CITY OF TAMPA

OFFICE OF THE MAYOR

Jane Castor, Mayor

EXECUTIVE ORDER NO. 2025-12

Under and by virtue of the authority vested in me as Mayor of the City of Tampa by the Charter of the City of Tampa and the laws of the State of Florida, I hereby prescribe and promulgate the attached **City of Tampa Personnel Manual**.

All prior versions of the City of Tampa Personnel Manual, and all policies contained within, shall be null and void and of no further effect.

Done this 7 day of July, 2025.

Jane Castor

Jane Castor, Mayor
City of Tampa

Issue Date:

City of Tampa Personnel Manual

A. Organization
A1. Letter of Introduction

Issue Date:

A1.A Letter of Introduction

1. The Personnel Manual for the City of Tampa primarily provides policies regarding benefits and salary administration for all employees. For those employees who are also covered by collective bargaining agreements, when there is a conflict between the Personnel Manual and the collective bargaining agreement, the collective bargaining agreement shall govern. Each policy includes the criteria for eligibility and is issued under Executive Order.

2. While benefits for employees whose positions are included in the various certified bargaining units are provided under the appropriate collective bargaining agreement, supervisors and management are directed in the proper discipline of these employees by this Personnel Manual.

   a. Additional benefits and directives provided to bargaining unit employees are included in the manual as specified in the individual policy. Normally, these are matters that apply to both bargaining and non-bargaining groups (for example, time-keeping policy for non-exempt employees under the Fair labor Standards Act in Section B2.3).

3. Procedures for applying and implementing benefits and salary administration policies provided through this Personnel Manual and the various collective bargaining agreements are found in the current Workforce Timekeeper V8 Task Guide and Benefits Guide.

City of Tampa Personnel Manual
A. Organization
A2. Table of Contents

Issue Date:

1. ORGANIZATION

A1. LETTER OF INTRODUCTION
A2. TABLE OF CONTENTS
A3. ORGANIZATION OF THE MANUAL

2. DIRECTIVES AND BENEFITS

B1.1 Equal Opportunity
B2.1 Work Hours - General
B2.2 Work Hours - Exempt Employees
B2.3 Work Hours - Non-Exempt Employees
B3. Break Periods
B4.1 Overtime Policy
B4.2 Standby Pay/Recall Pay
B5. Shift Premium Incentive Pay
B6. Holidays
B7. Annual Leave
B7.1 Executive Leave
B8.1 Sick Leave
B8.2 General Employees Sick Leave Bank
B8.3 Police Sick Leave Bank
B9. Absence Without Pay
B10. Absence Without Leave
B11.1 Personal/Medical Leave of Absence
B11.2 Workers' Compensation Leave of Absence
B11.3 Compliance with the Family and Medical Leave Act of 1993
B11.4 Administrative Leave with Pay
B11.5 Caregiver Leave
B11.6 Lactation Accommodation
B12. Annual Military Leave
B13. Jury Duty/Court Attendance
B14. Funeral and Bereavement Leave
B15. Off-Site Training/Special Duty Assignments
B16. Longevity Award
B17. Pension Benefits
B18.1 Salary Administration
B18.2 Salary Admin-Merit Increases Supervisory & Prof. Employees
B18.3 Managerial Salary Administration
B18.4 Limited English Proficiency Language Incentive
B19. Temporary Assignments

B20. Tuition Reimbursement Program
B21. Workers' Compensation
B22.1 Group Health Insurance
B22.2 Group Life Insurance and AD&D
B22.3 Optional Payroll Deductions
B22.4 Long-Term Disability Insurance
B23. Code of Ethics
B23.1 Fraud
B23.2 Whistleblower Policy/Fraud, Waste, Abuse, and Disparity Hotline
B24. Nepotism
B24.1 Anti-Fraternization
B25. Moving Expenses for New Managerial Employees
B26. No Solicitation/Dues Deduction
B27. Grievance Procedure
B28.1 Discipline Administration
B28.2 Discipline Administration - Cause for Discipline/Dismissal
B28.3 Discipline Administration - Voiding Reprimands
B29. Unemployment Compensation
B30. Tobacco Free Workplace
B31. Vehicle Operations
B32.1 Employee Involvement Program - Mentoring Program
B32.2 Employee Involvement Program - Civic Leave
B33.1 Employee Assistance Program
B33.2 Drug Free Workplace
B34. Workers' Compensation/Light Duty
B35. Management Safety Committees
B36. Vending Machines
B37. Assigned Vehicles
B38. Workplace Violence
B39. Computer Use
B40. Emergency Conditions and Know Your Role Program
B41. Cellular Phone Policy and Personal Digital Assistant (PDA) Policy
B42.1 Social Media and Media Relations
B43.1 City Dress Code
B44.1 Telework Program Policy

Z. APPENDIX
Z1. Civil Service Law
Z2. Civil Service Rules & Regulations

City of Tampa Personnel Manual
1. Organization
A3. Organization of the Manual

Issue Date:

A3.A Organization of the Manual

1. The manual consists of major sections which are further divided into sub-sections. The sub-sections are coded with the section's capital letter and a numeral before the title.

2. To find a particular topic, first look in the TABLE OF CONTENTS, which contains a listing of all sections and sub-sections in the manual or planned for future inclusion.

A3.B Updating the Manual

1. The City of Tampa periodically publishes new and revised policies for the Personnel Manual. The City's INet contains the current policies and all revisions are posted through the INet version of the Personnel Manual.

2. The upper left corner of each policy in the Personnel Manual provides the headings for that policy (section, subsection, and title of the policy). Following the heading is the "issue date" for the policy which must correspond to the issue date in the Table of Contents.

3. All outdated or deleted policies are removed from the INet and users are reminded to not utilize outdated or deleted policies, verification of which can be made by viewing the INet document.

City of Tampa Personnel Manual
2. Directives and Benefits
B1.1 Equal Opportunity

Issue Date: 4/17/2025

B1.1A Policy

1. It is the policy of the City of Tampa government to provide equal treatment of all persons without regard to race, sex, color, religion, national origin, sexual orientation, gender identity or expression, age, disability, familial status, marital status, genetic information, military status, or any other protected class as defined by law or City policy ("Protected Characteristics"). The City endorses and requires compliance with applicable state and federal laws, including but not limited to, the Civil Rights Act of 1991 and the Americans with Disabilities Act (ADA), to ensure equal employment opportunity and equal access to public services.

2. All managers and supervisors are expected and required to ensure that this policy is fully implemented and vigorously enforced.

3. All Department Directors are responsible for verification that managers, supervisors, and employees attend mandatory training regarding equal opportunity, discriminatory conduct, and accommodation obligations with respect to religion, disability, and pregnancy. As is always the case when failure to meet directives occurs, disciplinary action shall be considered when supervisors fail to attend scheduled training or fail to ensure that subordinate employees attend scheduled training.

4. Employment

    a. This policy includes equal opportunity in employment for all qualified persons; prohibiting discrimination in employment because of Protected Characteristics described above; and promoting the full realization of equal employment opportunity through positive and continuing programs.

    b. This policy of equal employment opportunity applies to every aspect of the City of Tampa employment policies and practices. Under this policy, it is the prohibition against discrimination, which is the unequal treatment of an individual (or group), in whole or in part, based on Protected Characteristics. This includes prohibiting the denial of employment opportunities, benefits, or privileges; or disparate treatment regarding working conditions, evaluation standards, selection, promotion, or transfer based on the Protected Characteristics described above.

c. This policy also encompasses the City's commitment to providing reasonable accommodations based upon disability, religion, and pregnancy. In that regard, this policy establishes a fair and consistent process for providing reasonable accommodation to employees or applicants based on disability, religion, or pregnancy, in compliance with applicable laws, and while balancing organizational needs.

i. Employees wishing to initiate a request for reasonable accommodation should notify their manager or Human Resources of their need for accommodation due to a disability, religious belief, or pregnancy-related condition. Such requests can be verbal or written and must specify the need for accommodation. If a request is submitted verbally, the recipient will document the request.

ii. Upon receiving an accommodation request, the City will engage in a good-faith, interactive process to determine the specific needs of the individual. This process involves discussing the accommodation request, reviewing any supporting documentation, and identifying potential accommodations that allow the employee to perform the job's essential functions without causing undue hardship. Accommodations will not be provided if they are unreasonable or pose an "undue hardship." All accommodation requests and related information will be treated confidentially and shared only on a need-to-know basis.

iii. A denial of a reasonable accommodation request may be reviewed by the Director of Human Resources & Talent Development, or its designee, upon the request of the employee. The decision of the Director of Human Resources & Talent Development is final.

d. It is also the City's intent to comply in all respects with equal opportunity laws and provisions and to establish affirmative action plans as permitted by law to accomplish the City's goals of hiring and promoting when there is minority or female underutilization.

e. Inappropriate behavior or harassment because of the Protected Characteristics described above is prohibited by state and federal laws and/or by this policy.

5. <u>Harassment</u>

Harassment based on a Protected Characteristic is prohibited by law and by City policy. Federal, state, and local laws define harassment as discriminatory, objectively offensive, hostile, or intimidating conduct which is severe and pervasive and which adversely affects an employee's ability to perform the functions of their employment or creates a hostile environment based on any

characteristic protected by law. City policy also prohibits conduct which may not rise to the level of harassment but which is determined to be discriminatory, coercive, intimidating, threatening or objectively offensive based on Protected Characteristics pursuant to law or City policy.

Harassment includes comments which are offensive or unwelcome regarding a person's race, sex, color, religion, national origin, sexual orientation, gender identity or expression, age, disability, familial status, marital status, genetic information, military status, or any other characteristic protected by applicable law or City policy. The City has forbidden its employees the use of slurs, derogatory comments, or any other physical or verbal conduct directed at or based upon Protected Characteristics.

Employees shall not engage in offensive verbal or physical conduct directed against an employee, a citizen, or any other person or member of the public based upon race, sex, color, religion, national origin, sexual orientation, gender identity or expression, age, disability, familial status, marital status, genetic information, military status, or other Protected Characteristics.

Harassment also includes the distribution, display, or discussion of written material which ridicules, denigrates, insults, belittles or demonstrates hostility, aversion, or disrespect toward an individual or group because of Protected Characteristics as described above.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to, or rejection of, such conduct is used as the basis for employment decisions, or creates an intimidating, hostile or offensive working environment. There are two types of sexual harassment:

1) Quid pro quo harassment – Where submission to the harassment is used as the basis for employment decisions such as promotions, evaluation scores, and better working hours or conditions, or the refusal to submit results in adverse consequences.

2) Hostile work environment – Where the sexual harassment creates an offensive and unpleasant working environment. A hostile work environment can consist of verbiage of a sexual nature, unwelcome sexual materials, unwelcome physical touching, fondling, and lewd or vulgar jokes, or gender-based differences in treatment that are hostile and intimidating.

Harassment is prohibited at any time during an employee's working time, on City property, or at any other place at which an employee is performing their work duties. Harassment is also prohibited at any other time or in

any other place when the conduct adversely impacts or impairs the ability of the employee committing the harassment to perform the duties of their employment, is reasonably likely to adversely impact or impair the ability of other employees in the performance of their duties, or where such conduct tends to embarrass the City or bring its service into public disrepute.

The City prohibits harassment of any kind and will take prompt and appropriate action in response to policy violations. For purposes of this policy, harassment is any verbal or physical conduct that is offensive or unwelcome, or is designed to threaten, intimidate, or coerce an employee, co-worker or any person working for, with, or on behalf of the City when the complained-of behavior is based on one or more Protected Characteristics. Inappropriate behavior not based on Protected Characteristics is also prohibited but will be addressed by management in accordance with applicable City's policies on performance and discipline.

6. Complaint Process.

a. Reporting complaints of discriminatory or harassing conduct may be done verbally or in writing to your supervisor, your division manager, your department director, a member of the Employee Relations Staff, or the Director of Human Resources & Talent Development. Anonymous complaints may be filed using the Fraud, Waste, Abuse, and Disparity Hotline as monitored by Internal Audit, who will in turn, advise Human Resources of the anonymous complaint.

b. Any complaints concerning employee violations of the City's EEO Policies will be promptly and appropriately investigated by the Human Resources Department in accordance with the internal guidance documents regarding investigations and addressed through corrective action when warranted. Additionally, to facilitate higher accountability and city-wide standardization, all matters found to be a violation of the City's EEO policies will be brought to the Mayor's Executive briefings through the Chief of Staff to determine the appropriate discipline. This will further ensure standardization in the application of discipline for these violations.

c. Violation of this policy shall be subject to discipline, up to and including immediate dismissal. In no case shall the disciplinary action for violation of this policy be less than a suspension without pay for five (5) working days (in no event, less than 40 hours), and if suspended, will require mandatory retraining on equal opportunity and be able to demonstrate comprehension of course material.

d. Retaliation against persons who make complaints of discrimination or harassment, witness discrimination or harassment, offer testimony, or are otherwise involved in the investigation of discrimination or harassment complaints will not be tolerated. Complaints of discrimination, harassment and retaliation will be investigated, and disciplinary action will be taken when appropriate. Interim measures, such as temporary changes in assignments, reassignments, the use of administrative or other leave, or other actions intended to further the purposes of this policy, will be made based on the facts of the complaint, the operational needs of the department, and other relevant factors. Finally, employees have the option to contact the Equal Employment Opportunity Commission (EEOC) with complaints of discrimination if they so desire.

e. Complaints of any type of discrimination, harassment or retaliation must be reported. Furthermore, any supervisor who has knowledge of any type of discrimination, harassment or retaliation must report it immediately to Employee Relations. As has always been the case, any failure of a supervisor to report a complaint of any type of harassment or retaliation will be grounds for discipline, up to and including dismissal. All complaints of prohibited forms of discrimination and/or retaliation must be documented either by the complainant or, if the complainant decides not to make a written complaint, by the department of Human Resources & Talent Management.

f. No person will prevent, impede, discourage, or advise against the filing of a report of discriminatory or harassing behavior.

g. No person will withhold information from, or fail to cooperate, or interfere with an investigation of a report of discriminatory or harassing behavior.

h. Any person receiving a report of discriminatory or harassing behavior will inform the Director of Human Resources & Talent Development as soon as practicable after receipt of the report. Supervisors must promptly report to Human Resources any prohibited forms of discrimination and/or retaliation they observe, hear about, or learn about through an employee complaint or otherwise. Supervisors who fail to appropriately report allegations of prohibited forms of discrimination and/or retaliation to Human Resources will be subject to discipline, up to and including dismissal. No person receiving a report of discriminatory or harassing behavior will investigate the report unless directed to do so by the Director of Human Resources & Talent Development.

i. Individuals who complain of prohibited forms of discrimination and/or retaliation shall not have to confront the individual(s) about whom they are complaining of discriminatory and/or retaliatory actions against them, unless required to do so by the Equal Employment Opportunity

Commission, another administrative authority with jurisdiction, or a court of law.

j. Employees who need to take time away from their normal City work duties to participate in an investigation of alleged prohibited forms of discrimination and/or retaliation shall not lose compensation that they normally would have earned had they been performing their normal City work duties. They shall not be required to use leave to participate in the investigation.

7. Confidentiality

Complaints will be handled with discretion and as confidentially as reasonably possible and practicable while still endeavoring to conduct a prompt, thorough, and fair investigation. Limited disclosure may be necessary to allow the full and complete investigation of a report. Such disclosure will be limited to that which is reasonably necessary to gather the relevant facts and allow for a fair opportunity to respond to the concerns. Disclosure may also be required by applicable law.

8. Remedial Action

If an investigation of any report of discriminatory or harassing behavior results in a finding that any person has engaged in behavior which is prohibited by this policy, timely and effective action will be taken.

9. Retaliation

a. The City strictly prohibits retaliation against any employee who, in good faith, reports discrimination, harassment, or other workplace misconduct, or participates in an investigation of such complaints.

b. Retaliation includes any adverse action taken because of such reporting or participation, and includes termination, demotion, harassment, ridicule, “shunning,” or other negative treatment, that would discourage a reasonable person from making a complaint or participating in an investigation. Engaging in EEO activity, however, does not shield an employee from all discipline or discharge. The City is free to use interim measures as described above to further the purpose of this policy. The City is also able to discipline or discharge employees if motivated by non-retaliatory and non-discriminatory reasons that would otherwise result in such consequences.

c. Any person who believes that they are experiencing retaliation for having made a report, or participating in an investigation of the report should report the retaliation as soon as practicable to the Director of Human Resources & Talent Development, or through one of the other reporting mechanisms outlined in paragraph 6.

10. Services

Employees are responsible for providing services to the public without regard to the person's race, sex, color, religion, national origin, sexual orientation, gender identity or expression, age, disability, familial status, marital status, genetic information, military status, or any other protected class as defined by federal or state law.

City of Tampa Personnel Manual
B. Directives and Benefits
B2.1 Work Hours - General

Issue Date:

B2.1A Policy

1. Employees are assigned hours of work by the Department Director with the concurrence of the Mayor. This includes the number of hours assigned to work per week, the distribution of the hours per workday, and the determination of shift time periods and meal periods. This includes the number of hours assigned to work per week and the work hours scheduled. Modifications to a work schedule are not guaranteed.

    a. It is the employee's responsibility to maintain timekeeping in accordance with these directives. Failure to do so may subject employees to discipline, up to and including, dismissal. It is the employee's responsibility to ensure their electronic timecards are accurate.

    b. Electronic timecards must be attested to at the end of their scheduled shift or upon return to work at the end of a pay period.

2. The standard work week for most City departments is 40 hours. All supervisors are responsible for managing their employees' time and attendance and operational workload. Such elements will be taken into account when approving leave time.

3. The number of assigned hours indicated in the schedule in the electronic HRMS systems is the official record for purposes of identifying eligibility for certain benefits.

4. Assigned hours which are not worked by an employee must be approved and documented in accordance with all leave and payroll policies. Absences by exempt employees of less than one day do not require the use of leave, however, such absences must be authorized and documented subject to the appropriate personnel policy.

5. City policy regarding work hours for exempt employees is provided in B2.2. City policy for non-exempt employees is provided in B2.3. Determination of an employee as exempt/non-exempt is according to the Fair Labor Standards Act. While employees are exempt for specified reasons under the law, the chart below provides a guide for departmental awareness:

DESCRIPTION	EMPLOYEE TYPE	FLSA STATUS
Attorney Full Time	AF	Exempt
Appointed Unclassified Non-Exempt Full Time	AN	Non-Exempt
Attorney Part Time	AP	Exempt
Appointed Unclassified Non-Exempt Part Time	AQ	Non-Exempt
Attorney Part Time	AR	Exempt
Appointed Unclassified Exempt Part Time	AS	Exempt
Appointed Unclassified Exempt Full Time	AU	Exempt
ATU Non-Task Workers Full Time	B1	Non-Exempt
ATU Part Time	B2	Non-Exempt
ATU Task Workers Full Time	BT	Non-Exempt
Casual Worker-Extra Duty Police/not City Emp	CA	Non-Exempt
Co-Op Students Part Time	CO	Non-Exempt
Classified Managers Sworn	CS	Exempt
Elected Officials	EO	Exempt
Fire Variable Supervisors	FC	Non-Exempt
Fire Regular	FR	Non-Exempt
Fire Regular Supervisors	FS	Non-Exempt
Fire Variable	FV	Non-Exempt
Game Official	GO	Non-Exempt
Classified Managers Full Time	MC	Exempt
Unclassified Managers Part Time	MP	Exempt
Classified Managers Part Time	MQ	Exempt
Unclassified Managers Full Time	MU	Exempt
Unclassified Managers Sworn Fire Variable	MV	Exempt
Professional Grade Less than N29 F/T	N1	Exempt
Professional Grade Less than N29 P/T	N2	Exempt

Professional Grade Greater than N28 F/T	N3	Exempt
Professional Grade Greater than N28 P/T	N4	Exempt
Police Below Sgt. (P-1, P-3, P-4, P-6, P-7, P-8)	PB	Non-Exempt
Police Captains (Grade P-14)	PC	Exempt
Police Lieutenants (Grade P-10)	PE	Exempt
Police Recruits	PR	Exempt
Police Sergeants (Grade P-5)	PS	Non-Exempt
Supervisory Grade Less than S09 F/T	S1	Exempt
Supervisory Grade Less than S09 P/T	S2	Exempt
Supervisory Grade Greater than S08 F/T	S3	Exempt
Supervisory Grade Greater than S08 P/T	S4	Exempt
Seasonal	SE	Non-Exempt
Temporary Exempt F/T (Under 180 Days)	TE	Exempt
Temporary Non-Exempt F/T (Under 180 Days)	TN	Non-Exempt
Temporary Exempt P/T (Under 180 Days)	TP	Exempt
Temporary Non-Exempt P/T (Under 180 Days)	TQ	Non-Exempt
Unclassified Managers Sworn	US	Exempt

City of Tampa Personnel Manual
B. Directives and Benefits
B2.2 Work Hours - Exempt Employees

Issue Date:

B2.2A Policy

1. This policy is provided to explain and issue guidelines regarding work hours/absences as they apply to exempt employees and to express the overall management concept of work productivity for exempt employees. Work hours/absences for exempt employees are specified in sections B2 through B15 of the Personnel Manual.

2. Exempt employees are considered salaried employees whereby payment is made for performance of the job or production of work rather than a specified hourly rate. Exempt employees are expected to produce the desired result in an appropriate time frame, normally fulfilled with a 40-hour work week. When exempt employees attest to their timecard, they are only attesting to the fact they have worked at least forty (40) hours in the week.

