Abuse & Dual Diagnosis Facilities

Service Area: Osceola County, FL and bordering counties

Name	Address	Phone	County
CENTER FOR DRUG FREE LIVING COCOA	3905 GRISSOM PKWY	(321) 637-1866	Brevard
CENTER FOR DRUG FREE LIVING OSCEOLA COUNSELING CENTER	1360 E VINE ST	(407) 846-5285	Osceola
PARK PLACE BEHAVIORAL HEALTH CARE	206 PARK PL BLVD	(407) 846-0023	Osceola
LAKELAND REGIONAL MEDICAL CENTER	1324 LAKELAND HILLS BLVD	(863) 687-1100	Polk
LA AMISTAD BEHAVIORAL HEALTH SERVICES MAITLAND	1650 PARK AVE N	(407) 647-0660	Orange
CENTER FOR DRUG FREE LIVING MELBOURNE	2212 SARNO RD STE A	(321) 752-3246	Brevard
CIRCLES OF CARE	400 E SHERIDAN RD	(321) 722-5200	Brevard
CENTER FOR DRUG FREE LIVING ADDICTION RECEIVING FAC	712 W GORE ST	(407) 245-0012	Orange
CENTER FOR DRUG FREE LIVING ADOL SERVICES	5600 CLARCONA OCOEE RD	(407) 521-2495	Orange
CENTER FOR DRUG FREE LIVING ADULT RESIDENTIAL	8301 EAST COLONIAL DR	(407) 249-6560	Orange
CENTER FOR DRUG FREE LIVING ORLANDO COUNSELING CTR	100 W COLUMBIA ST	(407) 245-0014	Orange
CENTRAL FLORIDA BEHAVIORAL HOSPITAL	6601 CENTRAL FLORIDA PKWY	(407) 370-0111	Orange
FLORIDA HOSPITAL MEDICAL CENTER	601 E ROLLINS ST	(407) 303-8533	Orange
LAKESIDE ALTERNATIVES KENNEDY BLVD	434 W KENNEDY BLVD	(407) 875-3700	Orange
LAKESIDE ALTERNATIVES MERCY DRIVE	1800 MERCY DR	(407) 875-3700	Orange
ORLANDO BEHAVIORAL HEALTHCARE INC	6735 CONTROY RD STE 221	(407) 647-1781	Orange
ORLANDO VAMC	5201 RAYMOND ST	(321) 637-3788	Orange
UNIVERSITY BEHAVIORAL CENTER	2500 DISCOVERY DR	(407) 281-7000	Orange
CENTER FOR DRUG FREE LIVING PALM BAY	4660 LIPSCOMB ST NE STE 2	(321) 726-2889	Brevard
WINTER HAVEN HOSPITAL INC	200 AVE F NE	(863) 293-1121	Polk
ANOTHER CHANCE COUNSELING CENTER INC	711 EXECUTIVE DR	(407) 629-6167	Orange

This list is provided for the convenience of those covered by this procedure and does not imply endorsement by the Osceola County Board of County Commissioners or any employee of Osceola County.

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