3. Exempt employees who are absent from work for periods of less than a day are not charged the applicable leave and/or do not have their pay reduced by these absences. However:

    a. Employees must submit a request in the current electronic timekeeping system for supervisor approval for absences less than a day (exempt leave - ELV) prior to the usage of ELV (for example, see eligibility and procedures for B7. Annual Leave or B8.1 Sick Leave, etc.)

    b. Exempt employees who fail to receive approval via the current electronic timekeeping system may be disciplined.

    c. Supervisors shall not approve absences of less than a day (exempt leave - ELV) which are not properly requested, indicate an excessive use of absences, and/or result in harm to the City's interest of providing services.

    d. Exempt employees who have received compensatory time in accordance with B4 shall have their compensatory time reduced by the number of hours absent for less than a day. The request for leave shall be submitted in the electronic timekeeping system and shall indicate Compensatory Leave (CPL) rather than an Absence of Less than a Day (exempt leave - ELV). Employees with less than a full day compensatory leave time balance may utilize the compensatory time (CPL) for a portion of the day

and the remainder of the time for that day is considered as exempt leave (ELV). For example, 4.0 hours CPL and 4.0 hours ELV.

e. Supervisors are authorized to require exempt employees to reconcile (make-up) time lost due to absences of less than a day in order to fulfill specific performance objectives. If specific performance objectives have been met, absences of less than a day need not be reconciled.

4. Absences of any portion of a workday when it is contiguous with absences for full days are charged to the applicable leave balance. Contiguous mean absences that are immediately preceding or immediately following full day absences (for example, an employee who is absent on vacation for four full days plus a half day, would be charged 36.0 hours; the half day is contiguous to the portion of one day and a portion of the following day, utilizes exempt leave - ELV on both days because the employee worked a portion of both days and the exempt leave - ELV time is not contiguous to a full day of absence). Absences which are immediately preceding or immediately after a normal day off are not considered contiguous (for example, an employee whose normal days off are Saturday and Sunday, works a partial day on Friday and is on annual leave for all day on Monday, is not charged for the partial absence on Friday which is recorded as ELV). Absences which are for a different leave type (sick/annual) are not considered contiguous (for example, if sick four hours on Thursday but on vacation for a full day on Friday results in payroll coding of 4.0 ELV and 8.0 ANN).

5. Continuous absences of less than a day, for example an employee recovering from surgery who is able to work only reduced hours, requires the approval of the department director.

   a. Continuous absences are considered absences of less than one day (exempt leave ELV) for more than five (5) consecutive workdays.

   b. The department director shall determine the acceptability of full salary for absences of less than a day (exempt leave - ELV) for more than five (5) continuous days. In the event approval is not provided, the employee's leave time for partial day absences may be authorized for a specified duration without loss of other full-time benefits.

6. Managerial employees (employees with the "M" pay grade prefix) shall not be required to submit documentation of absences of less than day (exempt leave - ELV) unless specified by their supervisor.

B. Directives and Benefits
B2.3 Work Hours - Non-Exempt Employees

Issue Date:

B2.3A Policy

1. Benefits eligibility for employees covered by the Fair Labor Standards Act (FLSA), as amended, are provided in the applicable collective bargaining agreement or the Personnel Manual.

2. All managers and supervisors are responsible for monitoring their employees' work hours to ensure that violations of the FLSA do not occur.

    a. Determination as to what constitutes hours worked under the FLSA is essential in order to comply with the FLSA's overtime compensation requirements. "Hours worked" includes all time during which an employee "is required to be at the worksite" and all time during which an employee is "suffered or permitted to work."

        1) For example, during unpaid meal periods, employees may not perform City tasks such as answering telephones or referring the public, etc.; prior to work hours, employees may not perform City tasks such as turning on equipment for "warm up," collecting forms, etc. Any task that furthers the business of the City is considered to be working time under the FLSA.

    b. Supervisors must not only prohibit work beyond the assigned hours (without approval), but they must also prevent it.

        1) For example, if an employee works additional hours without authorization and the supervisor becomes aware of this, the City is required to provide payment to the employee for the time worked. This includes situations where the supervisor should have known that the employee worked additional hours such as when work is assigned at the end of the workday by the supervisor and a completed product is produced at the beginning of the next day, for which in the particular facts of the situation the employee would have had to have worked additional hours to complete the task. Employees may not even volunteer to work such additional time. Even though the payment is required, the City, however, is not prohibited from disciplining the employee for working unauthorized time.

3. Employees shall be compensated for overtime as provided in the applicable collective bargaining agreement or the Personnel Manual. Any overtime worked must be authorized in advance by the Department Director (or Designee) on the Request for Advance Authorization of Overtime form.

4. Each department must ensure that the individual time records are kept for non-exempt employees in the current electronic timekeeping system and include the time work began and time work ended for each period of actual time worked and the employee's electronic signature certifying that the hours were worked.

    a. All entries in the current electronic timekeeping system shall indicate the exact time the employee began work and ceased work.

    b. Break periods of fifteen minutes or less do not need to be entered unless preferred by the department. If break periods are documented, they shall be noted as "breaks" to clarify that payment is provided.

    c. Unpaid meal periods of thirty minutes or more shall be indicated with the time the period started and ended.

    d. Time may <u>not</u> be estimated in anticipation of work actually performed. Arrangements are available to include all overtime in the current electronic timekeeping system prior to pay period deadlines.

    e. In the event that an employee's work is interrupted for use of paid or unpaid leave, the entries for ceasing and/or resuming work shall be consistent with the approved leave requests in the current electronic timekeeping system.

5. Supervisors and employees shall review the employee's electronic time record prior to the last workday of the work week to ensure that unauthorized overtime will not be incurred. The employee may be rescheduled to work fewer hours in order to prevent overtime credit.

6. At the end of the work week, the employee will attest to the accuracy of their time at the close of every pay period. The supervisor (or designee) shall forward any Advance Authorization for Overtime forms to the appropriate Personnel Assistant and shall make any changes to the preprinted time entries. The supervisor's electronic approval in the current electronic timekeeping system verifies the employee's time as entered is accurate and correct.

    a. Time worked shall be calculated for payment as follows:

        1) Time worked shall be monitored on a daily basis.

a) Time worked for an additional five (5) minutes or less shall not be subtracted but shall be rounded.

b) Time not worked for five (5) minutes or less shall not be subtracted but shall be rounded.

c) Although pay is not docked for periods of less than five (5) minutes, employees may be disciplined for repeated tardiness or failure to work.

2) At the end of the work week the time worked each day shall be totaled for payroll purposes.

a) Time worked beyond 40 hours that is more than five (5) minutes shall be paid as follows:

If work from 06 to 11 minutes credit	0.1 Hour
12 to 17	0.2 Hour
18 to 23	0.3 Hour
24 to 29	0.4 Hour
30 to 35	0.5 Hour
36 to 41	0.6 Hour
42 to 47	0.7 Hour
48 to 53	0.8 Hour
54 to 59	0.9 Hour
60 to 65	1.0 Hour

If work for 66 minutes or more, repeat the above. For example, if work 1 hour and 25 minutes, credit 1.4 hours.

b) Time not worked within the assigned hours shall be charged to paid or unpaid leave as applicable, as follow:

If absent from 06 to 11 minutes charged	0.1 Hour
12 to 17	0.2 Hour
18 to 23	0.3 Hour
24 to 29	0.4 Hour
30 to 35	0.5 Hour
36 to 41	0.6 Hour
42 to 47	0.7 Hour
48 to 53	0.8 Hour
54 to 59	0.9 Hour
60 to 65	1.0 Hour

7. Supervisors or employees who fail to follow City and department policies or procedures regarding time records and/or overtime authorization may be disciplined, up to and including, dismissal.

8. The record documentation must be retained and preserved by departments. Storage and destruction of records is provided by the City's Record Center in accordance with law and the applicable retention schedule.

City of Tampa Personnel Manual
B. Directives and Benefits
B3. Break Periods

Issue Date:

B3.A Policy

1. Employees shall be given one break or rest period per one-half shift (workday) provided:
   a. The time and length of the break is determined by the employee's supervisor, and in accordance with any applicable collective bargaining agreement; and,
   b. The length of the break does not exceed fifteen (15) minutes; and
   c. The granting of the break does not adversely affect or interfere with the operation of the City, or the service to the public.

2. The purpose of granting breaks is to relieve fatigue and mental strain on the job, therefore:
   a. Combining two daily breaks into one 30-minute break is not permitted.
   b. Accumulating breaks from day-to-day is not permitted.
   c. Using breaks to lengthen lunch hours, cover tardiness, or leave work early is not permitted.

3. Overtime pay or compensatory time may not be granted for work performed during breaks.

4. Exceptions to this directive must be approved by the Mayor.

City of Tampa Personnel Manual
B. Directives and Benefits
B4.1 Overtime Policy

Issue Date:

B4.1A Policy

1. Overtime Management - Department Directors are charged with the responsibility of managing overtime within their department. All overtime shall be limited to the accomplishment of work that is determined by management to be mission essential. Overtime shall be documented in advance on the Request for Advance Authorization For Overtime form which includes the Department Director's approval/disapproval prior to working the overtime assignment and an explanation of the purpose of the overtime which shall specify the nature of the work, the location, and the reason why the work cannot be performed during regularly assigned work hours. Overtime shall be kept to a minimum so far as operationally feasible, and employees shall be relieved from the overtime assignment as early as possible. Departments shall not assign overtime that would result in expenditure of funds beyond their overtime budget.

2. Definition - Overtime, for employees not covered by collective bargaining agreements, is defined as hours actually worked in excess of the 40 hours standard work week. Hours actually worked are those hours in which the employee is present at the jobsite in the performance of assigned duties. This does not include annual leave, sick leave, nor any other type of paid or unpaid leave unless specified otherwise.

    a. Holiday pay counts towards hours worked for the purposes of calculating overtime (see B6A.3b(3).

3. Overtime Rate Eligibility and Records

    Professional, Administrative, and Technical employees ("N" pay grades), Supervisory employees ("S" pay grades), and Police Non-Bargaining Unit employees (Grade P-14) shall be compensated for approved overtime with time off in lieu of cash payment.

    a. All approved overtime shall be recorded in writing on the Request for Advance Authorization of Overtime form (see Section 1 above) with the authorized signature of the Department Director (or designee). Overtime shall be submitted for credit in accordance with payroll procedures to the

employee's compensatory time bank. Use of this time shall be submitted in the current electronic timekeeping system.

b. Such compensatory time off will be granted with the permission of the supervisor at the rate of 1.0 times the number of overtime hours worked. Compensatory time accrued must be utilized first in lieu of absences of less than a day (se B2.2)

c. A maximum of 80 hours of accrued compensatory time may be carried past the end of the payroll calendar year. Any accumulation above the maximum of 80 hours shall be forfeited on the last day of the last payroll cycle of the calendar year except in extraordinary circumstances, which are documented for the approval of the Director of Human Resources & Talent Development. Upon separation of any kind, employees do not receive payment for unused, accrued compensatory time.

4. Changes in Eligibility

Employees eligible to accrue compensatory time who change to another position, for any reason, shall have their compensatory time transferred as long as the new position is also eligible for compensatory time. If the new position is not eligible for compensatory time, the employee shall not have their time transferred unless authorized by the Director of Human Resources and Talent Development.

5. An employee who works additional hours, whether or not it is calculated at the overtime rate, without authorization, will be paid in accordance with the Fair Labor Standards Act (FLSA). However, the employee will be subject to disciplinary action for working such hours without authorization. Repeated violations shall subject the employee to dismissal.

6. Exceptions

a. Employees who are not covered by a collective bargaining agreement but who are also not exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) receive overtime compensation of hours actually worked in excess of 40 hours. Credit is made on the basis of 150% (time and one-half) in the form of compensatory time with any balance not utilized paid at separation of when overtime eligibility changes.

b. Benefits, including overtime, for employees who are covered by a collective bargaining agreement are specified in the applicable agreement.

c. Managerial employees ("M" pay grades), Appointed Unclassified employees ("AU" pay grades) who are also exempt employees (see B2.1), and Assistant City Attorneys shall not be eligible for overtime compensation but may adjust their work schedule as specified by their supervisor.

City of Tampa Personnel Manual
B. Directives and Benefits
B4.2 Standby Pay/Recall Pay

Issue Date:

B4.2A Policy

1. Recall Pay - Recall is defined as any time an employee is required to report in or show up for the assignment of work prior to 2.5 hours before the employee's scheduled workday, or after having left for the day, or on a non-scheduled workday or leave day.

    a. Employees at pay grades N28 and below, or pay grades S09 and below, shall be guaranteed a minimum of 2.5 hours work under recall. Any other calls for service during the initial 2.5 period shall be considered part of the first recall. First recall ends either after the 2.5 hours has expired or after the employee has ended their assignment(s) after clocking out and leaving the worksite. In the event that the employee has a City-issued vehicle, the first recall ends when the vehicle is returned to its home station. The employee shall be guaranteed a one (1) hour minimum of work for each subsequent recall following the conclusion of the first recall as defined in this section during the same shift. For the purpose of this section recall is defined as anytime an employee is required to report or show up for the assignment of work under the above conditions. For those employees who are placed on standby and are expected to provide assistance remotely when called, any calls for service are covered by the recall provision above.

    b. Employees at pay grades N29 and above, or pay grades S10 and above, may be credited for recall work pursuant to overtime policy (see B4.1 Overtime, Section 2). Time credited shall be based on actual time worked and there shall be no minimum time guaranteed.

2. Standby - Standby time is considered off-duty time during which the City requires that the employee be constantly available for work, be easily accessible and be able to report to work within one-hour. Employees shall forfeit standby pay and be subject to disciplinary action if they fail to report to work after being contacted. Employees who are actually called to work while on standby shall be compensated pursuant to recall pay above. Employees shall not receive recall pay and standby pay for the same shift. Standby pay counts as "hours worked" for purposes of calculating overtime.

a. Employees at pay grades N28 and below, or pay grades S10 and below, shall be compensated for time spent on standby at a rate of one and one-half (1.5) hour's pay for each eight (8) hours spent on standby. Standby pay is not credited to the employee's compensatory time balance but is paid at 100% of the time credited.

b. Employees at pay grades N29 and above, or pay grades S10 and above, shall not be compensated for standby. Consideration of this responsibility is included in determination of the salary level of the position.

City of Tampa Personnel Manual
B. Directives and Benefits
B5. Shift Premium Incentive Pay

Issue Date:

B5.A Policy

1. Purpose - Shift premium incentive pay compensates a full-time employee for each shift actually worked in an irregular period. Eligible employees may receive up to a maximum of forty (40) hours of shift premium incentive pay per week.

2. Definitions

   a. Night Shift - Any shift starting between 3:00 p.m. and 3:00 a.m. is considered night shift work.

   b. Split Shift - Any shift during a workday which is interrupted by a period of at least two (2) hours.

   c. Weekend Shift - Any shift that begins on a Saturday or Sunday.

   d. Regular Schedule - Any shift which is repeatedly and routinely scheduled by the department, in advance, as the normal course of work.

3. Eligibility - In order for an employee to receive shift premium incentive pay, the following conditions must be met:

   a. The employee must be employed on a full-time basis of at least forty (40) hours per week.

   b. The shift assignment must be in accordance with the definitions of a night shift, split shift, and/or weekend shift; and must also meet the definition of a regular schedule.

   c. Part-time, managerial, seasonal, temporary (under 180 days), or casual employees are not eligible. Shift premium, if any, for bargaining unit employees shall be in accordance with the applicable labor agreement.

4. Incentive Types are Non-Cumulative - In the event that more than one type of shift applies to any one shift, only one premium amount will be paid for each hour worked in that shift. (For example, an employee who works on a weekend shift that falls during the night shift period does not receive double payment.)

5. Rate of Pay - Payment is provided on the basis of $1.00 per hour on the basis of 67 cents per hour at 150% for the hours of premium work and will not be compounded by overtime. For FY25 forward, payment shall be for $1.50 per hour and will not be compounded by overtime.

    a. Payment is provided to the employee actually working the shift period.

    b. Payment is not provided for periods of which an employee is on paid or unpaid leave of any type.

6. Police - Police non-bargaining unit employees (Captains) shall be eligible for shift premium incentive pay.

    a. Payment is provided to employees regularly assigned to the Evening or Midnight shift.

    b. The definition of "regular schedule" (see B5A.2d) shall apply. No compensation is provided for split shifts or weekend shifts unless the shift otherwise qualifies as a Midnight or Evening shift.

    c. Payment shall be in accordance with B5A.5 provided however, that employees assigned to the modified work schedule may receive up to a maximum of 34.3 hours or 45.7 hours of shift premium incentive pay per week as applicable.

City of Tampa Personnel Manual
B. Directives and Benefits
B6. Holidays

Issue Date:

B6.A Policy

1. Designated Holidays

   The City of Tampa holiday schedule twelve (12) designated holidays will be posted to the INet and will be presented as a City ENews as soon as it is approved.

   Veterans Day

   Thanksgiving

   Thanksgiving

   Christmas

   Christmas

   New Year's Day

   Martin Luther King, Jr. Day

   Spring Day/Good Friday

   Memorial Day

   Juneteenth

   Independence Day

   Labor Day

2. Eligibility

   In order for an employee to receive a designated holiday off with pay, the employee must have worked the last scheduled workday before and the first scheduled workday after the designated holiday unless the absence has been authorized by the supervisor in writing.

3. Provisions

   a. Paid Holiday - An employee who is not required to work on a designated holiday, which falls on a regularly scheduled workday, will receive eight hours compensation at the regular rate of pay. Eligible part-time employees receive pro-rated holiday compensation.

b. Time Worked on a Holiday

1) An employee who is required to work on a designated holiday will receive compensation for all hours actually worked, in addition to eight hours of holiday pay at the regular rate of pay. Compensation for the hours actually worked on the designated holiday will be paid at the appropriate overtime rate if all other assigned hours are worked during the week of the designated holiday.

2) There is no guaranteed number of work hours on a designated holiday. Employees are relieved from work at the earliest opportunity.

3) Designated holidays count towards hours worked for the purpose of calculating overtime pay.

4. Holiday During Leave

a. If a designated holiday occurs while an employee is on authorized sick leave, or annual leave, the employee will receive holiday compensation at the regular rate and will not be charged sick or annual leave for that day.

b. Employees on any Leave of Absence will not receive any compensation for a holiday during the leave.

5. Suspension

An employee on suspension receives no compensation for holidays; however, the holiday is counted as part of the suspension period.

6. Floating Holidays

Full-time employees with one-year of continuous service may request to observe two Floating Holidays during the payroll fiscal year in addition to the twelve (12) designated holidays.

a. A Floating Holiday shall be taken in one eight-hour increment and shall be requested in advance in the electronic timekeeping system. The absence is not authorized without the express approval of the supervisor.

b. Floating Holiday time off shall not count as hours worked for the purposes of calculating overtime pay.

c. In the event that an employee fails to utilize the Floating Holidays within the payroll fiscal year, there shall be no carryover of the unused time to the next payroll fiscal year nor cash payment in lieu of usage. Employees shall not be eligible for payment of the unused Floating Holidays upon separation from employment.

7. Exceptions

Any type of temporary (under 180 days), on-the-job training program, or casual employee is not eligible for Holiday Pay. Bargaining unit employees shall receive Holiday Pay, if any, in accordance with the applicable labor agreement.

8. Other holidays which are not specified herein as City employee holidays are recognized by the City and may be observed by employees through use of authorized annual leave (see B7, Personnel Manual).

City of Tampa Personnel Manual
B. Directives and Benefits
B7. Annual Leave

Issue Date:

B7.A Policy

1. Eligibility - All full-time employees accrue annual leave. A full-time employee is assigned 40 hours per week.

2. Accumulation - An eligible employee shall accrue 1.9 hours of annual leave per weekly payroll period; 3.8 hours per bi-weekly payroll period. Leave is calculated in tenths of an hour. Annual leave is accrued on the date it appears on the employee's paycheck leave balance.

3. Partial Accumulation - In the event of a new hire or termination, partial annual leave shall accrue according to the first or last day the employee actually worked or was on paid leave.

4. Maximum Accumulation

   a. A total of 240 hours of annual leave is the maximum that may be carried the end of the calendar year.

   b. Any accumulation above the maximum 240 hours shall be transferred to the sick leave account at the end of the calendar year. This transfer will occur on the last day of the last payroll cycle of the calendar year. Calculations will occur on the last day of the prior pay period.

5. Bonus Leave Accrual

   a. Bonus hours will be credited annually to an employee's annual leave balance for each five (5) years of continuous employment according to the following schedule:

FOR SERVICE OF AT LEAST	BUT LESS THAN	NUMBER OF BONUS HOURS
5 years	10 years	16
10 years	15 years	24
15 years	20 years	48
20 years	25 years	56
25 years	30 years	72
30 years	35 years	80

35 years	40 years	88
40 years	45 years	96
45 years	50 years	104

b. Definition - Continuous employment is defined as the period of employment not interrupted by resignation, dismissal, retirement, quitting without notice, or termination. The length of a leave of absence (except a Workers' Compensation Leave of Absence), suspension, or lay off in excess of 30 calendar days shall not be credited towards continuous service for the purpose of calculating annual leave bonus days. Continuous service is not adjusted due to absences while on Workers' Compensation.

c. Crediting of bonus hours shall occur on the first day of the payroll cycle at the beginning of the calendar year.

d. Sworn police non-bargaining unit and managerial employees (Captain, Major, Deputy Chief, Assistant Chief, and Police Chief) shall receive the annual leave bonus hours provided in the PBA Contract.

6. Disqualifications - Any time during which an employee is on any type of leave without pay (i.e., suspensions, leave of absence, unpaid military leave, absence without pay, or absence without leave) shall not be credited towards the calculation of annual leave accrual for the payroll period.

7. Use of Annual Leave

a. The employee's supervisor may authorize an employee to use accrued annual leave for any purpose as long as it has no direct conflict with employment.

b. Annual leave may not be used by an employee who is a candidate for public office.

c. During the first six months of employment the employee shall not be authorized the use of annual leave. Exceptions shall be permitted with the authorization of the Chief of Staff.

d. An employee must enter a time off request in the electronic timekeeping system for supervisory approval prior to the actual use of annual leave.

e. An employee shall be granted at least ten (10) days of annual leave during any year, if properly requested.

f. Exempt employees are not charged annual leave for absences of less than one day (exempt leave - ELV). The employee must submit requests for exempt leave through the electronic timekeeping system for supervisory approval prior to any absences of less than one day. Absences for full days must comply with request procedures in 7(e) above.

8. Exhaustion of Annual Leave - An employee who exhausts his/her annual leave may be authorized to use leave without pay or request a leave of absence. (See B11. Leave of Absence and B9. Absence Without Pay.)

9. Illness During Authorized Annual Leave - An employee while on authorized annual leave may request the annual leave be changed to sick leave when circumstances change, and the employee would have been authorized for use of sick leave per B8.1.

10. Payment for Unused Annual Leave - Upon termination, an employee will be paid a lump sum for unused annual leave up to but not exceeding 240 hours at the rate of pay as of the date of termination except when:

    a. An employee has less than six months continuous service with the City;

    b. An employee who fails to give 14 calendar days' notice prior to termination shall have one day of leave deducted for each calendar day short of 14 days.

    c. Police Captains are eligible for the payment of Unused Annual Leave as prescribed in the PBA collective bargaining agreements.

11. Exception - Any type of temporary (under 180 days), on-the-job training program, or casual employee, does not accrue annual leave.

City of Tampa Personnel Manual
B. Directives and Benefits
B7.1 Executive Leave

Issue Date:

B7.1A Policy

1. Eligibility

   Full-time employees in the managerial pay plan ("M" pay grades) who are appointed by the Mayor to a position as Administrator or Department Director shall be eligible to accrue Executive Leave as provided in this policy.

2. Accumulation

   a. An eligible employee shall accrue Executive Leave based on total years of continuous service with the City (see B7) as follows:

Length of Service:	Amount of Leave:
Less than 1 year	5 days (40 hours)
1 through 4 years	3 days (24 hours)
5 through 9 years	1 day (8 hours)

   b. Executive Leave shall be credited to the employee effective with the date of employment or promotion to the managerial level and annually thereafter.

   c. Executive Leave must be used prior to the annual anniversary date for the managerial employment or promotion. Any time not used prior to that date shall be forfeited. There is no carryover or accumulation of unused time from one annual period to another.

   d. Upon separation for any reason, any remaining unused Executive Leave shall be forfeited. No payment for unused Executive Leave shall occur prior to separation or at any other time.

3. Use of Executive Leave

a. The employee's supervisor may authorize an eligible employee to use accrued Executive Leave for any purpose as long as it has no direct conflict with employment.

b. An employee must submit the Executive Leave request through the electronic timekeeping system for supervisory approval prior to the use of Executive Leave.

c. The Mayor has final authority on all matters concerning administration and authorization regarding Executive Leave. Any dispute arising over Executive Leave may not be appealed through any grievance/arbitration procedures.

City of Tampa Personnel Manual
B. Directives and Benefits
B8.1 Sick Leave

Issue Date:

B8.1 Policy

1. Purpose - The City of Tampa grants sick leave to eligible employees to provide continued income during employee illnesses.

2. Eligibility - All full-time employees accrue sick leave. A full-time employee is assigned 40 hours per week.

3. Accumulation - An eligible employee shall accrue 1.9 hours of sick leave per weekly payroll period; 3.8 hours per bi-weekly payroll period. Leave is calculated in tenths of an hour. Sick leave is accrued on the date it appears on the employee's paycheck leave balance.

4. Partial Accumulation - In the event of a new hire or termination, partial sick leave shall accrue according to the first or last day the employee actually worked or was on paid leave.

5. Disqualifications - Any time during which an employee is on any type of leave without pay (i.e., suspensions, leave of absence, unpaid military leave, absence without pay, or absence without leave) shall not be credited toward the calculation of sick leave accrual for the payroll period.

6. Unlimited Accumulation - There is no maximum amount of sick leave which an employee may accumulate.

7. Use of Sick Leave

    a. Sick leave shall be allowed in cases of:

        1. Actual illness or disability; or,

        2. Medical and dental appointments; or,

        3. To provide care for an ill child, spouse, other legal dependent, parent, family member, or any other member of the employee’s immediate household (SKO). This provision is limited to a maximum of 40 hours per calendar year; any additional leave time under this provision may be approved by the department director (or designee) on a case-by-case basis. However, an employee with an absence approved in

compliance with the provisions of the Family Medical Leave Act (FMLA), may utilize their available sick leave balance (beyond the limitations of the 40 hours provided) for the duration of the FMLA approved absence (a maximum of 12 weeks).

b. An employee may be authorized the use of sick leave as soon as it is accrued.

8. The supervisor shall require acceptable medical substantiation before authorizing sick leave, if the amount of sick leave requested exceeds three (3) days; or, if the supervisor feels the employee is abusing the use of sick leave, including excessive use of sick leave. Additionally, acceptable medical substantiation (or "show cause") before authorizing sick leave shall be required for an employee who uses 100 or more hours of sick leave (excluding those sick leave hours used for FMLA and/or a medical leave of absence) within his or her evaluation period (one year) or at any time that the employee's sick leave balance falls below 40 hours (excluding those sick leave hours used for FMLA and/or a medical leave of absence). Employees with less than one year of completed service may be required to provide acceptable medical substantiation for any absence and will not be subject to the above hours requirements. Employees who are absent and that absence is related to current approved FMLA paperwork may not be required to submit additional documentation unless the current illness is unrelated to the current approved FMLA paperwork. The City requires medical substantiation when any employee utilizes sick leave within fourteen (14) days of their last day of employment.

   a. A supervisor may require an employee to provide substantiation from a health care provider stating that the employee was incapacitated from work for a period of time (the absence) as a result of injury or sickness, and that the employee is physically able to perform their duties without restriction.

   b. The department will monitor sick leave usage to ensure it is being used appropriately. Any misuse of sick leave may result in disciplinary action up to and including, dismissal.

9. Personal Use. Employees with ten (10) or more years of continuous service may be granted a maximum of eight (8) hours of accrued sick leave per calendar year for personal (non-illness) purposes. This time may not be utilized contiguous to the employee's separation from employment.

10. Illness During Authorized Annual Leave. An employee while on authorized annual leave may request the annual leave be changed to sick leave when

circumstances change, and the employee would have been authorized for use of sick leave per #7 (above). Justification must be provided via appropriate medical documentation upon return to work for consideration.

11. Request for Leave.

    a. When requesting sick leave for medical and dental appointments, employees are required to notify their supervisor as soon as practicable or as soon as they are aware. A time off request must be entered into the current electronic timekeeping system and approved by the immediate supervisor in advance.

    b. When requesting sick leave due to illness, an employee must call the immediate supervisor 30 minutes prior to the start of the work shift, unless the department has established a written policy providing otherwise. Employees must call the immediate supervisor each subsequent day if the absence continues. Upon returning from sick leave, the employee must submit a time off request into the current electronic timekeeping system and notify their immediate supervisor.

    c. Exempt employees are not charged sick leave for absences of less than one day (exempt leave – ELV). The employee must enter a time off request into the current electronic timekeeping system and notify their supervisor for authorization either prior to the absence or upon return to work, as circumstances dictate. Absences for full days must comply with request procedures in 11(a) and (b) above.

12. Exhaustion of Sick Leave. When an employee exhausts sick leave, there shall be no advancement or borrowing of any type of leave. The employee may be authorized to use annual leave, leave without pay, or request a medical leave of absence without pay.

13. Employee Wellness Center. Employees are entitled to up to two (2) hours of leave (SKW) when using the City of Tampa Employee Wellness Centers. This allowance time is only for the duration of the appointment and reasonable travel time to/from the worksite; travel time from home is not included. If the appointment and travel time total exceeds two (2) hours, then the employee must use applicable leave to cover the remainder of their work absence. This does not entitle the employee to two (2) full hours of SKW if it exceeds the total of appointment duration and reasonable travel time.

    a. SKW is only eligible for employee visits and does not apply for dependents.

b. Documentation from the Wellness Center indicating the duration of the appointment shall be provided to the supervisor for justification of the use of SKW.

c. SKW can only be used during the employee's workday, and the employee must be working prior to and/or following the appointment. It does not count as hours worked for the purpose of calculating overtime.

d. All leave time must be submitted and approved by the supervisor, pursuant to the above requirements. Schedule adjustment for use of Wellness Centers is acceptable upon supervisory approval.

e. Vehicle usage for travel to a Wellness Center appointment must be in accordance with Article B31.c

14. Payment of Unused Sick Leave

a. Employees granted a longevity, deferred, or disability retirement and who have ten (10) years of continuous service with the City shall receive a lump sum payment equal to one-half of the employee's accumulated sick leave at the rate of pay as of the date of separation; provided however, that effective for employees hired or rehired on or after October 1, 2011, the payment shall be equal to one-fourth of the employee's accumulated sick leave at the rate of pay as of the date of separation. Any employee who is dismissed from the City and subsequently obtains any type of retirement is not eligible for payment.

b. A lump sum equal to 75% of the employee's accumulated sick leave at the rate of pay as of the date of separation will be paid only if the separation is because of the death of the employee, in which case the money is paid to the employee's legal heirs.

c. Previously sworn Tampa Police Department or Tampa Fire Rescue employees who retire from their respective department and subsequently accept civilian employment in any City of Tampa department are eligible to receive any payout of sick leave when leaving the civilian position, in accordance with 14(a) above.

Exception. Any type of temporary (under 180 days), on-the-job training program, or casual employee does not accrue sick leave.

City of Tampa Personnel Manual
B. Directives and Benefits
B8.2 General Employees Sick Leave Bank

Issue Date:

B8.2A Policy

1. Purpose - The Sick Leave Bank is a voluntary program provided to participating employees for continued income due to absences resulting from personal catastrophic illness or accident to the extent that normal leave balances are depleted and leave them without other means of support under the conditions provided herein. The Bank shall not be established until a minimum of 4,000 hours have been deposited by eligible employees.

2. Eligibility - A full-time employee (assigned 40 hours weekly) who has completed at least one year of continuous service with the City shall be eligible to participate in the Sick Leave Bank. The employee must have a minimum sick leave balance of eighty (80) hours at the time of this election to participate.

3. Participant - A participant shall mean any eligible employee who, during the annual enrollment period completes the Sick Leave Bank Donation Card and accordingly, contributes 8.0 hours of sick leave to the Bank. The annual enrollment period shall be August 1 to October 1 of each year. Further, agreement is made by each employee participant to contribute an additional 8.0 hours of sick leave at each enrollment period if the bank has fallen below 2,000 hours or lacks sufficient funds as determined by the Director of Human Resources & Talent Development. In the event that an employee who is already a participant does not have the 8.0 hours of sick leave, they shall cease to be a member. The employee, however, may re-apply under the same conditions for new members. An employee who has used authorized Sick Leave Bank in the previous calendar year shall be excluded from additional contributions until the employee's sick leave balance reaches 16.0 hours.

    a. An employee who failed to enroll in the Sick Leave Bank may request retroactive enrollment in the event that the employee has less than three years of continuous employment and has been diagnosed with a catastrophic illness, which includes a fatal prognosis. A review of the circumstances and the approval/disapproval for retroactive enrollment shall be determined by the Director of Human Resources & Talent Development.

4. Cancellation of Participation - In the event that an employee wishes to cancel or terminate his/her participation, they shall notify the City thirty (30) days prior to August 1 (the start of the annual enrollment period). In the event of cancellation of participation by the employee, by promotion to a position not eligible for sick bank participation (or participation in a different sick bank), or separation from employment, the contributed time shall remain in the bank. In the event that an employee's assigned hours change from full-time to part-time (less than 40 hours weekly) the employee shall no longer be a participant in the Bank. Employees who become eligible for participation in a different Sick Leave Bank are eligible to enroll in the other Bank during the enrollment period provided that all other eligibility requirements are met.

5. Termination of Bank - In the event that the Sick Leave Bank is terminated due to lack of the minimum hours or otherwise determined by the City, all unused sick leave in the Bank shall be returned to the participants by equal distribution of the balance. In the event that the balance of the Sick Leave Bank reaches depletion, no liability shall exist on the part of the City to honor any claim(s).

6. Withdrawals

   a. Application - A participating employee may apply to withdraw sick leave from the bank by requesting the leave specialist to assist with the completion of the Application for Usage of Sick Leave Bank form. The Application must be completed and submitted to the Director of Human Resources & Talent Development through the Department Director within seven (7) working days of the date the employee desires to begin using the leave.

      All Sections of the application must be completed as directed on the form and must be accompanied by acceptable medical substantiation from two licensed physicians who are not in practice together. This must include the diagnosis by the physicians, a description of the reason the employee is unable to work at his/her position, and the physicians' expectation of a date the employee can return to work. A physician's expectation of a date the employee can return to work shall not be required for applications in conjunction with retroactive enrollment as provided in Section 3(a) (above).

   b. Maximum Usage - A participant may be authorized to use leave from the Sick Leave Bank for a maximum of 800 work hours during employment. An employee shall not be required to pay back time used from the bank except as authorized in B8.2 (6)(e). In the event that the employee is not able to return to work upon the expiration of leave, the employee may be

authorized a medical leave of absence in accordance with existing requirements.

c. Conditions

1) In order to withdraw leave from the Sick Leave Bank, the employee must have exhausted his/her sick and annual leave balance and have been on an absence without pay ("AWP") for the previous 40 hours.

2) The purpose of the Sick Leave Bank is reserved for illnesses of a catastrophic nature as specified in B8.2 Section 1 and B8.2 Section 7. Catastrophic illnesses are those illness or accidents which require confinement in a hospital or those illnesses or accidents which require extensive medical care of an unforeseeable nature. Catastrophic illnesses shall not include elective surgery nor unforeseeable medical care rendered as a result of something other than injury or disease.

3) An employee shall not be eligible to withdraw leave from the Bank to cover injury or illness in the line of duty, Workers' Compensation, the illness of a family member, or injury/illnesses pre-existing prior to employment or enrollment. The exclusion for pre-existing illnesses shall not apply when the employee has enrolled in the Bank in accordance with Section 3(a) (above).

4) An employee may not apply to withdraw leave from the Sick Leave Bank until after sixty (60) calendar days following the date of the employee's enrollment. This requirement shall not apply when the employee has enrolled in the Bank in accordance with Section 3(a) (above).

d. Benefits - Benefits for employees authorized usage of Sick Leave Bank hours shall continue for the duration of the paid leave. However, there shall be no accrual of sick or annual leave during the period. In the event that a designated holiday occurs during the period of authorized leave, the employee shall receive 8.0 hours of holiday pay and shall not be charged with Sick Leave Bank. Under no circumstance shall payment to the employee exceed normal payment to the employee for regular assigned hours.

e. Termination of Leave

1) An employee shall be subject to immediate termination and repayment of any leave approved if the employee claims or

receives unemployment compensation or accepts other employment during the approved leave.

2) If the Director of Human Resources & Talent Development determines that an employee has abused, falsified information, or was otherwise not eligible for leave, the employee shall be required to repay any leave previously approved and shall be subject to disciplinary action including termination.

3) An employee who is on approved leave and whose medical condition improves sufficiently to return to work, shall notify their immediate supervisor immediately. Usage of leave previously approved shall cease upon the physician's release to return to work. An employee who fails to advise the City of the physician's release to return to work shall be required to repay any leave previously authorized and shall be subject to disciplinary action including termination.

7. Authorization of Leave - The Director of Human Resources & Talent Development shall review all applications and may request additional medical substantiation and/or may require periodic information on the employee's condition as deemed necessary. In addition to the requirements for eligibility to be authorized usage of Sick Leave Bank, the Director of Human Resources & Talent Development shall also consider the employee's length of service, performance record including discipline and attendance, and the employee's individual circumstances surround the request.

The decision of the Director of Human Resources & Talent Development, stating the hours approved for withdrawal and any conditions set forth or, stating the disapproval shall be forwarded to the employee within two (2) calendar days of the date of the employee expected to begin using the leave. The Department is electronically notified of the employee's approved use of the Sick Leave Bank and any extension. The Director of Human Resources & Talent Development may require updated medical reports on at least a monthly basis and/or upon each appointment of the employee with the physician. The Director of Human Resources & Talent Development has final authority on all matters concerning administration and authorization regarding the Sick Leave Bank. Any dispute arising over the Sick Leave Bank may not be appealed to the Civil Service Board or any grievance/arbitration procedures.

City of Tampa Personnel Manual
B. Directives and Benefits
B8.3 Police Sick Leave Bank

Issue Date:

B8.3A Policy

1. Purpose - The Sick Leave Bank is a voluntary program provided to participating employees for continued income due to absences resulting from personal catastrophic illness or accident to the extent that normal leave balances are depleted and leave them without other means of support under the conditions provided herein. The Bank shall not be established until a minimum of 1,800 hours have been deposited by eligible employees.

2. Eligibility - A Police Department employee who is enrolled in the Fire and Police Pension Plan and who has completed at least one year of continuous service with the City shall be eligible to participate in the Sick Leave Bank. The employee must have a minimum sick leave balance of eighty (80) hours at the time of this election to participate.

3. Participant - A participant shall mean any eligible employee who, during the annual enrollment period completes the Sick Leave Bank Donation card and accordingly contribute 8.0 hours of sick leave to the Bank. The annual enrollment period shall be August 1 to October 1 of each year. Further, agreement is made by each employee participant to contribute an additional 8.0 hours of sick leave at each enrollment period if the Bank has fallen below 850 hours or lacks sufficient funds as determined by the Director of Human Resources & Talent Development. In the event that an employee who is already a participant does not have the 8.0 hours of sick leave, they shall cease to be a member. The employee, however, may re-apply under the same conditions for new members. An employee who has used authorized Sick Leave Bank in the previous calendar year shall be excluded from additional contributions until the employee's sick leave balance reaches 80.0 hours.

    a. An employee who failed to enroll in the Sick Leave Bank may request retroactive enrollment in the event that the employee has less than three years of continuous employment and has been diagnosed with a catastrophic illness, which includes a fatal prognosis. A review of the circumstances and the approval/disapproval for retroactive enrollment shall be determined by the Director of Human Resources & Talent Development.

4. Cancellation of Participation - In the event that an employee wishes to cancel or terminate his/her participation, they shall notify the City thirty (30) days prior to August 1 (the start of the annual enrollment period). In the event of cancellation of participation by the employee or separation from employment, the contributed time shall remain in the bank.

5. Termination of Bank - In the event that the Sick Leave Bank is terminated due to lack of the minimum hours or otherwise determined by the City, all unused sick leave in the Bank shall be returned to the participants by equal distribution of the balance. In the event that the balance of the Sick Leave Bank reaches depletion, no liability shall exist on the part of the City to honor any claim(s).

6. Withdrawals

   a. Application - A participating employee may apply to withdraw sick leave from the bank by completing the Application for Usage of Sick Leave Bank form. The Application must be completed and submitted to the Director of Human Resources & Talent Development through the Police Chief within seven (7) working days of the date the employee desires to begin using the leave.

      All sections of the application must be completed as directed on the form and must be accompanied by acceptable medical substantiation from two licensed physicians. This must include the diagnosis by the physicians, a description of the reason the employee is unable to work at his/her position, and the physicians' expectation of a date the employee can return to work. A physician's expectation of a date the employee can return to work shall not be required for applications in conjunction with retroactive enrollment as provided in Section 3(a) (above).

   b. Maximum Usage - A participant may be authorized to use leave from the Sick Leave Bank for a maximum of 800 consecutive work hours. Only one usage is permitted per calendar year. An employee shall not be required to pay back time used from the bank except as authorized in B8.3 Section 6(e). In the event that the employee is not able to return to work upon the expiration of leave, the employee may be authorized a medical leave of absence in accordance with existing requirements.

   c. Conditions

      1) In order to withdraw leave from the Sick Leave Bank, the employee must have exhausted his/her sick and annual leave

balance and have been on an absence without pay ("AWP") for the previous 40.0 hours.

2) The purpose of the Sick Leave Bank is reserved for illnesses of a catastrophic nature as specified in B8.3 Section 1 and B8.3 Section 7. Catastrophic illnesses are those illnesses or accidents which require confinement in a hospital or those illnesses or accidents which require extensive medical care of an unforeseeable nature. Catastrophic illnesses shall not include elective surgery nor unforeseeable medical care rendered as a result of something other than injury or disease.

3) An employee shall not be eligible to withdraw leave from the Bank to cover injury or illness in the line of duty, Workers' Compensation, the illness of a family member, or injury/illnesses pre-existing prior to employment or enrollment. The exclusion for pre-existing illnesses shall not apply when the employee has enrolled in the Bank in accordance with Section 3(a) (above).

4) An employee may not apply to withdraw leave from the Sick Leave Bank until after sixty (60) calendar days following the date of the employee's enrollment. This requirement shall not apply when the employee has enrolled in the Bank in accordance with Section 3(a) (above).

d. Benefits - Benefits for employees authorized usage of Sick Leave Bank shall continue for the duration of the paid leave. However, there shall be no accrual of sick or annual leave during the period. In the event that a designated holiday occurs during the period of authorized leave, the employee shall receive 8.0 hours of holiday pay and shall not be charged with Sick Leave Bank. Under no circumstances shall payment to the employee exceed normal payment to the employee for regular assigned hours.

e. Termination of Leave

1) An employee shall be subject to immediate termination and repayment of any Sick Leave Bank hours used if the employee claims or receives unemployment compensation or accepts other employment during the approved leave.

2) If the Director of Human Resources & Talent Development determines that an employee has abused, falsified information, or was otherwise not eligible for leave, the employee shall be

required to repay any leave previously approved and shall be subject to disciplinary action including termination.

3) An employee who is on approved leave and whose medical condition improves sufficiently to return to work, shall notify their immediate supervisor immediately. Usage of leave previously approved shall cease upon the physician's release to return to work. An employee who fails to advise the City of the physician's release to return to work shall be required to repay any leave previously authorized and shall be subject to disciplinary action including termination.

7. Authorization of Leave - The Director of Human Resources & Talent Development shall review all applications and may request additional medical substantiation and/or may require periodic information on the employee's condition as deemed necessary. In addition to the requirements for eligibility to be authorized usage of Sick Leave Bank, the Director of Human Resources & Talent Development shall also consider the employee's length of service, performance record including discipline and attendance, and the employee's individual circumstances surrounding the request.

The decision of the Director of Human Resources & Talent Development, stating the hours approved for withdrawal and any conditions set forth or; stating the disapproval shall be forwarded to the employee within two (2) calendar days of the date the employee expected to bring using the leave. The Department is electronically notified of the employee's approved use of the Sick Leave Bank and any extension. The Director of Human Resources & Talent Development may require updated medical reports on at least a monthly basis and/or upon each appointment of the employee with the physician. The Director of Human Resources & Talent Development has final authority on all matters concerning administration and authorization regarding the Sick Leave Bank. Any dispute arising over the Sick Leave Bank may not be appealed to the Civil Service Board or any grievance/arbitration procedure.

City of Tampa Personnel Manual
B. Directives and Benefits
B9. Absence Without Pay

Issue Date:

B9.A Policy

1. Definition - An absence without pay is an authorized absence for any part of a workday which is approved in writing by the immediate supervisor.

2. Use of Absence Without Pay

   a. An absence without pay is only to be administered on an emergency basis and when all leave balances have been exhausted. It may not be used to cover repeated tardiness nor time periods during which the employee should properly request use of sick or annual leave.

   b. In the event that an employee has exhausted annual, sick, and/or compensatory leave balances, the supervisor may authorize an absence without pay for legitimate purposes up to a maximum of 16 hours in a calendar year. Additional absences without pay may be authorized at the discretion of the Department Director, however, no employee may be authorized more than eighty (80) hours of absence without pay in a calendar year unless an approved FMLA form has been received or such additional time has been reviewed and approved by the department director. In such case, an employee may use absence without pay for the duration of the FMLA approval if no paid leave time in any form is available.

   c. Additional absences without pay for extraordinary circumstances may be authorized by the Department Director provided that contiguous periods of eighty (80) or more hours of absence shall require the Leave of Absence status (B11.1).

3. An absence without pay is calculated in tenths of an hour as shown below:

   If absent from:

   06 to 11 minutes, charged 0.1 hours
   12 to 17 minutes, charged 0.2 hours
   18 to 23 minutes, charged 0.3 hours
   24 to 29 minutes, charged 0.4 hours
   30 to 35 minutes, charged 0.5 hours
   36 to 41 minutes, charged 0.6 hours
   42 to 47 minutes, charged 0.7 hours

48 to 53 minutes, charged 0.8 hours
54 to 59 minutes, charged 0.9 hours
60 to 65 minutes, charged 1.0 hours

If absent for 66 minutes or more, repeat the above. For example, if absent 1 hour and 25 minutes, charged 1.4 hours.

4. Absences without pay shall not be credited towards the accrual of sick or annual leave.

5. Excessive use of AWP may result in denial of future AWP requests which may result in the employee being charged with AWL.

6. Exempt employees will not be charged Absence Without Pay for absences of less than one day. The absence must be in conformance with 2(a) above and any compensatory leave must be used prior to the authorization of Absence Without Pay. Absences of a full day may be authorized by the supervisor not to exceed two workdays. The Department Director may authorize full-day absences not to exceed 10 workdays. Additional full-day absences may be authorized by the Department Director as in 2.c. above.

City of Tampa Personnel Manual
B. Directives and Benefits
B10. Absence Without Leave

Issue Date:

B10.A Policy

1. Definition - Absence Without Leave (AWL) is an absence for any part of a workday which is not approved by the immediate supervisor in writing.

2. Use of Absence Without Leave - An Absence Without Leave will result in disciplinary action, at the minimum of a written reprimand.

3. An Absence Without Leave shall be without pay and is calculated in tenths of an hour (see B9A.3).

4. An employee who is Absent Without Leave (AWOL) for three consecutive days may be dismissed as quit without notice.

5. Absences Without Leave shall not be credited towards the accrual of sick and annual leave.

6. Exempt Employees - Even though exempt employee absences of less than one workday do not require the use of leave, an employee whose absence for a portion of a day is unauthorized may be subject to appropriate disciplinary action.

City of Tampa Personnel Manual
B. Directives and Benefits
B11.1 Personal/Medical Leave of Absence

Issue Date:

B11.1A Policy

1. Definitions

    a. Personal Leave of Absence - A leave of absence without pay is granted for special education, personal business, family illness, and other such approved reasons.

    b. Medical Leave of Absence - A leave of absence without pay is granted to an employee for medical reasons, including pregnancy and childbirth as certified by a physician. Medical leave is granted only after sick leave benefits in excess of forty (40) hours have been exhausted. Medical leaves of absences for maternity reasons will be considered only for the period of actual employee disability as certified by a licensed physician. Employees may request a personal leave of absence to commence upon the expiration of a medical leave of absence for maternity reasons, for the purpose of extended care of the infant. If an employee is also requesting FMLA, the employee is responsible for following the appropriate procedure.

2. The decision to grant an employee a leave of absence is at the discretion of the Department Director with the concurrence of the Director of Human Resources & Talent Development (or designee).

3. A leave of absence shall be granted only when it will not result in harm to the interest of the City as an employer.

4. A leave of absence is a privilege the City may grant to employees, not a right to which they are entitled.

5. Eligibility - An employee must be assigned at least forty (40) hours of work per week and must have completed at least one (1) year of continuous service with the City to be eligible to request a leave of absence.

6. Requests for Leave of Absence - Requests for leaves of absence must be submitted by the employee at least four (4) weeks in advance. In cases of emergency, the time limit will be waived. Requests for medical leaves of absence must include a licensed physician's certification or illness or maternity with an expected return to work date. If an employee, or their supervisor on

their behalf, needs to request a personal/medical leave of absence, they should contact the Human Resources reception desk and request to speak to the Leave Administrator.

7. Leave of Absence - Length

   a. A personal or medical leave of absence may be granted for a specified period greater than eighty (80) hours but not in excess of six (6) continuous calendar months.

   b. The Department Director may grant two (2) extension periods that do not exceed three (3) months each, to each leave of absence with the approval of the Director of Human Resources & Talent Development (or designee).

   c. At the discretion of the Director of Human Resources & Talent Development (or designee), an additional extension may be granted in extraordinary circumstances.

   d. A period of up to eighty (80) hours may be granted as excused leave without pay (see B9 Absence Without Pay).

8. Reinstatement - Upon the expiration of a leave of absence, the employee must request reinstatement. Requests for reinstatement from a medical leave of absence must include a physician's authorization to return to work. Reinstatement shall be to the position occupied at the time the leave was granted, or to a similar position in the same class, and at the same pay. Seniority, rate of pay, and other benefits shall commence upon return to work.

9. Termination of Leave

   a. The failure of an employee to report promptly for duty at the expiration of the leave of absence shall be just cause for the Department Director to terminate the employee.

   b. An employee shall be subject to immediate termination if the employee accepts other employment during the approved leave of absence.

   c. If required by the conduct of the department's official business, a previously granted leave of absence may be terminated. The Department Director must give written notification two (2) weeks in advance to the Director of Human Resources & Talent Development (or designee) and the employee, stating that if the employee does not report to work on the specified date, the employee will be terminated.

10. Replacing an Employee on a Leave of Absence - No position held by an employee who is on an approved leave of absence may be filled on a permanent basis. However, the position may be filled on a temporary assignment.

11. Benefits

    a. All employee benefits will cease during a personal leave of absence. Health and life insurance may be continued at the employee's expense.

    b. An employee granted a medical leave of absence will continue to receive the same health and life insurance benefits as when the employee was active for a maximum of six (6) months. The total cost of this insurance will become the expense of the employee if an extension to the leave of absence is granted. Failure of an employee to remit said costs to the City shall result in cancellation of insurance and the employee will be subject to any re-enrollment procedures required by the City's group insurance policies.

    c. An employee on any leave of absence does not accrue sick or annual leave.

    d. The length of a leave of absence in excess of thirty (30) calendar days shall not be credited towards continuous service for the purpose of calculating longevity awards, annual leave bonus days, salary review dates, or seniority.

    e. Employees who are enrolled in dental and/or other optional insurance policies are responsible for contacting the applicable company to arrange for direct payments to continue coverage. Failure to make payments will result in the company canceling coverage.

12. Unclassified Employees - An employee in an unclassified position may be granted a leave of absence. If the unclassified position is eliminated for any reason during the term of the leave of absence, the employee shall have no rights to reinstatement in any City position.

City of Tampa Personnel Manual
B. Directives and Benefits
B11.2 Workers' Compensation Leave of Absence

Issue Date:

B11.2 Policy

1. Purpose - A Workers' Compensation Leave of Absence without Pay is provided to an employee who, after having reached maximum medical improvement or after six (6) months of temporary total disability, has not been able to perform the duties of his/her former position, and who is otherwise eligible as specified herein. The Workers' Compensation Leave of Absence enables the employee to continue to recuperate and/or seek a position for which the employee is physically capable.

2. Definitions

    a. Maximum Medical Improvement - The date after which recovery or lasting improvement can no longer reasonably be anticipated. Only the examining physician is authorized to determine a Maximum Medical Improvement date.

    b. Temporary Total Disability - The recuperative period of time during which an individual is not able to perform duties at full capacity. Only the authorizing physician is authorized to determine the Temporary Total Disability recovery date.

3. Eligibility

    a. All employees, regardless of length of service, are eligible for a Workers' Compensation Leave of Absence.

    b. The decision to place an employee on a Workers' Compensation Leave of Absence is at the discretion of the Department Director with the concurrence of the Director of Human Resources & Talent Development (or designee).

    c. A Workers' Compensation Leave of Absence shall be granted only when it will not result in harm to the interest of the City as an employer.

    d. A Department Director may initiate a Workers' Compensation Leave of Absence when it is determined by the Risk Manager that the employee is eligible. This action does not require a request from the employee and is not voluntary.

e. An employee's sick or annual leave benefits need not be exhausted before the employee is granted a Workers' Compensation Leave of Absence.

4. Request for Workers' Compensation Leave of Absence - An employee or the Department Director may prepare and submit a Workers' Compensation Leave of Absence after the employee has reached Maximum Medical Improvement or has been unable to perform his/her position at full capacity for a period of six (6) months. If an employee, or their supervisor on their behalf, needs to request a Workers' Compensation Leave of Absence, they should contact the Human Resources reception desk and request to speak to the Leave Administrator.

5. Length of Leave

a. A Workers' Compensation Leave of Absence may be granted for a specified period greater than eighty (80) hours, but not in excess of six (6) continuous calendar months.

b. The Department Director may grant two (2) extension periods that do not exceed three (3) months each to the original leave of absence with the approval of the Director of Human Resources & Talent Development (or designee).

6. Reinstatement

a. Prior to, or upon the expiration of the Workers' Compensation Leave of Absence, the employee shall be reinstated to the position occupied at the time the Leave was granted, or to a similar class, and at the same rate of pay if the employee's physical condition is such that the employee is able to perform the job.

b. Prior to, or upon the expiration of the Workers' Compensation Leave of Absence, the employee shall be reinstated to a position of which the employee is physically capable of performing and is otherwise determined eligible through the application, certification, and selection process.

c. Any reinstatement will require acceptable authorization by the examining physician.

7. Termination of Leave

a. At the expiration of the Workers' Compensation Leave of Absence, an employee will be terminated unless the employee:

1) Is physically able to and has returned to the former position;

2) Is physically able to and has become employed in another position with the City;

3) Has chosen to voluntarily resign or seek retirement.

b. An employee shall be subject to immediate termination if the employee accepts other non-City of Tampa employment during the approved Leave of Absence. The preceding sentence shall not be applicable to the seeking or acceptance of employment pursuant to the wage loss provisions of the Workers' Compensation Act provided that the employee notifies the City of the seeking and acceptance of such employment.

8. Replacing an Employee on Workers' Compensation Leave of Absence - The position held by an employee who is on an approved Workers' Compensation Leave of Absence may be filled on a temporary or regular basis as determined by the Director of Human Resources & Talent Development.

9. Benefits

a. An employee granted a Workers' Compensation Leave of Absence will continue to receive the same health and medical insurance benefits as when the employee was active for a maximum of six (6) months. The total cost of this insurance will become the expense of the employee if an extension to the Leave of Absence is granted. Failure of an employee to remit said costs to the City shall result in cancellation of insurance and the employee will be subject to any re-enrollment procedures required by the City's group insurance policies.

b. Employees who are enrolled in dental and/or optional insurance policies are responsible for contacting the applicable company to arrange for direct payments to continue coverage. Failure to make payments will result in the company canceling coverage.

c. An employee on Workers' Compensation Leave of Absence does not accrue sick or annual leave.

d. The length of the Workers' Compensation Leave of Absence shall not be considered as a break in service. The duration of the leave shall be credited towards continuous service for the purpose of calculating longevity awards, annual leave bonus days, salary review dates, or seniority.

e. All benefits shall commence again when an employee is reinstated to the former position or a new position.

10. Unclassified Employees - An employee in an unclassified position who is otherwise eligible may be granted a Workers' Compensation Leave of Absence. If the unclassified position is eliminated for any reason during the term of the leave of absence, the employee shall have no rights to reinstatement in any City position.

City of Tampa Personnel Manual
B. Directives and Benefits
B11.3 Compliance with the Family & Medical Leave Act of 1993

Issue Date:

B11.3A Purpose

1. This policy provides for the coordination of the existing personnel policies and collective bargaining agreements with the federal Family and Medical Leave Act of 1993 (FMLA) as amended.

2. City of Tampa leave policies and collective bargaining agreements provide eligible employees with annual leave, sick leave, sick leave banks, personal and/or medical leave of absences, absence without pay, and various other accommodations based on an employee's need for an absence from work due to a medical condition of the employee or the employee's eligible family member.

3. The FMLA requires that the City authorize certain eligible employees up to twelve (12) weeks of leave per year for certain qualifying events. Leave approval is not changed by this policy. However, when leave disapproval is considered, supervisors should contact Employee Relations to ensure that the disapproval does not violate the FMLA. Clarification for supervisors when interpreting leave requests in conjunction with the FMLA is provided by this policy.

B11.3B Policy

1. Employee eligibility and authorization requirements for use of paid or unpaid leave remain in effect as provided by the applicable policy (Personnel Manual) or collective bargaining agreement. Department directors, managers, and supervisors shall review and authorize leave requests in accordance with those policies. Approval of leave is not limited to the FMLA requirements.

    a. For family medical leave circumstances, eligible employees are currently permitted to utilize a portion of their sick leave balance for care of specified family members (see applicable policy or collective bargaining agreement). Usage of annual leave, Absence Without Pay (AWP), or a personal Leave of Absence may be approved for care of family members not specified and/or for absences beyond the allowable sick leave maximum usage.

    b. For the employee's medical condition, eligible employees are currently permitted to use their sick leave balance, the Sick Leave Bank, annual

leave, Absent Without Pay (AWP), or medical Leave of Absence subject to approval.

c. Exception. Part-time employees or employees not eligible for a personal or medical Leave of Absence are limited the use of Absent Without Pay (AWP) for authorized absences from work of 80 hours per calendar year (exception beyond the 80 hours are permitted for extraordinary circumstances). Departments should contact Employee Relations for assistance in determining that absence requests beyond 80 hours are approved when required to comply with the FMLA.

2. In calculating the twelve (12) week period under the FMLA, employees will continue to first use any paid leave balances, as applicable, per the applicable policy (Personnel Manual) or collective bargaining agreement. The twelve (12) week period occurs on a calendar year basis and is inclusive of both paid and unpaid leave. It is cumulative in cases where the leave is utilized on an intermittent basis (for example, when an employee takes leave periodically for care of an ill child rather than for a consecutive period of 12 weeks). Intermittent leave is calculated as the total hours the employee is assigned per week multiplied by 12 weeks. For example, time for a full-time employee of 40 hours weekly would equal 480; for a part-time 30 hour per week employee the time would be 360 hours.

3. Benefits. The status of pay and benefits shall be in accordance with the applicable leave status as stated in the policy (Personnel Manual) or collective bargaining agreement.

a. Exception. When employees are authorized a Personal Leave of Absence for a qualified FMLA event, the City is required to pay the City contribution for health insurance provided that the employee's payments for coverage continue the same as if the employee were working. This exception complies with the FMLA and has a duration of 12 weeks inclusive of any paid or unpaid leave prior to the personal Leave of Absence status. Health insurance coverage and payments for personal Leave of Absence status for qualified FMLA event beyond the inclusive 12-week period follows applicable policy (Personnel Manual) or collective bargaining agreement.

4. The City of Tampa strictly adheres to the criteria established by the Department of Labor in its determination of employee eligibility, as well as the definition of eligible family members provided. The City must permit use of applicable leave status for eligible employees under the following conditions:

a. For the birth of a son or daughter, and to care for the newborn child;

b. For placement with the employee of a son or daughter for adoption or foster care;

c. To care for the employee's spouse, son, daughter, or parent with a serious health condition; and

d. Because of a serious health condition that makes the employee unable to perform the functions of the employee's job.

5. In determining issues not specified in current policy or collective bargaining agreements, the FMLA federal regulations shall be the determinative factor.

1) Posters. In order to comply with the FMLA, all departments are required to post in conspicuous places where employees work, the poster notice of the FMLA. Contact Employee Relations for additional copies of this poster.

2) Further information concerning the above requirements and the federal regulations is available from Employee Relations. Assistance will be provided regarding definitions and medical documentation in accordance with the federal regulations. Supervisors considering the approval or disapproval of a leave request should contact Employee Relations for assistance.

3) If an employee, or their supervisor on their behalf, needs to request FMLA paperwork for themselves or a designated family member, they should contact the Human Resources reception desk and request to speak to a Leave Administrator.

City of Tampa Personnel Manual
B. Directives and Benefits
B11.4 Administrative Leave with Pay

Issue Date:

B11.4A Policy

1. An employee may be placed on Administrative Leave with Pay only upon the express determination of the Mayor.

2. Administrative Leave with Pay may occur for the following purposes:

    a. Upon determination that it is in the best interest of the City to not have the employee at the worksite and that other paid or unpaid leave, disciplinary action, or other job status is not appropriate for the specific situation; and

    b. Upon determination that an employee will be assigned to work to assist another jurisdiction due to emergency conditions suffered by that jurisdiction or other mutual aid outside of Hillsborough County.

3. The determination to place an employee on Administrative Leave with Pay does not require a request by the employee and is approved or ordered at the sole discretion of the Mayor. The decision to place an employee on Administrative Leave with Pay, or to cease the designation, shall not be subject to the grievance procedures.

4. The designation of this leave status is expected to occur only under extraordinary circumstances. The employee is required to remain in contact with their supervisor, remain available and ready to work throughout any Administrative Leave with Pay period, and shall immediately return to their normal assignment upon notification. The Mayor shall determine the duration of the Administrative Leave with Pay period up to a maximum of 90 calendar days and, at their discretion, may terminate the designation at any time.

5. Upon notification from the Mayor of the approval of Administrative Leave with Pay, the Director of Human Resources & Talent Development shall be responsible for verifying the property time report coding and payment with the Department of Revenue & Finance and Central Payroll. Central Payroll shall not process any time record indicating the status of Administrative Leave with Pay without verification of the authorization.

6. Administrative Leave with Pay shall be credited as hours worked for purposes of any pay and benefits calculations.

City of Tampa Personnel Manual
B. Directives and Benefits
B11.5 Caregiver Leave

Issue Date: 4/17/2025

B11.5A Policy

1. Purpose - The City of Tampa provides paid leave for City employees who are the primary or secondary caregivers for a child in connection with and adjacent to the birth, adoption, or foster care placement of a child.

2. Eligibility - To be eligible for caregiver leave, an employee must be assigned at least 40 hours of work per week and have completed at least one year of contiguous service with the City immediately prior to the beginning of the leave.

3. Definitions

    a. Primary Caregiver. The primary caregiver is whichever parent (who may or may not be a City employee) has the primary responsibility for caring for a child in connection with the child's birth, adoption, or placement as a foster child.

    b. Secondary Caregiver. The secondary caregiver is the parent who is not the primary caregiver but will provide support and assistance to a primary caregiver.

4. Length - Caregiver leave is available to all eligible employees without regard to sex, sex orientation, gender identity or expression. Primary caregivers will be entitled to a maximum of 320 hours taken immediately and continuously following the birth, adoption, or foster care placement of a child. Secondary caregivers will be entitled to a maximum 80 hours taken immediately and continuously following the birth, adoption, or placement of a child:

    a. Under the policy, only one person can be the primary caregiver.

    b. Caregiver leave will be counted against the employee's FMLA entitlement. Caregiver leave does not provide additional time off from work or in any way to reduce or limit an employee's entitlement to FMLA leave.

    c. Caregiver leave must be taken in a single continuous period beginning on the date of birth, adoption, or placement of the child. Caregiver leave may not be taken on an intermittent, part-time, or reduced schedule basis.

5. Requests for Caregiver Leave:

   a. Requests for caregiver leave must be submitted to Human Resources at least four weeks in advance of the anticipated date of birth, adoption, or placement.

   b. An employee requesting primary caregiver leave will submit an affidavit, on a form provided by the City, attesting to his or her status as a primary caregiver and providing any required supporting documentation.

   c. Once leave has been granted, no change from secondary to primary caregiver is permitted without approval and only then if emergency conditions warrant the change. Any additional caregiver leave available with an approved change of status remains limited to the maximum cap of 320 hours adjacent to and continuous from the date of birth, adoption, or placement not from the date the change is approved.

   d. Any employee providing false or inaccurate information in order to obtain caregiver leave will be subject to disciplinary action up to and including termination.

6. Benefits:

   a. An employee on caregiver leave shall continue to accrue sick and annual leave.

   b. Caregiver leave shall be treated as any other paid leave status and is credited towards continuous service for the purpose of calculating annual longevity awards, annual leave bonus hours, salary review dates, and seniority. Caregiver leave shall not be credited as time worked for purposes of calculating overtime and shall not be eligible for shift premium pay.

   c. An employee on caregiver leave shall continue to receive the same health and life insurance benefits as when the employee was active.

   d. When a designated holiday falls during the caregiver leave period, the employee shall receive the holiday pay and shall not be charged with caregiver leave. This shall not apply to sworn firefighters covered by the IAFF contract who will receive holiday pay in accordance with the union contract.

7. Reinstatement:

Eligible employees using caregiver leave are entitled to be reinstated to the same or an equivalent position after returning from leave. If the position no longer exists due to legitimate business reasons (e.g., layoffs or restructuring), the City will follow applicable City policy, collective bargaining agreements, and any legal requirements in looking at alternative placement options.

8. Termination of Leave:

a. An employee shall be subject to immediate termination and repayment of any caregiver leave taken if the employee claims or receives unemployment compensation or accepts other employment during the approved leave.

b. If the Director of Human Resources & Talent Development determines that an employee has abused, falsified information, or was otherwise not eligible for caregiver leave, the employee shall be required to repay any caregiver leave previously taken and shall be subject to disciplinary action including termination.

c. An employee who decides to voluntarily resign, retire, or otherwise terminate their employment with the City prior to or in lieu of returning to work, shall be subject to repayment of any caregiver leave taken.

d. The failure of an employee to report promptly for duty at the expiration of the leave shall be just cause for the City to terminate the employee.

e. Employees shall not be authorized to work extra duty/off duty jobs for the Tampa Police Department or Tampa Fire Rescue during caregiver leave.

9. Effective Date - This policy shall be effective for a birth or placement (adoption/foster care) of a child on or after March 1, 2025.

City of Tampa - Employee Caregiver Leave Request

Employee Name: _____

ID #: _____

Department: _____ Employment Date: _____

Expected Date of Child's Arrival: _____

In accordance with B11.5 Caregiver Leave in the City of Tampa Personnel Manual, requests must be submitted at least four (4) weeks in advance. In case of an emergency, the time limit will be waived.

The policy requires that you attach to this form:

- A physician's certification of maternity with an expected delivery date; or,
- Appropriate documentation of the adoption or foster child placement.
- Prior to approval and within 30 days of the birth, the birth certificate must be submitted.

Select one of the following:

_____ I certify that I am the **PRIMARY CAREGIVER**. This is the person that has primary responsibility for caring for a child in connection with the child's birth, adoption, or placement as a foster child.

_____Birth _____Adoption _____Foster Care

or

_____ I certify that I am the **SECONDARY CAREGIVER**. This is the person who is not the primary caregiver but will provide support and assistance to a primary caregiver.

_____Birth _____Adoption _____Foster Care

I understand that if I will be using additional paid or unpaid leave in accordance with the Family Medical Leave Act (FMLA), that I must also submit an application for the FMLA to the Director of Human Resources & Talent Development.

I affirm, under the penalty of perjury, that the statements in this affidavit are true to the best of my knowledge.

Signature: _____

Print Name: _____

STATE OF FLORIDA
COUNTY OF _____

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, (20____), by _____.

(Name of person making statement)

_____
(Signature of Notary Public - State of Florida)

_____
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known OR Produced Identification

Type of Identification Produced: _____

For Director of Human Resources & Talent Development Use Only:

_____ Request Approved _____ Request Denied

_____ Request Modified, as follows: _____

Caregiver Leave commence date: _____

Caregiver Leave duration: _____

_____
(Director of Human Resources & Talent Development (or designee)

Date: _____

City of Tampa Personnel Manual
B. Directives and Benefits
B11.6 Lactation Accommodation

Issue Date:

B11.6A Policy

1. Purpose - The City of Tampa supports postpartum employees who have chosen breastfeeding their children as a means of promoting the health of both child and mother. To that end, the City of Tampa encourages and supports those employees who choose to express breast milk at work.

2. Facilities - The City of Tampa will provide a place which may not be a bathroom, but which is shielded from view, and free from intrusion from coworkers and the public, which may be used to express breast milk for up to one-year after childbirth. Employees who use lactation facilities shall assist in maintaining the designated facilities by wiping up any breast milk which may have spilled on any surfaces in the lactation facilities. Employees who use communal refrigerators are required to properly label their breast milk.

3. Postpartum employees who choose to express breast milk will be allowed reasonable break times for that purpose. Such employees shall give supervisors advance notice of the need for lactation accommodations in order to allow supervisors the opportunity to establish a location and adjust schedules, as necessary. If an employee needs additional breaks or time beyond the time provided for, then the supervisor will ensure appropriate leave time is used to compensate for any time over the approved time periods in the schedule. Alternatively, an arrangement to make up the time within the same week is acceptable. Employees who make use of this accommodation are not relieved of their obligation to perform all essential job tasks as required.

4. Employees who choose to express breast milk at work will not be subject to harassment or treated differently.

City of Tampa Personnel Manual
B. Directives and Benefits
B12. Annual Military Leave

Issue Date:

B11.5A Policy

1. Definition - Annual Military Leave is an authorized absence from work with pay, due to the request of the armed services to fulfill regular military duties, field training, and/or emergency military obligations.

2. Rate of Pay - The employee receives regular pay based on the normal City assigned hours.

3. Eligibility - To be eligible for annual military leave, an employee must have previously completed basic reservist training.

4. Request for Leave - An employee must prepare and submit in advance a REQUEST FOR LEAVE and attach a written notice from the commanding officer stating when and where to report for duty and the duration of the leave. Leave status begins with the effective date of the military order.

5. Length of Leave - Annual military leave shall not exceed 240 hours during any calendar year.

6. Reinstatement

    a. Upon return from annual military leave, an employee shall return to the same position held prior to taking leave.

    b. An employee with temporary status shall be allowed to return to the position held prior to taking annual military leave provided the position has not been eliminated during his/her absence.

7. This policy shall be adjusted and administered to comply with State and Federal laws.

City of Tampa Personnel Manual
B. Directives and Benefits
B13. Jury Duty/Court Attendance

Issue Date:

B13.A Policy

1. Applicable Court Attendance - Any employee who is subpoenaed by a governmental unit to serve as a juror or to be a witness on behalf and at the request of a government (whether in court or through a sworn deposition) will receive full pay for the hours during which the employee is in attendance in such activities during regularly scheduled work hours.

    a. A governmental unit is defined as an agency or office of federal, state, or municipal government.

    b. This policy does not apply when an employee is subpoenaed in the following instances:

        1) When an employee is a defendant or plaintiff in a civil suit or criminal case;

        2) When an employee is subpoenaed by a defendant's attorney in a criminal case;

        3) When an employee is subpoenaed by any party in a civil action in which a government is not a party;

        4) When an employee is subpoenaed by the non-governmental party in a civil action in which a government is a party.

2. Prior Notification - The employee will notify the immediate supervisor as far in advance as possible of the impending jury duty or court attendance so work schedules can be adjusted.

3. Submission of Proof - The immediate supervisor may request that the employee present proof of the subpoena and attendance in court before authorizing payment for this leave.

4. Adjustment of Shift - An employee working other than the normal day shift will have the work shift changed to coincide with the hours of jury duty or court attendance if the length of jury duty or court attendance exceeds three workdays.

5. Portions of the Workday - An employee who attends jury duty or court for only a portion of a regular workday will report to the supervisor when excused or released from the court if four or more hours remain of their regular workday.

6. Fees - The employee may retain all fees for jury duty, court attendance, or making a sworn deposition. Employees are prohibited from accepting "expert witness" fees for testimony related to their employment field. "Expert witness" fees shall be turned over to the Revenue & Finance Department.

7. Police Department - Non-bargaining unit employees of the Police Department who are subpoenaed as a witness to testify or make deposition shall be compensated in accordance with the policy of the Police Chief. This applies only to court attendance which directly relates to the performance of the employee's job assignments.

City of Tampa Personnel Manual
B. Directives and Benefits
B14. Funeral and Bereavement Leave

Issue Date:

B14.A Policy

1. Definition - Funeral leave is provided expressly for periods of bereavement and/or attending the funeral of a family member or relative.

2. Eligible Employees - Any employee regardless of employment status may be authorized funeral leave.

3. Death in the Immediate Family

    a. The immediate family is defined as spouse, daughter, step-daughter, son, step-son, sister, stepsister, brother, stepbrother, mother, father, stepmother, stepfather, mother-in-law, father-in-law, granddaughter, grandson, grandparents, or any other member of the employee's immediate household. For domestic partnerships, this shall include the equivalent immediate family as listed herein.

    b. In the event of a death among an employee's immediate family, the employee may be authorized a maximum of three (3) days of paid funeral leave. This leave is not deducted from the employee's accumulated sick or annual leave.

    c. Based on individual circumstances, the employee may request, and the Department Director may extend funeral leave to five (5) days. The two (2) extra days are to be deducted from the employee's sick or annual leave at the employee's discretion.

4. Death of a Relative

    a. A relative is defined as aunt, uncle, sister-in-law, brother-in-law, nephew, or niece. For domestic partnerships, this shall include the equivalent relative as listed herein.

    b. In the event of a death of a relative, the employee may be authorized a maximum of two (2) days of paid funeral leave. This leave is not deducted from the employee's accumulated sick or annual leave.

    c. Based on individual circumstances, the employee may request, and the Department Director may extend funeral leave to four (4) days. The two

(2) extra days are to be deducted from the employee's sick or annual leave at the employee's discretion.

5. With the authorization of the Director of Human Resources & Talent Development, employees may be granted the use of sick leave to attend the funeral of family members not otherwise covered by "3" or "4" above.

6. Requesting Funeral Leave - Funeral leave should be requested in advance, if possible, in the current electronic timekeeping system. If it is impossible to submit the requests through the current electronic timekeeping system, the employee should notify the immediate supervisor by telephone as soon as possible. Supervisors maintain the right to request documentation to support any request for any funeral and/or bereavement leave.

City of Tampa Personnel Manual
B. Directives and Benefits
B15. Off-site Training/Special Duty Assignments

Issue Date:

B15.A Policy

1. Definition, Eligibility and Authorization

   Any City employee regardless of employee status may be authorized to be absent from the normally assigned worksite and duties in order to participate in or attend an event which will contribute to the effectiveness of the employee's job performance, the operation of the work unit, enhance the employee's professional credentials, or that is required by job duties. The attendance must be authorized in advance by the immediate supervisor and the Department Director. Attendance is normally authorized when City funds have been authorized to the employee for travel expenses, transportation, instructional fees, registration fees, materials, etc.

   a. This does not include attendance:

      1. At courses authorized through the Tuition Reimbursement Program (see B20, Section 7).

      2. If the employee will receive any renumeration from the sponsoring organization such as speaker's fees, stipends, etc.

      3. If the event is sponsored by any organization or group which restricts its membership or attendance on the basis of race, sex, creed/religion, color, national origin, sexual orientation, gender identity or expression, age, disability, familial status, marital status, military status, or political affiliation.

      4. An employee may be authorized to attend events named above on annual leave or leave without pay. Violations shall be subject to appropriate disciplinary action.

2. Rate of Pay

   a. Regular Work Hours - Time spent during the employee's regular work hours shall be compensated at the employee's regular rate of pay regardless of whether the employee's attendance is on a required or voluntary basis.

b. Non-Work Hours

1) Voluntary Attendance - Time spent beyond the employee's regular work hours shall not be compensated when the employee attends events (including training programs, workshops, seminars, etc.) on a voluntary basis.

2) Required Attendance

a) Non-Exempt Employees. When a non-exempt employee attends events (including training programs, workshops, seminars, etc.) on a required basis, the time spent beyond the employee's regular work hours shall be credited at the employee's regular rate of pay. When travel is outside Hillsborough County, a non-exempt employee may be eligible for additional crediting of time beyond their normal assigned hours. This is dependent on the type and time of travel and duration of the event. Determination and authorization for credit of any time beyond the normal assigned hours shall be reviewed by the Director of Human Resources & Talent Development on a case-by-case basis in order to comply with the Fair Labor Standards Act.

b) Exempt Employees. When an exempt employee attends events (including training programs, workshops, seminars, etc.) on a required basis, the exempt employee normally receives only the authorized number of work hours. However, in the event that the employee attends an event during a normal day off (for that individual's work schedule), the work schedule should be adjusted so that the employee does not exceed the authorized number of work hours. In the event that rescheduling is not practical, the Department Director can authorize crediting of compensatory time in accordance with B4.1 of the Personnel Manual.

3. Any time spent during regular work hours shall be indicated as "regular" time (REG) and shall be counted as hours worked for the purpose of calculating overtime. Effective October 1, 1998, the payroll code "PRO" (Professional Leave) is no longer utilized.

4. The determination of whether the attendance is voluntary or required and whether the attendance occurs during normal work hours, beyond normal work hours, or is accommodated by rescheduling work hours is at the sole discretion of the department with the concurrence of the Director of Human Resources & Talent Development and shall not be subject to the grievance procedure.

City of Tampa Personnel Manual
B. Directives and Benefits
B16. Longevity Award

Issue Date:

B16.A Policy

1. Eligibility – Eligible employees on the payroll as of November 30, hired before October 1, 2011, who have completed at least five (5) years of continuous employment with the City of Tampa are eligible to receive an annual longevity award. The award is paid after November 30 of each year.

2. Definition - Continuous Employment - Continuous employment is defined as the period of employment not interrupted by resignation, dismissal, retirement, quitting without notice, or termination.

3. Credit - An eligible employee is given credit for any period of temporary, part-time, or limited-term status if employment with the City has been continuous. Part-time service of at least twenty (20) hours per week shall be credited as one-half of full-time service.

4. Full-time Awards - Effective November 30, 1997, an eligible employee who works full-time at least 40 hours per week is awarded:

FOR SERVICE OF AT LEAST	BUT LESS THAN	THE AMOUNT IS
5 Years	10 Years	$ 500
10 Years	15 Years	750
15 Years	20 Years	1000
20 Years	25 Years	1250
25 Years	----------	1500

5. Pro Rata Awards - Leave of Absence or Suspension

   a. If an eligible employee is suspended, on preferential recall status, or on a leave of absence for more than thirty (30) consecutive calendar days during one-year (from one November 30 to another November 30), the employee receives a pro-rated longevity award for that year.

   b. One-twelfth (1/12) of the annual amount is deducted from the annual award for each month and any portion of the month that the employee is

suspended, on preferential recall status, or on a leave of absence in excess of thirty (30) consecutive calendar days.

c. The total number of months that the eligible employee is on a leave of absence, on preferential recall status, or suspension is deducted from the number of months of continuous service when calculating future longevity awards and the pro-rated longevity award at the employee's termination.

6. Pro-Rata Awards - Termination - When an eligible employee who has completed at least five (5) years of continuous service terminates employment with the City, the employee receives a pro-rated longevity award. The amount equals one-twelfth (1/12) of the yearly award per month of service from the first full month of original employment up to and including November plus one-twelfth (1/12) of the yearly award for each month of service beginning with the previous December up to and including the last full month of employment.

An eligible employee who terminates after the anniversary of the employee's 5th, 10, 15th, or 20th year of employment but prior to November 30 receives a pro-rated award based on the number of years completed service and not the amount of the previous year's award.

7. Exceptions - Effective October 1, 2008, Managerial employees ("M" pay grades) are not eligible to receive longevity awards. Part-time Assistant City Attorneys are eligible to receive longevity awards. The amount awarded is equal to one-half (1/2) of the appropriate full-time award. Non-bargaining unit employees eligible for longevity awards shall be paid on the percentage basis (as specified in the A.T.U. Contract) if they are non-exempt from the Fair Labor Standards Act.

Employees hired or re-hired on or after October 1, 2011, shall not be eligible for longevity awards.

City of Tampa Personnel Manual
B. Directives and Benefits
B17. Pension Benefits

Issue Date:

B17.A Policy

There are two pension funds for City of Tampa employees. Both of these funds require the participant to pass a physical examination and/or drug screening by a City designated physician.

a. General Employees Retirement Fund - All employees except casual labor, temporary employees (less than 180 days) and seasonal employees are required to participate in the General Employees Retirement Fund. For information on the Fund, contact the General Employees' pension office.

b. Firefighters and Police Officers Pension Fund - All regular firefighters and police officers are eligible to participate in the Firefighters and Police Officers Pension Fund. For information on the Fund, contact the Firefighters and Police Officers pension office.

City of Tampa Personnel Manual
B. Directives and Benefits
B18.1 Salary Administration

Issue Date:

B18.1A Policy

1. Rate of Pay - An employee's rate of pay is determined according to the employee's position classification. Position classifications are assigned specific pay grades within a specific salary schedule.

2. New Hires - A new employee, regardless of status, is assigned to the minimum rate of the position classification's pay grade unless prior authorization to be paid at a higher rate has been obtained from the Director of Human Resources & Talent Development (or designee).

3. Promotions

   a. A promotion is a change from a position in a lower classification to a position in a higher classification involving an increase in duties and responsibilities and an increase in pay.

   b. The pay grade is determined by the class of work to which the employee is promoted. In some cases, an employee's promotion may place the employee in a pay grade which is found in a different salary schedule.

   c. The pay rate is determined as follows:

      1) Promotional Pay Grade is the Same Salary Schedule
      The employee is placed at the minimum pay rate of the new pay grade, or the rate of pay which provides a minimum of a four percent (4%) increase in pay.

      2) Promotional Pay Grade is in Different Salary Schedule
      The employee is placed at the minimum pay rate of the new pay grade within the different salary schedule. However, in the event that the minimum rate of pay is less than or equal to the employee's former rate of pay, then the employee is placed at the rate of pay which provides a minimum of a four percent (4%) increase in pay.

      3) For non-bargaining unit employees, policy considerations specified in B18.2.1(a) may result in approval of exceptions.

d. A promotion generates a new salary review date six (6) months from the effective date of the promotion and annually thereafter. However, if the probationary period is established for a period other than six months, then the new salary review date is equal to that probationary period and annually thereafter.

e. If an employee is eligible for an annual salary review within three (3) months of a promotion, then the employee is placed at the rate of pay which is four percent (4%) beyond the rate of pay that the employee would have received but for the promotion.

4. Demotions

a. A demotion is a change from a position in a higher class of work to a lower class of work involving a decrease in duties and responsibilities. A demotion may be voluntary (administrative) or the result of a disciplinary action.

b. An employee who has completed the probationary period and who is demoted, is placed in the pay grade of the class of work to which the employee is demoted.

1) A voluntary demotion shall be to the same rate of pay as the current position or maximum pay rate of the new pay grade, whichever is lower.

2) A disciplinary demotion shall be to the rate of pay that is four percent (4%) lower than the current rate of pay which does not exceed the maximum pay rate of the new pay grade.

3) The salary review date is the same.

c. An employee who has not completed the entrance probationary period and who is demoted, is placed at the minimum pay rate of the pay grade of the new class of work regardless of whether the demotion is voluntary of the result of a disciplinary action.

1) The salary review date shall be six months from the date of the demotion.

d. If, during the promotional probationary period, an employee is returned for any reason to any position, then the demotion shall be to the same pay in which the employee held status prior to the promotion. However, in the event that the employee's prior pay rate is higher than the

maximum pay rate for the grade, the employee is placed at the maximum pay of the new pay grade.

1) The salary review date shall be six months from the date of the demotion except when the employee is demoted to the same position previously held, in which case the salary review date is delayed by the number of days for the cumulative period the employe was in the higher position.

5. Regrading - A regrading is a change in the pay grade assigned to a given class of work. The duties and responsibilities of the position usually remain the same. A pay adjustment is made for all positions within a given classification of work.

a. Class Upgrade - This is a regrading which raises the pay grade of a position classification to a higher grade. An employee in a position which receives an upgrade receives a four percent (4%) increase in pay with the new grade and retains the same salary review date.

b. Class Downgrade - This is a regrading which lowers the pay grade of a position classification to a lesser grade. An employee in a position classification which receives a downgrade is assigned to the new pay grade but at the same rate of pay. The salary review date is the same. If the employee's pay rate is higher than the maximum pay rate of the grade, then the employee is placed at the maximum pay rate of the new pay grade.

6. Reclassifications

a. A reclassification is a change in the employee's position classification caused by a change in the nature of the work required by the position. A position's classification is based on the relative difficulty of duties and responsibilities and the required employment qualifications.

b. A reclassification to a higher-level position is based on an increase in duties, responsibilities, and employment qualifications, and is treated as if it were a promotion for the purpose of pay determination.

c. A reclassification to a lower-level position is based on a decrease in the level of duties, responsibilities, and employment qualifications, and is treated as if it were a voluntary demotion for the purpose of pay determination.

7. Return From Lay Off

   a. Same Class of Work - If the employee returns from layoff to the same class of work, or to a class of work with the same pay grade, the employee is placed at the same rate of pay occupied at the time of the layoff. The salary review date is adjusted in accordance with B18.1A10e).

   b. Higher Class of Work - If the employee returns to a higher class of work, the pay rate is determined in accordance with the salary policy for promotions (see B18.1A3).

   c. Lower Class of Work - If the employee returns to a lower class of work, the pay rate is determined in accordance with the salary policy on voluntary demotions (see B18.1A4).

8. Lateral Transfers

   a. A lateral transfer is a change from one City department to another City department when the employee selected for the vacant position retains the same classification and/or the same pay grade. No change in pay results.

      1) The salary review date for an employee who laterally transfers does not change. The current department completes a performance evaluation for the period up to the date of transfer; the new department completes a performance evaluation from the date of transfer to the salary review date. The resulting total evaluation based on the ratio of time and performance rating determines the employee's eligibility for the merit increase.

9. Across the Board Increases - Employees will receive across the board increases at the discretion of the Mayor or as negotiated in applicable collective bargaining agreements.

10. Merit Increases

   a. Merit increases shall be determined annually by the Mayor for the duration of the fiscal year. Merit increases may be awarded to a regular City employee upon completion of the entrance or promotional probationary period, and annually thereafter from the last merit increase. The date of the merit increase is considered the Salary Review Date.

   b. Merit increases are based on the quality of the employee's job performance, work habits (including attendance), initiative, and maturity.

c. The mechanism used to determine an employee's worthiness for a merit increase is the appropriate performance evaluation form based on the employee's job classification. Evaluations may be completed as often as the department determines but must be completed prior to the completion of the entrance or promotional probationary period and then at least annually even if the employee is at the maximum rate of pay.

d. An employee who is rated unsatisfactory ('Poor' or 'Below Expectations') will be re-evaluated more often than annually. The employee shall be re-evaluated in sixty (60) or ninety (90) days from the salary review date with the approval and determination by Human Resources. If the employee is serving an entrance or promotional probationary period, the re-evaluation date shall automatically be the extension of the probationary period.

1) A merit increase which is denied pending a performance re-evaluation at a future date shall only be effective on the date of the satisfactory re-evaluation. Payment shall not be made retroactive to the original salary review date.

a) If a merit increase or rating of fully meets expectations (or higher) is granted for a re-evaluation within ninety (90) days of the original salary review date, the Department Director may make a written request to the Director of Human Resources & Talent Development to restore the original salary review date for future salary reviews if the Department Director feels circumstances warrant such considerations.

b) If the merit increase is delayed longer than ninety (90) days, the new salary review date will be determined by the effective date of the re-evaluation.

e. In the event that an employee is on a suspension, leave of absence, layoff, or Workers' Compensation, for a cumulative period in excess of thirty (30) days, the employee's salary review date will be delayed by the number of days over the thirty (30) days. However, if the employee is serving a probationary period, the salary review date will be delayed for the complete cumulative period (including the thirty (30) days).

f. When awarded, merit increases are as follows:

1) Bargaining Unit Employees - For P.B.A., I.A.F.F., or A.T.U. Bargaining Unit Employees, refers to the current collective bargaining agreement.

2) Non-Bargaining Unit Employees

a) Police Non-Bargaining Unit Employees (pay grade P-14) receive a one-step increase upon the successful completion of the one-year promotional probationary period and annually thereafter on the Salary Review Date up to the maximum step of the pay grade.

b) For Supervisory ("S" pay plan), Professional, Administrative & Technical ("N" pay plan), and Administrative/Clerical (“A-U” pay plan) employees refer to B18.2.

City of Tampa Personnel Manual
B. Directives and Benefits
B18.2 Salary Administration - Merit Increases
Supervisory, Professional & Administrative Employees

Issue Date:

B18.2A Policy

1. Supervisory ("S" pay grade), Professional Technical & Administrative ("N" pay grade), and Administrative/Clerical (“A-U”) employees are awarded merit increases upon the successful completion of the entrance or promotional probationary period and annually thereafter on the Salary Review Date. Increases are based on the overall points scored on the applicable performance evaluation. A maximum rating of 57.5 points is applied to the Supervisory Performance Evaluation. A maximum rating of 65.0 points is applied to the Professional, Technical & Administrative Performance Evaluation. A maximum rating of 5.0 is applied to the Administrative/Clerical Performance Evaluation.

    a. It is the intent of this policy that employees shall be paid initially at the lower or beginning of the salary range and shall receive increases based on performance. Employees with sustained performance should achieve salaries at the maximum of the ranges. Cases of significant recruitment or retention problems, serious salary compression issues, or specialized technical skills may demonstrate the need for a higher initial salary. It is also recognized that the supervisory/professional salary ranges overlap subordinate salary schedules in a manner consistent with the salary administration for other City employees and that a supervisory /professional/administrative (“A-U”) employee may be compensated initially at a rate less than subordinates who have reached the higher rates of pay of their pay grades through merit and longevity or due to specialized technical skills.

2. When awarded, merit increases are as follows:

    a. Professional, Technical & Administrative Employee Performance Incentive Plan:

PERFORMANCE RATING	POINTS	MERIT AWARDED
Poor	Less than 33.0	0
Below Expectations	33.0 to 38.9	0
Fully Meets Expectations	39.0 to 51.9	2.0%
Excellent	52.0 to 60.9	2.5%
Outstanding	61.0 to 65.0	3.0%

b. Supervisory Employee Performance Incentive Plan:

PERFORMANCE RATING	POINTS	MERIT AWARDED
Poor	Less than 29.0	0
Below Expectations	29.0 to 34.4	0
Fully Meets Expectations	34.5 to 45.9	2.0%
Excellent	46.0 to 54.9	2.5%
Outstanding	55.0 to 57.5	3.0%

c. Administrative/Clerical ("A-U") Performance Incentive Plan:

PERFORMANCE RATING	POINTS	MERIT AWARDED
Unsatisfactory	Less than 3.0	0
Fully Meets Expectations	3.0 to 3.9	2.0%
Excellent	4.0 to 4.4	2.5%
Outstanding	4.5 to 5.0	3.0%

d. The determination of point ranges for each rating is based on an expected distribution of employees based on appropriate and substantiated documentation of performance. In the event that ratings for the fiscal year indicate an altered overall distribution not related to valid reasons, point ranges shall be adjusted to ensure that only those employees deserving the higher ratings are rated at those levels.

1) Raters shall follow the procedures and requirements for proper completion of performance evaluations including substantiation and documentation of the selection of ratings. Raters are prohibited from selecting higher point ratings in order to make an employee eligible for a higher rating when not merited.

2) The Director of Human Resources & Talent Development (or designee) shall have the authority to alter the awarding of the performance rating for an employee when the rating is deemed inappropriate.

3. Salary administration for new hires, promotions, demotions, and other transactions are specified in B18.1.

4. Policy considerations specified in 1(a) may result in approval of exceptions.

5. All supervisory, professional, and administrative ("A-U") employee pay rate transactions require the express approval and written authorization of the

Director of Human Resources & Talent Development. Any exceptions to this policy require the approval of the Mayor.

City of Tampa Personnel Manual
B. Directives and Benefits
B18.3 Managerial Salary Administration

Issue Date:

B18.3A Policy

1. Salary Range

   a. A salary range shall exist for all managerial positions ("M" pay grades) and appointed unclassified positions ("A-U" pay grades).

   b. Each employee's salary will be within the range specified for the position.

   c. It is the intent of this policy that employees shall be paid initially at the lower or beginning of the salary range and shall receive increases based on performance. Employees with sustained performance should achieve salaries at the maximum of the ranges. Cases of significant recruitment or retention problems, serious salary compression issues, or specialized technical skills may demonstrate the need for a higher initial salary. It is also recognized that the managerial salary ranges overlap subordinate salary schedules in a manner consistent with the salary administration for other City employees and that a manager may be compensated initially at a rate less than subordinates who have reached the higher rates of pay of their pay grades through merit and longevity or due to specialized technical skills.

   d. The Managerial Salary Schedule and Appointed Unclassified Salary Schedule may be adjusted at the discretion of the Mayor.

2. New Hires

   A new employee, regardless of position status, is placed at the beginning of the pay range unless prior authorization has been obtained from the Director of Human Resources & Talent Development.

3. Across the Board Increases

   Employees will receive across the board increases at the discretion of the Mayor.

4. Merit Increases

   a. Merit increases may be awarded to employees upon completion of the initial one-year review period and annually thereafter. Policy

considerations specified in 1c may result in approval of exceptions. The date of the merit increase is considered the Salary Review Date.

1) Merit increases shall be determined annually by the Mayor for the duration of the fiscal year.

2) Individual merit increases shall be based on the employee's performance after completion of the performance evaluation. Evaluations may be completed as often as the reviewer determines but must be completed annually even if the employee is at the maximum of the pay range. The applicable salary increase is applied to the employee's salary effective on the Salary Review Date.

5. Promotions

a. A promotion is a change from a position in a lower classification to a position in a higher classification involving an increase in duties and responsibilities and an increase in pay.

b. The employee is placed at the beginning of the pay range or at the rate of pay which provides a minimum of a four percent (4%) increase, whichever is higher. Policy considerations specified in 1c may result in approval of exceptions.

c. A promotion generates a new salary review date one year from the effective date of the promotion and annually thereafter. Policy considerations specified in 1c may result in approval of exceptions.

d. If an employee is eligible for an annual salary review for the current fiscal year within three months of a promotion, then the employee is eligible to receive, at the time of promotion, an additional amount equal to the increase the employee would have received but for the promotion. If an employee is promoted within three months prior to the annual salary review for the next fiscal year, then the employee is eligible to receive, at the time of the original salary review date, an additional amount equal to the increase the employee would have received but for the promotion.

6. Regrading

a. Regrading is a change in the pay grade assigned to a given class of work. The duties and responsibilities usually remain the same. An employee who receives a higher salary grade (or is regraded from a non-managerial schedule to a managerial salary grade), is paid at the same rate of pay and retains the same salary review date.

b. Exception. In the event that the employee's rate of pay is below the minimum of the new grade, the employee's rate of pay shall be made equal to that minimum. The salary review date does not change.

7. Reclassifications

A reclassification is a change in the employee's position classification caused by a change in the nature of the work required by the position. A reclassification to a higher-level position is based on an increase in duties, responsibilities, and employment qualifications, and is treated as if it were a promotion for the purposes of pay determination. A reclassification to a lower-level position is treated as if it were a voluntary demotion (see B18.1,4, and B18.1,6,c).

8. Other Personnel Transactions

Demotions, transfers, regrades down, or other personnel transactions shall be administered consistent with B18.1.

9. Authorization

All managerial and appointed unclassified pay rate transactions require the express approval and written authorization of the Director of Human Resources & Talent Development. Any exceptions to this policy require the approval of the Mayor.

City of Tampa Personnel Manual
B. Directives and Benefits
B18.4 Limited English Proficiency Language Incentive

Issue Date:

B18.4A Policy

1. Eligibility - Any employee designated and assigned by management as qualifying for the Limited English Proficiency Incentive shall be paid a special payment of $150.00 monthly. The determination of the languages necessary and number of participants will be at the discretion of management.

2. Requirements -Employees who are designated as proficient in reading, writing, and speaking the languages deemed necessary by the department and are receiving the incentive pay will be required to assist in translating, interpreting, and transcribing as needed and required during the course of their regular duties.

Procedure:

1. In order to qualify for the incentive, an employee must demonstrate defined levels of proficiency in reading, writing, and speaking as determined by a proficiency test, administered by an outside organization with oversight by management at management's expense. To that end, a procedure has been put into place for the interest, facilitation, and participation in this incentive.

    a. In order to comply with all collective bargaining agreements, Department Directors (or designee) will conduct a review of their business needs for foreign language speakers, the number of speakers needed, and the languages needed to best serve the business of the department. The intent of the language is to have foreign language speakers available when translation services in reading, writing, or speaking are needed to further the continuity of business.

    b. The incentive is not meant to be provided to every employee that speaks a foreign language, rather, the incentive is provided because of a necessary business need for translation assistance with reading, writing, and speaking.

2. Once a department determines the number of employees needed within a work unit that will be required to provide translation services when requested, interested employees shall complete the interest form on the last page of this policy. Each department will pay for their own testing. Total City seniority date

should be used when the number of employees interested exceeds the number of employees need to provide translation services.

a. The application must be filled out completely and the employee must provide all requested information.

b. The completed application must be signed by the employee. By signing the application, the employee attests to their abilities and acknowledges that they will be required to assist in translating, interpreting, and transcribing as needed and required during the course of their regular duties.

c. The Department Director (or designee) will appoint a managerial employee as department coordinator for all divisions within the department. The coordinator will be responsible for the scheduling of all testing sessions and will also oversee the acquisition of the scores received.

d. The scale for determining the level of proficiency in Spanish will be the American Council on the Teaching of Foreign Language (ACTFL) Scale. In order to receive incentive pay, an employee must achieve an overall level of 6. Additional languages as requested by the department will be reviewed and scored as determined by the vendor.

e. Once an employee has received a certification letter from the provider with the passing scores on the proficiency test, the coordinator will complete the bottom of the application to HRMS Manager in Employee Relations for processing of the incentive pay.

f. A copy of the completed application will be placed into the approved employee's personnel file.

g. Employees will not be required to submit an application on an annual basis for continued incentive pay once they have passed the initial examination and certification.

3. Removal of Incentive Pay - Once an employee has been approved for incentive pay and the completed application has been received by Employee Relations, the incentive pay will remain in effect while the employee remains with their respective department.

a. Should an employee leave their assigned department for any reason of their own doing, (i.e., promotional opportunity), the incentive will cease. Any opportunity for the incentive will be determined by the new department's director based on departmental need.

b. If at any time an employee receiving the monthly incentive pay refuses to provide translation services, the incident will be documented and reviewed by Human Resources. If it is found that an employee refuses to provide assistance, the incentive will be removed for one year. After such time, the employee may apply for the incentive testing process again.

City of Tampa Personnel Manual
B. Directives and Benefits
B19. Temporary Assignments

Issue Date:

B19A. Policy

1. Purpose - A temporary assignment compensates an employee who is assigned to perform significantly altered duties in accordance with certain conditions and eligibility requirements.

2. Eligibility - In order for an employee to be eligible for compensation for a temporary assignment, the following conditions must be met:

    a. The employee must be authorized by the Department Director to perform all the duties of a higher classification; or,

    An exempt employee, under extraordinary circumstances when authorized by the respective Administrator and approved by the Chief of Staff, may be authorized to perform all of the duties of an equivalent higher or lower classification for another department in addition to regular assigned duties.

    b. The duties assigned must be those of a budgeted position which is vacant due to a termination, paid or unpaid leave, or Workers' Compensation.

    c. A temporary assignment must be for a period of more than fifteen (15) consecutive workdays, but not more than ninety (90) consecutive calendar days. Extensions will be granted only for extraordinary circumstances.

        1) An employee who previously qualified and received payment for temporary assignment for a period of fifteen (15) consecutive workdays, who later during the fiscal year works one or more days in the same higher position, will be paid for the additional hours worked as provided in this policy.

    d. No compensation will be provided to any type of temporary (less than 180 days) or on-the-job training program employee.

3. Rate of Pay - An employee who is on a temporary assignment receives an increase which is four percent (4%) higher than the employee's regular rate of pay for all time worked.

a. Payment is provided for all hours actually worked.

b. Payment is not provided for time spent on paid leave except in cases where the employee is acting in a managerial position ("M" pay grade).

c. As cited in Section 2(a), exceptions can be approved by the Chief of Staff based upon available appropriations.

4. Benefits - All benefits for which an employee is eligible under the employee's regular position shall continue. A temporary assignment does not affect the employee's seniority date or salary review date.

5. Expiration of Assignment - The temporary assignment shall expire on the date determined by the Department Director, which is not more than ninety (90) consecutive days from the initial date of assignment. At or by this date, the following conditions must be met:

   a. The employee is returned to the previous rate of pay;

   b. The position, if vacant, shall be filled through the appropriate budgetary and personnel process;

   c. The employee who has performed the temporary assignment shall not be given any preference in the permanent filling of the vacant position.

6. This policy in no way limits management's right to assign or reassign work and/or adjust work schedules in order to provide City services.

7. Non-bargaining unit employees eligible for temporary assignment pay shall have any temporary assignment pay included in any overtime pay compensation at 150% if they are non-exempt from the Fair Labor Standards Act.

City of Tampa Personnel Manual
B. Directives and Benefits
B20. Tuition Reimbursement Program

Issue Date:

B20.A Policy

1. Purposes - The purposes of the Tuition Reimbursement Program are:

    a. To encourage City of Tampa employees to improve their knowledge and skills;

    b. To increase the quality of work performed by City employees through the pursuit of study directly related to their career goals;

    c. To prepare City employees for promotional opportunities within the City organization.

2. Eligibility - An employee is eligible for this program if the following criteria are met:

    a. Employed 40 hours or more per week with the City and has completed the entrance probationary period;

    b. Not a seasonal employee or temporary (less than 180 days) employee;

    c. Not on leave of absence at the time of application.

3. Application - Application for this program is made using the current Tuition Reimbursement application provided online through the INet.

4. Reimbursement Amount - Effective October 1, 2013, the City shall reimburse eligible non-bargaining unit employees for approved training up to a total amount of $2,000 per fiscal year for tuition fees required for the course or courses for undergraduate degrees, $2,500 for master's degrees, and $3,000 for doctoral degrees. The amount, if any, for bargaining unit employees shall be as specified in the applicable collective bargaining agreement. Tuition reimbursement is per fiscal year and the reimbursement period is based on the ending date of the course. The City will not reimburse an employee for materials, books, supplies, application fees, administration fees, lab fees, or transportation. Lab courses that earn a credit are reimbursable.

5. Conditions for Approval

a. Applications must be submitted prior to the course start date. Approval of the subject matter must be obtained from the Training and Management Development Division.

b. Reimbursement shall be made only for course work completed at accredited public, business or trade schools, colleges, or universities, and for courses completed through accredited correspondence schools.

c. Applications will not be considered if the coursework is available to the employee through in-service training by the City. (Exception will be considered on an individual basis).

d. Seminars will not be considered eligible courses unless they include a graded evaluation of performance or certificate of successful completion.

e. All courses required for an approved degree are reimbursable. However, even though electives are needed for total credits in pursuit of a college degree, they will not be approved if they are not directly related to a current City of Tampa job position.

f. Reimbursement shall be made only for coursework in which the applicant receives a satisfactory or passing grade or better. Employees must present an official report of the grade. The applicant must submit any of the following forms of proof of payment: An official school receipt or cancelled check indicating the cost of tuition for the course, copy of credit card statement, or online payment receipts.

g. Tuition Reimbursement Applications will not be carried over from one fiscal year to another and are subject to cancellation if reimbursement documentation is not submitted at least thirty (30) days after course completion.

6. Cancellation of Approval - An employee who resigns or is dismissed from the City before completion of the approved training is no longer eligible for reimbursement. An employee who is laid off or retires during the training is eligible for reimbursement upon successful completion of the training and submission of the required documentation.

7. Time - Courses are required to be taken after work hours. Arrangements for use of annual leave or leave without pay to attend courses must be made at the discretion of the supervisor in view of the needs of the City. Specific exceptions will be considered on a case-by-case basis. Tuition

Reimbursement cannot be used while an employee is on TDY, Leave of Absence, on City travel Time, or on City-sponsored training.

8. Recipients of Scholarships - An employee receiving a scholarship or grant, which applies to specified course(s), may be eligible for Tuition Reimbursement for the same course(s) for amounts not covered by a scholarship or grant, up to the maximum total cost of the course. The Tuition Reimbursement Application will be reviewed by the Training and Management Development Division for eligibility. Such scholarships and grants include (but are not limited to) GI benefits, Social Security benefits, and tuition waivers. Persons receiving bona fide educational loans are eligible for reimbursement.

9. Department Review - The immediate supervisor shall sign the Tuition Reimbursement Application and forward it to the Department of Human Resources, Training and Management Development Division. The final decision on approval will be based upon the criteria for Tuition Reimbursement and the recommendation of the department.

10. Criteria for Payment -In order to receive reimbursement, the approved employee must submit a copy of proof of payment and a copy of an official report of the grade (a grade of "C" or better, or a "Satisfactory") within thirty (30) days of completing the course.

11. Incompletes - If an approved applicant receives an "Incomplete" or comparable deferred grade, the employee will not be reimbursed until the "Incomplete" is changed to a satisfactory grade. The "Incomplete" must be removed by the end of the City's fiscal year in which the original application was made, or the applicant will not receive reimbursement. (Special cases will be handled on a case-by-case basis.)

12. Changes - Changes in the course or amount of the fee on the approved Tuition Reimbursement Application may be made only with the permission of the Department of Human Resources, Training and Management Development Unit.

13. Records - All documents will become part of the employee's personnel file and the files of the Department of Human Resources, Training and Management Development Division.

City of Tampa Personnel Manual
B. Directives and Benefits
B21. Workers' Compensation

Issue Date:

B21.A Policy

1. The City provides Workers' Compensation benefits in accordance with Chapter 440, Florida State Statutes, and additional benefits as provided including:

    a. The City pays 100% of all medical expenses incurred as a result of job-related injuries.

    b. Employees will be reimbursed for travel expenses connected with medical treatment pursuant to applicable mileage reimbursement per City Ordinance. This does not include travel expenses connected with the purchase of prescription medicines.

    c. Disability income will be paid to eligible employees in the amount required by State Statute. This benefit begins on the first date of injury. Disability income benefits continue until the employee is released by the doctor as able to return to work.

    d. Disability income for sworn police or fire employees who are not in the police or fire bargaining units shall be in accordance with the applicable Executive Order.

2. Employees shall report all on-the-job injuries promptly to their supervisor in order to compete the required forms.

    a. In the event that an employee is at any time determined by the City to be able to perform light duty work as a result of an on-the-job injury, the City will evaluate the specific light duty restrictions and may place the employee in any City light duty job if one is available. However, the City is under no obligation to create light duty for an employee. Should an employee be placed on light duty and such duty subsequently becomes no longer available, then the City may terminate or change the light duty assignment. The provision of light duty for an employee shall not set any precedent for provision of light duty for another employee.

3. Further Information

    Information on reporting injuries, filing claims, or questions on benefits are available through the Division of Risk Management.

4. This policy shall not be subject to the grievance procedure.

City of Tampa Personnel Manual
B. Directives and Benefits
B22.1 Group Health Insurance

Issue Date:

B22.1A Policy

1. The City provides health insurance for eligible employees and their dependents. The City pays the full cost of insurance premiums for employees on the Single plan and up to 50% for the cost of coverage for their dependents on the Family plan for the health plan selected by the City. Any additional cost will be paid by the employee through payroll deductions.

    a. The City, at its discretion, may make available alternative health insurance coverage plans in which employees may choose to enroll. Any employee costs shall be paid by the employee through payroll deductions.

2. Eligibility - A regular employee must be assigned at least 30 hours of work per week to qualify for the premium as a full-time employee. Regular employees assigned less than 30 hours per week are eligible to receive coverage at the employee's cost which would be the full premium. The health insurance becomes effective on the first day of the next pay period following the effective date of enrollment. In the case where both spouses are employed by the City, only one family plan is provided.

    a. Effective January 1, 2005, the City provides enrollment in dependent family coverage for employees with qualified domestic partners. In order to qualify, all enrollment requirements set forth by the City must be met.

3. Insurance Coverage - Leave of Absence

    a. An employee on a personal or military Leave of Absence may continue insurance coverage through the City at the employee's own expense.

    b. An employee on a medical or Workers' Compensation Leave of Absence continues to be covered for the first six months of the Leave of Absence. Coverage for the first six months requires that the employee continue to provide any employee contributions for the coverage. The employee may continue either Single or Family coverage through the City for any period beyond the initial six months at the employee's own expense.

c. Failure of an employee to remit said costs to the City shall result in cancellation of insurance and the employee and/or dependents will be subject to any re-enrollment procedures required by the City's group insurance policies.

4. Enrollment Termination

a. Health insurance coverage for an employee who separates from City employment for any reason shall terminate on the last day of the month in which the employee separates.

b. An employee who retires under any City pension plan or his/her spouse as long as the spouse receives pension payments, shall be allowed to retain the City's health insurance coverage provided that the cost of such coverage shall be deducted from the pension check.

5. Exceptions

Part-time Assistant City Attorneys and elected officials are eligible to receive City health insurance as provided in Section 1. Any type of temporary, on-the-job training program, or casual employee is not eligible to receive the City's group health insurance.

a. Effective January 1, 1995, part-time employees (less than 30 assigned hours weekly) in positions which are not temporary, on-the-job training, or casual, are eligible to participate in the City health insurance through payment of 100% of the cost through payroll deductions. The excluded temporary positions are LA, CA, OJ, SY, GO, SE, CO, TE, CT (see B2.1 for definitions of Employee Type) and other positions as determined by the City to be inappropriate for coverage.

City of Tampa Personnel Manual
B. Directives and Benefits
B22.2 Group Life and AD&D Insurance

Issue Date:

B22.2A Policy

1. The City provides Group Life and Accidental Death and Dismemberment insurance for eligible employees. This coverage is provided at no cost to the employee.

2. Eligibility - An employee must be a regular employee and assigned at least 40 hours of work per week. Life insurance becomes effective on the first of the month coinciding with or following 90 days of full-time employment.

3. Changes in Coverage

    a. When an employee's salary changes, the level of insurance coverage will be adjusted accordingly.

    b. The employee must complete a Change of Beneficiary in the current electronic timekeeping system each time the employee desires to change the beneficiary.

    c. An employee on a personal or military Leave of Absence may continue insurance coverage through the City at the employee's own expense.

    d. An employee on a medical or Workers' Compensation Leave of Absence continues to be covered for the first six months of the Leave of Absence. The employee may continue coverage through the City for any period beyond the initial six months at the employee's own expense

4. Enrollment Termination

    a. Life insurance coverage for an employee who separates from City employment for any reason shall terminate on the last day of the month in which the employee separates; however,

    b. If the employee separates from City employment because of total disability before the age of 60, life insurance may be continued at no cost to the individual. The face value of the policy will remain the same as the value at employment separation. At age 65, the value will drop to $3,000.

    c. A non-bargaining unit employee who retires under any City pension plan shall be allowed to retain life insurance coverage through the City in the amount of $3,000. The payment for such coverage must be deducted

from the pension check. Coverage amounts, if any, for bargaining unit employees are provided in the applicable collective bargaining agreement.

5. Coverage Schedule

a. Eligible Non-Bargaining Unit Employees:

The amount of the annual salary shall be as indicated in the applicable salary schedule based on the employee's payrate multiplied by 2080 hours.

Effective January 1, 2006, the coverage amount for life insurance and AD&D insurance shall be equal to the employee's annual salary, but not less than $37,500 nor greater than $150,000.

b. Coverage amounts, if any, for bargaining unit employees are provided in the applicable collective bargaining agreement.

6. Claims

a. When an insured employee dies, the designated beneficiary must file a claim form with the City of Tampa Human Resources Benefits Division and present the following documents:

1) A certified copy of the death certificate with cause of death (long form);

2) Proof of the designated beneficiary's identity and relationship, if applicable.

b. When an insured employee needs to make a claim for dismemberment, a claim form must be completed and returned to the City of Tampa Human resources Benefits Division along with a certificate from the attending physician.

c. The City acts only as an intermediary between the employee/beneficiary and the insurance company. Decisions regarding the policy and claims are made by the insurance company.

7. Additional Information

Additional information may be obtained from the City of Tampa Group Life Plan booklet.

8. Exceptions - Part-time Assistant City Attorneys and elected officials are eligible to receive the City's group life and AD&D insurance. Any type of temporary, on-the-job training program, or casual employee is not eligible for this benefit.

City of Tampa Personnel Manual
B. Directives and Benefits
B22.3 Optional Payroll Deductions

Issue Date:

B22.3A Policy

1. Employees may participate in various optional programs through payroll deductions.

    a. The firm must receive authorization to utilize the City's payroll deduction process from the Director of Human Resources & Talent Development. This written authorization shall not be considered as an endorsement or recommendation of a particular firm or its services. Payroll deductions shall be provided only for City selected services or those required by law. The City collects administrative fees for servicing income deduction orders as provided by law.

    b. Any solicitation of employees must comply with all of the requirements of B26., No Solicitation/Dues Deduction. In the event that any person solicits without authorization, engages in unethical sales practices or misrepresentation, or violates the City's policy (B26), employees must contact the Director of Human Resources & Talent Development.

2. The employee must authorize any payroll deductions in writing. To discontinue an authorized deduction, the employee must complete an election change with the City of Tampa Human Resources Benefits Division or contact the voluntary products company directly. Deferred Compensation changes or cancellations must be processed through the current electronic timekeeping system.

3. For any questions concerning the coverage of a policy, the services of a particular company or organization or the collection of benefits, the employee should contact the firm's representative.

City of Tampa Personnel Manual
B. Directives and Benefits
B22.4 Long-Term Disability Insurance

Issue Date:

B22.4A Policy

1. The City provides Long-Term Disability Insurance for eligible employees. The base plan coverage is provided at no cost to the employee.

2. Eligibility - To be eligible for enrollment, a regular employee must be assigned at least 40 hours of work per week. Long-Term Disability Insurance becomes effective on the first of the month coinciding with or following 180 days of employment.

3. Additional Coverage - New employees, or employees who become eligible due to a change to regular full-time status, may elect to buy additional coverage at their initial enrollment period. Current employees may elect, during annual enrollment period, to buy additional coverage through payroll deductions. The additional coverage and payroll deductions are effective on the date specified during the enrollment period.

4. Leave of Absence - Continuation of coverage during a leave of absence varies depending on the type of leave of absence.

    a. Base plan coverage for an employee on a Medical or Workers' Compensation Leave of Absence continues for the first six months of the leave of absence. Continuation of any additional coverage for the first six months requires that the employee continue to provide monthly employee contributions for the coverage. The employee may continue the base and any additional coverage through the City for any period beyond the initial six months at the employee's own expense. The employee must continue to provide any employee contributions for the coverage and failure to remit said costs to the City shall result in cancellation of the coverage.

    b. Coverage for an employee on a Personal Leave of Absence due to family medical leave purposes under the Family and Medical Leave Act (FMLA) (see B11.3) continues during the absence as provided in "a" above for only the remainder of the twelve (12) week FMLA period.

    c. Coverage for an employee on a Personal (other than the exception provided in "b" above) or Military Leave of Absence ceases on the date the leave of absence begins.

5. Enrollment Termination - Long-Term Disability Insurance coverage for an employee who separates from City employment for any reason, or who is no longer eligible due to a change in status, shall terminate upon separation (last day the employee was at work or on paid leave) or the date of the change in status. Coverage shall terminate for all employees in the event that the Long-Term Disability program is terminated due to lack of participation or as otherwise determined by the City of Tampa.

6. Claims - Application for claim information is available from the City of Tampa Human Resources Benefits Division. Decisions regarding the insurance policy, coverage, and claims are made by the insurance company and not by the City of Tampa.

7. Exceptions - Part-time Assistant City Attorneys and elected officials are eligible to participate in the City Long-Term Disability Insurance program. Any type of temporary, on-the-job training program, or casual employee is not eligible to participate in the insurance program.

City of Tampa Personnel Manual
B. Directives and Benefits
B23. Code of Ethics

Issue Date:

B23.A Purpose

1. All employees are responsible for ensuring that they act in compliance with the City of Tampa Code of Ethics, which can be found on the City's INet.

2. To ensure the proper conduct and operation of the City through employment of individuals who are independent and impartial and that employment not be used for private gain or other renumeration in compliance with Article VIII, City of Tampa Ethics Code.

3. The public interest requires protection against any conflict of interest and establishment of conduct for employees in situations where conflicts may exist.

4. No employee shall have any interest, financial or otherwise, direct, or indirect, engage in any business transaction or professional activity, or incur any obligation of any nature which is in substantial conflict with the proper discharge of the employee's duties in the public interest.

5. As required by law, employees are agents of the people and hold their positions for the benefit of the public. They are bound to uphold the Constitution of the United States and the State Constitution and to perform efficiently and faithfully their duties under the laws of the federal, state, and local governments. Employees are bound to observe, in their official acts, the highest standards of ethics consistent with Florida law and the advisory opinions rendered with respect thereto regardless of personal considerations, recognizing that promoting the public interest and maintaining the respect of the people in their government must be of foremost concern.

6. To affirm the City's agreement with, and commitment to adhere to, Part III of Chapter 112 of the Florida Statutes, Section 8.07 and 10.04 of the City of Tampa Charter and Article VIII, City of Tampa Ethics Code.

7. It is not the intent of this policy, nor shall it be construed, to prevent any employee from accepting other employment or following any pursuit which does not interfere with the full and faithful discharge by the employee of employment duties with the City.

B23.B Policy

1. Solicitation or Acceptance of Gifts

   No employee shall solicit or accept anything of value, including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the action or judgment of the employee would be influenced thereby.

2. Doing Business with the City of Tampa

   No employee in the course of employment duties shall either directly or indirectly purchase, rent, or lease, any realty, goods, or services for the City from any business entity of which the employee or the employee's spouse or child, is an officer, partner, director, or proprietor, or in which such employee or the employee's spouse or child, or any combination of them, has a material interest. Nor shall an employee, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the City of Tampa. This provision shall not affect or be construed to prohibit contracts entered into prior to qualification for elective office, appointment to public office, or beginning employment with the City.

3. Unauthorized Compensation

   No employee or the employee's spouse or minor child shall at any time accept any compensation, payment, or thing of value when the employee knows, or with the exercise of reasonable care, should know that it was given to influence an action in which the employee was expected to participate in the employee's City employment capacity.

4. Misuse of Public Employment

   No employee shall corruptly use, or attempt to use, his/her City employment position, or any property or resource, which may be within the employee's trust, or perform his/her duties to secure a special privilege, benefit, or exemption for himself/herself or others.

5. Conflicting Employment or Contractual Relationship

   No employee shall have or hold any non-City employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, the City division of which he/she is employed, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the City. Nor shall an employee have or hold any employment or

contractual relationship that will create a continuing or frequently recurring conflict between his/her private interests and the performance of his/her employment duties or that would impede the full and faithful discharge of his/her employment.

6. Disclosure or Use of Certain Information

No employee shall disclose or use information not available to members of the general public and gained by reason of City employment for his/her personal gain or benefit or for the personal gain or benefit of any other person or business entity.

7. Employees are responsible for awareness of any federal, state, and local laws and regulations of which adherence is required due to the nature of their City employment.

8. Financial Disclosure

Individual employees required to file financial disclosure are notified by the City Clerk and shall fulfill all reporting requirements. Further information regarding these requirements is provided by the City Clerk or City Attorney.

9. Employees who are faced with any situation or action which may be construed as a conflict of interest must inform their Department Director. The Department Director shall contact the City Attorney for a determination. Failure of an employee to inform the Department Director, or to proceed in the course of duties, may result in dismissal and any penalties provided by state, federal or local laws or regulations.

B23.C Definitions

1. "Breach of the public trust" means a violation of a provision of the State Constitution, a state standard of ethical conduct, a disclosure requirement, or a prohibition applicable to employees in order to avoid conflicts between public duties and private interests, including without limitation, a violation of Section.8, Article II of the State Constitution.

2. "Business associate" means any person or entity engaged in or carrying on a business enterprise with an employee as a partner, joint venturer, corporate shareholder where the shares of such corporation are not listed on any national or regional stock exchange, or co-owner of property.

3. "Conflict" or "conflict of interest" means a situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

4. "Corruptly" means done with a wrongful intent and for the purpose of obtaining, or compensating, or receiving compensation for, any benefit resulting from some act or omission of a public employee which is inconsistent with the proper performance of the employee's public duties.

5. "Gift"

   a. Means that which is accepted by an employee, or by another on the employee's behalf, or that which is paid or given to another for or on behalf of an employee, directly, indirectly, or in trust for the employee's benefit or by any other means, for which equal or greater consideration is not given, including:

      1) Real property;
      2) The use of real property;
      3) Tangible or intangible personal property;
      4) The use of tangible or intangible personal property;
      5) A preferential rate or terms on a debt, loan, goods, or service, which rate is below the customary rate and is not either a government rate available to all other similarly situated non-City of Tampa government employees, or a rate which is available to similarly situated members of the public by virtue of occupation, affiliation, age, creed, religion, sex, or national origin;
      6) Forgiveness of an indebtedness;
      7) Transportation, other than that provided to an employee by an agency in relation to officially approved governmental business, lodging, or parking;
      8) Food or beverage;
      9) Membership dues;
      10) Entrance fees, admission fees, or tickets to events, performances, or facilities;
      11) Plants, flowers, or floral arrangements;
      12) Services provided by persons pursuant to a professional license or certificate;
      13) Other personal services for which a fee is normally charged by the person providing the services;
      14) Any other similar service or thing having an attributable value not already provided for in this section.

   b. “Gift” does not include:

      1) Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the employee's employment, business,

or service as an officer or director of a corporation or organization;

2) An award, plaque, certificate, or similar personalized item given in recognition of the employee's public, civic, charitable, or professional service;
3) An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization;
4) The use of a public facility or public property, made available by a government agency, for a public purpose;
5) Transportation provided to an employee by an agency in relation to officially approved governmental business;
6) Gifts provided directly or indirectly by a state, regional, or national organization which promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to members of that organization or officials or staff of a governmental agency that is a member of that organization.

c. The purposes of paragraph (a) "intangible personal property" means property as defined in Section 192.001(11)(b).

"Agency" means any state, regional, county, local, or municipal government entity of this state, whether executive, judicial, or legislative, any department, division, bureau, commission, authority, or political subdivision of this state therein, or any public school, community college, or state university.

6. "Indirect" or "indirect interest" means an interest in which legal title is held by another as trustee or other representative capacity, but the equitable or beneficial interest is held by the employee.

7. "Material interest" means direct or indirect ownership of more than five (5) percent of the total assets or capital stock of any business entity. For the purposes of this policy, indirect ownership does not include ownership by a spouse or minor child.

8. "Materially affected" means involving an interest in real property located within the jurisdiction of the City of Tampa or involving an investment in a business entity, a source of income or a position of employment, office, or management in any business entity located within the jurisdiction or doing business within the jurisdiction of the City of Tampa which is or will be affected in a substantially different manner or degree than the manner or degree in which the public in general will be affected or, if the matter affects only a special class of persons,

then affected in a substantially different manner or degree than the manner or degree in which such class will be affected.

City of Tampa Personnel Manual
B. Directives and Benefits
B23.1 Fraud

Issue Date:

B23.1A Policy

1. The City of Tampa is committed to preventing fraud and maintaining an environment in which internal controls can be established and improved to aid in the detection (and prevention) of fraudulent activities by City employees, contractors, vendors, citizens, and other agencies or entities that have a business relationship with the City.

2. Employees are subject to disciplinary action up to and including dismissal as a result of participation in or commission of any fraudulent act. Employees are subject to disciplinary action up to and including dismissal for intentional false reporting of fraud.

3. Definition - Fraud has been defined as the intentional false representation or concealment of a material fact for the purpose of inducing another to act upon it for personal benefit. Fraud includes theft, intentional waste or abuse of City funds, property, or time. Specific examples are: theft of City funds; abuse of City time such as unauthorized time away from work or use of City time for personal business unauthorized use or misuse of City property or records; falsification of records; theft or unauthorized removal of City records, City property, or the property of other persons (to include the property of employees, citizens, or the public); willful destruction or damage of City records, City property, or the property of other persons (to include the property of employees, citizens, or the public); and/or neglecting or subverting job responsibilities in exchange for an actual or promised reward.

4. Responsibility - Management is responsible for establishing a system of internal control over its activities. It is also responsible for the detection and prevention of fraud, misappropriations, and improper activity. Each manager should be familiar with the most common types of fraud schemes and the indicators of such within their own areas(s) of responsibility. Moreover, each manager should be alert for any indication of wrongdoing.

5. Opportunities for Fraud - Opportunities for fraud occur because of the following reasons: poor internal controls, management override of internal controls, collusion between employees and third parties, poor or non-existent ethical standards, lack of control over supervisors by their managers, and type of organization (some operations are high risk).

6. Indicators of Fraud (Red Flags)

a. The following are common indicators of fraud: changes in an employee's lifestyle, spending habits or behavior; poorly enforced internal controls, procedures, policies or security; overly complex and confusing financial information; inventory shortages; failure to take action on results of internal/external audits or reviews; unusually high expenses or purchases; frequent complaints from customers/citizens; missing files and supporting documentation; and ignored employee comments concerning possible fraud.

b. Perpetrators of fraud typically live beyond their reasonably available means. Other indicators of fraud include: the borrowing of money from co-workers; collectors or creditors appearing at the workplace; use of telephone to stall creditors; falsifying records; impeding access to records or information; working excessive overtime; refusing vacations; and excessively rewriting records under the guise of neatness.

7. Fraud Prevention - The following internal controls help prevent fraud:

a. Adherence to all organization procedures, especially those concerning documentation and authorization of transactions;

b. Physical security over assets such as locking doors and restricting access to certain areas;

c. Proper training of employees;

d. Independent review and monitoring of tasks;

e. Segregation of duties so that no one employee is responsible for a transaction from start to finish;

f. Clear lines of authority;

g. Enforcement of the City of Tampa Code of Ethics;

h. Rotation of duties in positions more susceptible to fraud;

i. Ensuring that employees take regular vacations;

j. Regular independent audits of areas susceptible to fraud.

8. Reporting Fraud

a. All Employees - Any employee who has knowledge of an occurrence of fraud or has reason to suspect that a fraud has occurred, shall immediately notify their supervisor. If the employee has reason to believe that the employee's supervisor is involved, the employee shall report the suspected fraud to their Department Director. However, if the employee believes that the Department Director is involved in fraud, then they shall notify the Director of Human Resources & Talent Development directly.

b. Supervisor/Managerial Employees - Upon notification from an employee of suspected fraud, or if the supervisor has reason to suspect that a fraud has occurred, the supervisor/managerial employee shall immediately notify their Department Director. However, if the supervisor/managerial employee believes that the Department Director is involved in a fraud then they shall notify the Director of Human Resources & Talent Development directly.

c. Department Director - Upon notification from an employee, supervisor/managerial employee of a suspected fraud, or if the Department Director has reason to suspect that a fraud has occurred, the Department Director shall immediately contact the Director of Human Resources & Talent Development.

d. Human Resources and Talent Development Director - Upon receiving notice of suspected fraud, the Director of Human Resources & Talent Development shall notify the City Attorney and the Internal Audit Director. It shall be determined at this level who shall conduct the investigation. If criminal activity is discovered, a determination shall be made regarding the notification of the proper law enforcement agency. The Department of Human Resources and Talent Development shall coordinate the investigation and shall serve as the liaison between the Legal Department, Internal Audit, other applicable City departments, and law enforcement agencies (if any).

e. Internal Audit Director - The Internal Audit Department has responsibility over all internal auditing for the City of Tampa. Therefore, the Internal Audit Department has the expertise to conduct or assist in the investigation of fraud and fraud-related matters. The Internal Audit Director shall determine to what extent audit services are required for internal fraud investigations.

f. City Attorney - The City Attorney shall be the controlling legal authority in conducting internal fraud related investigations.

9. Fraud, Waste, Abuse and Disparity Hotline - An employee who has knowledge of an occurrence or fraud, or reason to suspect that fraud has occurred, may choose to utilize the Fraud, Waste, Abuse and Disparity Hotline in order to report the information and in lieu of utilizing the process provided in section 8 (above). The policy B23.2 Whistleblower Policy/Fraud, Waste, Abuse and Disparity Hotline provides the procedure for utilizing the Hotline program.

10. All employees shall cooperate with administrative and criminal investigations. Employees shall not discuss the matter with anyone without the express authorization of the Director of Human Resources & Talent Development, Internal Audit Director, or the City Attorney, unless required by law.

11. Once a suspected fraud is reported, department directors and supervisor /managerial employees shall be responsible for, and take immediate action to prevent the theft, alteration, or destruction of relevant records. Such actions include but are not necessarily limited to removing the records and placing them in a secure location, limiting access to the location where the records currently exist, and preventing the individual suspected of committing the fraud from having access to the records. Further direction regarding security shall be provided as part of the investigatory process (see Section 8 (d), (e), and (f).

City of Tampa Personnel Manual
B. Directives and Benefits
B23.2 Whistleblower Policy/Fraud, Waste, Abuse and Disparity Hotline

Issue Date:

B23.2A Policy

1. Policy - The City of Tampa is committed to enforcement and adherence to all employment policies (state, federal, and City) as well as the detection and elimination of acts of fraud (B23.1), violations of the Code of Ethics (B23), improper use of government office, gross waste of funds, time and expense abuses, kickbacks, discrimination, labor law implications, waste, harassment, environmental violations, or any other abuse or gross neglect of duty on the part of any City of Tampa official, employee, or contractor. The intent of this policy is to provide a mechanism for employees to provide information or complaints even when the information or complaint may not be the reporting of an illegal activity.

2. This policy does not replace the state law's "Whistleblower's Act" (FS 112.3187). Employees may utilize the state law procedure in addition to, or in place of, the various internal complaint procedures.

3. Any employee who has information or complaints they believe need to be reported may contact the Director of Human Resources & Talent Development and deliver that information either in person, in writing, or by telephone.

    a. The Director of Human Resources & Talent Development shall refer the employee to the applicable internal complaint procedure such as the applicable collective bargaining agreement's grievance procedure, non-bargaining unit grievance procedure (Personnel Manual), Civil Service Board appeal procedure, Equal Employment Opportunity complaint procedure, Fraud Policy (B23.1), Code of Ethics (B23), or any other applicable procedures.

    b. It is the employee's responsibility to review the applicable procedures and to determine which procedures to utilize. The Director of Human Resources & Talent Development's referral to applicable procedures shall not be considered to be advice or determination of the procedure to utilize.

    c. It is anticipated that employee information or complaints are applicable to the various internal complaint procedures as specified in Section 3(a) above. In the event that the employee does not utilize procedures available, the Director of Human Resources & Talent Development may

conduct an administrative review of the information or complaints to determine if additional investigation is required in order for the City to take action deemed necessary to prevent or cease violations of City policy. The City of Tampa may be required to investigate potential incidents that come to its attention and consequently, whether or not the employee is willing to file a complaint, the situation may be investigated. This occurs regardless of the source of the information (i.e., even if the employee does not report it). All reports received will be investigated as provided in B23.1.

4. Fraud, Waste, Abuse and Disparity Hotline - An employee may choose to report information or complaints concerning fraud, waste, or abuse of City property/assets through the Hotline. The Hotline is operated by a third-party contractor and may be contacted by utilizing their phone number or website. This service is available 24 hours a day, seven (7) days a week.

   a. The Hotline is not to be used for reporting grievances, issues involving disciplinary actions, or other personnel related issues.

   b. Because the Hotline provides for anonymous reporting, the information provided should include direct knowledge of an occurrence of fraud, waste, or abuse of City property or assets and the information or evidence in order for an investigation to be opened. Clearly unsupported reports will not be investigated and closed out as unsubstantiated.

   c. Additional information, including the current phone and website for the Hotline, can be obtained by contacting the City's Internal Audit Department or at the Internal Audit Department's INet site.

City of Tampa Personnel Manual
B. Directives and Benefits
B24. Nepotism

Issue Date:

B24.A Purpose

1. The purpose of this policy is to assure compliance with the spirit and intent of Chapter 116.11 (Florida Statutes) and Division VIII, City of Tampa Code of Ethics, which prohibits nepotism in public employment and precludes the favored treatment of relatives working in the same agency, department, or organizational unit.

2. Policy

    a. Officials of the City shall not appoint, employ, promote, or advance any individual who is a relative.

    b. Officials of the City shall not recommend or advocate the appointment, employment, promotion, or advancement of a relative in, or to, any position in the City. A public official advocates a relative's appointment or promotion if the official urges or supports the action either orally or in writing.

    c. Individuals shall not be selected for any position in the same department of which a relative serves as Department Director or to the same division or section of which a relative serves as the managerial, supervisory, or lead employee. Individuals who are relatives of the Mayor's Executive Staff shall not be selected to any position in the City.

        1) Employees who hold status prior to the relative's appointment or selection as a department director, manager, or supervisor, or who become related by marriage, shall not be placed on any eligibility lists for promotion within that same department, division, or section as applicable and shall be placed in a different department, division, or section as soon as practicable.

        2) This sub-section does not apply to persons serving in a volunteer capacity who provide emergency medical, firefighting, or police services. Such persons may receive, without losing their volunteer status, reimbursements for the costs of any training they get relating to the provision of volunteer emergency medical, firefighting, or police services and payment for any incidental expenses relating to those services that they provide.

3. Definitions

a. Public Official - Any individual who is elected, appointed, or employed in any City agency, who is vested, or delegated the authority, to appoint, employ, promote, or advance individuals, or to recommend individuals, for appointment, employment, promotion, or advancement in connection with employment in that City agency.

b. Relative - An individual who is related to a public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

4. Additional Restrictions

Additional restrictions may be required by certain regulations of federal and state programs. Employees so affected are responsible for the awareness and adherence to any such regulations.

5. Penalties

a. Any official found to be in violation of this policy shall be disciplined up to and including dismissal depending on the circumstances of the event.

b. Any individual who is employed, promoted, or advanced as the result of an official's violation of this policy shall be returned to the status occupied prior to the violation.

c. Any penalties provided by any applicable local, state, or federal law or regulations shall be enforced.

City of Tampa Personnel Manual
B. Directives and Benefits
B24.1 Anti-Fraternization

Issue Date:

B24.1A Purpose

1. The purpose of this policy is to recognize the City's responsibility and to provide restrictions applicable to the employment of individuals engaged in close personal relationships (fraternization). Potential problems posed by dating and romance in the workplace include conflicts of interest, sexual harassment, and discord that can interfere with the productivity of employees and/or the proper conduct of City business.

    a. Employment of relatives continues to be restricted as provided in B24., Nepotism.

    b. Sexual discrimination and/or sexual harassment continue to be prohibited as provided in B1.1, Equal Opportunity.

2. Policy

    a. Officials of the City shall not appoint, employ, promote, or advance any individual with whom they have a close personal relationship.

    b. Officials of the City shall not recommend or advocate the appointment, employment, promotion, or advancement in, or to, any position in the City of any individual with whom they have a close personal relationship. A public official advocates an appointment or promotion if the official urges or supports the action either orally or in writing.

    c. Individuals shall not be selected for any position in the same department when they have a close personal relationship with the employee who serves as the Department Director or to the same division or section when they have a close personal relationship with the employee who serves as the managerial, supervisory, or lead employee. Individuals who have a close personal relationship with an employee of the Mayor's Executive Staff shall not be selected to any position in the City.

        1) Employees who hold classified status prior to the individual's appointment or section as a department director, manager, or supervisor, or who become related by marriage, shall not be placed on any eligibility lists for promotion within that same department, division, or section as applicable and shall be placed

in a different department, division, or section as soon as practicable.

d. Public officials and employees who serve as a manager, supervisor, or lead employee are prohibited from having close personal relationships with their subordinate personnel. Any relationship must be disclosed by both of the employees to the Director of Human Resources & Talent Development so that immediate steps can be taken to resolve conflict with this policy.

e. All employees are discouraged from having close personal relationships with non-subordinate employees. All such relationships must be disclosed by both of the employees to the Department Director and may result in requiring that the employees work different shifts; transferring one employee to another department; assigning one of the employees to another facility, squad, or work unit; or other action determined to be appropriate by the City.

3. Definitions

a. Public Official - Any individual who is appointed or employed in any City agency who is vested or delegated the authority to appoint, employ, promote, or advance individuals, or recommend an individual for appointment, employment, promotion, or advancement in connection with employment in that City agency.

b. Close Personal Relationship - A close personal relationship includes dates, cohabitation, and/or having an intimate sexual relationship. Dating includes, but is not limited to, casual dating, serious dating, casual sexual involvement where the parties have no intention of carrying on a long-term relationship, cohabitation, and any other conduct or behavior normally associated with romantic or sexual relationships. This definition applies regardless of the sexual orientation of the employees involved.

4. Penalties

a. Any employee found to be in violation of this policy shall be disciplined up to and including dismissal depending on the circumstances of the event.

b. Any individual who is employed, promoted, or advanced as the result of an official's violation of this policy shall be returned to the status occupied prior to the violation.

c. Any penalties provided by an applicable local, state, or federal law or regulations shall be enforced.

City of Tampa Personnel Manual
B. Directives and Benefits
B25. Moving Expenses for New Managerial Employees

Issue Date:

B25.A Policy

1. Purpose - To establish policy and procedures for payment of household and relocation expenses for authorized City of Tampa employees who have been hired by the City when such payment has been recommended by the Department Director and authorized by the Chief of Staff as a necessary condition of employment. Eligible employees must possess such qualifications, expertise, or experience which make the employee particularly qualified to perform the duties of the job.

2. Definitions

    a. Authorized Employee - A person hired by the City whose job responsibilities and duties are classified in the managerial group of the City. Any exception shall be approved by the Mayor.

    b. Dependents - Listed dependents (per Income Tax filing) of the authorized employee who reside full time with the new employee.

3. Documentation

    a. A statement of itemized and receipted expenses incurred by the authorized employee will provide documentation for reimbursement.

    b. A Reimbursement Agreement will serve as an agreement between the City and the employee should it be necessary for the employee to reimburse the City.

4. Maximum Relocation Reimbursement - The amount to be paid for relocation expenses will be determined by the Chief of Staff and will not exceed 10% of the new employee's annual salary unless specifically authorized in writing by the Mayor.

5. Restrictions and Repayments - All recipients of relocation reimbursement will be required to sign an agreement to repay the City for such reimbursements if the employee voluntarily terminates employment within one (1) year from date of employment or is terminated due to falsification of the employment application.

6. Eligible Expenses/Limitations - Relocation allowances may be granted to an employee, for the employee, Dependents, and an employee's household belongings as follows:

   a. Transportation by: (1) either personal automobile at the rate of 20 cents per mile by the most direct route from the person's place of residence to Tampa or; (2) commercial plane, train, or bus at the lowest tourist fare available, with receipts, will be reimbursed. When traveling by car, the number of days enroute subsistence is based on a minimum of 400 miles per day. If the employee's family accompanies the employee by car, no additional transportation will be allowed. If they travel by car at a later time, mileage will be reimbursed at 20 cents per mile. If they travel by bus, plane or train, transportation will be reimbursed for the most direct route. Substantiating receipts will be required.

   b. Lodging: Actual expense for lodging at a single occupancy rate, to be substantiated by receipts, will be paid for the employee if traveling alone. Actual cost of reasonable lodging, substantiated by receipts, will be paid for an employee's family.

   c. Meals: For both the employee and their dependents, meals will be paid at the per diem rate determined by the prevailing City of Tampa travel policy.

   d. Movement of household goods will be reimbursed, with the exceptions listed (Section 6 (a) above), from the established place of residence to the metropolitan Tampa area. Three (3) bids by a common carrier will be required. The City will reimburse at the lowest rate bid. Insurance beyond the normal liability of the common carrier will not be reimbursed.

   e. Receipts: Within thirty (30) days of completion of the move, all receipts and required forms must be approved by the Department Director and submitted to the Accounts Payable Division of Revenue and Finance for reimbursement.

   f. Limitations: Payment will not be authorized for (1) the shipment of automobiles, boats, trailers, or campers; (2) unpacking or storage of household goods for more than thirty (30) days; (3) the cleaning of any residence; or (4) insurance beyond the normal liability of the common carrier.

7. Audit and Notification - The Accounting Division is charged with the responsibility of reviewing all Request for Authorization to Reimburse Moving Expenses and Moving Expenses Report forms submitted for payment to

determine their correctness, completeness, and consistency with the policies stated in this document. This division will notify the department as to any errors or inconsistencies and will keep documentation required for submission of the forms.

City of Tampa Personnel Manual
B. Directives and Benefits
B26. No Solicitation/Dues Deduction

Issue Date:

B26.A Policy

1. No Solicitation - Employees may not engage in any solicitation of any kind, including for union organization or non-union activities unrelated to City business during City time. These activities are only permitted during employee breaks, meal periods, and before and after work hours; and, only in areas which do not disrupt the normal service to the public.

2. Non-City employees, and/or City employees, who are interested in the solicitation of employees for any purpose including, but not limited to, union organization, sale of products, or promotional activities, must adhere to the above restrictions and are not permitted in areas which are restricted only to employees.

3. Solicitation notices including those for union business and non-union business, (i.e., brochures, discount notices, flyers) may not be distributed directly to employees without the express authorization of the Director of Human Resources & Talent Development. When authorized by the Director of Human Resources & Talent Development, such notices or information for union business may be posted on Bulletin Boards or posted as City ENews on the INet. Any City material (i.e., City group insurance information, personnel information, pension information, etc.) which is to be distributed directly to individual employees requires the authorization of the Director of Human Resources & Talent Development.

B26.B. Dues Deduction

1. In accordance with Chapter 447, Florida Statutes, the deduction of union dues from an individual employee's pay is allowed for sworn bargaining agents certified by the Public Employees Relations Commission (PERC) provided that:

    a. Only those employees whose positions are in a certified sworn bargaining unit may have dues deducted and transferred to their respective bargaining agent.

    b. The eligible City employee must authorize the deduction of union dues on the form approved by the City.

c. The employee may stop the deduction of union dues by giving the City and the union thirty (30) days' notice on the form approved by the City.

d. Any change in the amount of dues and uniform assessments must be certified to be correct by the union president and be authorized by the individual employee.

2. Employees who are in positions which are not included in a certified bargaining unit are not eligible to provide dues through payroll deductions.

City of Tampa Personnel Manual
B. Directives and Benefits
B27. Grievance Procedure

Issue Date:

B27.A Policy

1. Purposes

   a. To establish and maintain harmonious and cooperative working relationships between the City of Tampa and its employees.

   b. To assure equitable treatment of City of Tampa employees.

   c. To provide an expeditious means of resolving employee dissatisfaction over circumstances or conditions of employment.

2. Employees Filing Grievances - Any classified City of Tampa employee may file a grievance through this procedure unless the employee is covered by a union contract or agreement with alternate grievance procedures.

3. Scope of Grievance Procedures

   a. This Grievance Procedure may be used:

      1) To resolve disputes concerning the application of personnel policies and rules in regard to wages, hours, or working conditions.

      2) To appeal performance evaluations, written reprimands, or warning letters.

      3) To appeal a suspension, demotion, or dismissal.

      4) To appeal testing procedures, promotion procedures, classification, or other matters.

   b. In the event that an employee is eligible to appeal a matter to the Civil Service Board, the employee may utilize either this Grievance Procedure or the Civil Service Board appeal process but not both.

4. Rights of the Employee in Grievance Procedure

   a. There shall be no coercion, discrimination, or reprisals against any employee for filing a grievance.

b. The employee shall be given notice and be allowed to state his/her case in a hearing at each appeal step of the procedure.

c. The employee shall be given a written response at each step to a properly filed grievance within the specified time limits.

d. An employee may designate a person to act as a representative in the presentation of a grievance.

e. The employee may verbally discuss the grievance with the immediate supervisor before a written grievance is filed.

5. Settlement

a. The settlement of a grievance at the lowest possible step is encouraged.

b. Any grievance shall be considered settled at the conclusion of any step unless the employee appeals the decision within the specified time limits.

6. Time Limits

a. Time limits of the Grievance Procedure may be extended for fourteen (14) calendar days upon the request of either party or for a longer period by mutual written consent. The extensions should be requested for reasonable circumstances.

b. An employee who fails to appeal a written grievance to the next step in the Grievance Procedure within the specified time limits forfeits the right to further consideration under these procedures.

c. Any level of management which fails to respond within the defined (or extended) time limits, shall forfeit the opportunity to comment under these procedures. The employee may then appeal the grievance to the next management level.

7. Records

a. The Employee Relations Division maintains the official grievance files.

b. Upon receipt of a grievance, the immediate supervisor will send out electronic copy of the original Grievance Form and any attachments to the Employee Relations Division for logging in the central grievance file.

c. When a written reprimand or similarly documented disciplinary action is adjusted through these procedures, the pertinent documents will be adjusted in all of the employee's personnel folders.

8. Form - The written grievance must be filed on the Non-Bargaining Unit Grievance Form, which is available on the INet.

9. Role of the Director of Human Resources & Talent Development - The Director of Human Resources & Talent Development (or designee) shall have the authority to modify any action contemplated or taken by the Department Director (or designee) concerning the individual grievance.

10. Special Class - An employee who has been suspended, demoted, or dismissed may file a grievance directly to the Department Director after the disciplinary hearing (See Discipline Administration, B28.1). The employee has fourteen (14) calendar days in which to file this grievance.

B27.B Grievance Procedures

STEP 1 - IMMEDIATE SUPERVISOR

Employee:

1. Complete the Non-Bargaining Unit Grievance Form.

2. Sign and date the Grievance Form and give it to the immediate supervisor within fourteen (14) calendar days after the date of the occurrence or date on which the employee knew or should have known of the action giving rise to the grievance. The employee is encouraged to submit the grievance form electronically to the supervisor.

Immediate Supervisor:

3. Acknowledges receipt of the grievance form via electronic communication. Distributes electronic copy to Employee Relations and places in department grievance file as appropriate.

4. Within fourteen (14) calendar days, investigate as appropriate and answer the grievance in writing.

5. Review the written response with the employee. Have the employee sign the response as proof of receipt or provide final copy electronically and employee acknowledges receipt via electronic communication.

6. An electronic copy of the response is provided to Employee Relations and response is placed in departmental grievance file as appropriate.

STEP 2 - NEXT HIGHER SUPERVISOR

Employee:

7. If not satisfied with supervisor's written response in Step 1, the employee may appeal the grievance to the next higher supervisor by memo or by electronic communication within fourteen (14) calendar days after receipt of the Step 1 response.

Next Higher Supervisor:

8. Record date the appeal was received and acknowledge via electronic communication. Copy Employee Relations as an acknowledgement.

9. Within fourteen (14) calendar days:

    a. Schedule a hearing and notify the employee and the Employee Relations Division of date, time, and location via electronic communication or electronic calendar scheduling.

    b. Investigate the case, as appropriate.

    c. Conduct the hearing.

    d. Prepare a written response.

10. Provide response to employee via electronic communication and have the employee acknowledge via electronic communication. An electronic copy of the response is provided to Employee Relations and response is placed in department grievance file as appropriate.

STEP 3 - DEPARTMENT DIRECTOR

Employee:

11. If not satisfied with the written response of the next higher supervisor at Step 2, the employee may appeal the grievance to the Department Director (or designee) by memo or electronic communication within fourteen (14) calendar days after the receipt of the Step 2 response.

Department Director (or Designee):

12. Record date the appeal is received and acknowledge via electronic communication. Copy Employee Relations on acknowledgement.

13. Within fourteen (14) calendar days do the following:

    a. Schedule a hearing and notify the employee and the Employee Relations Division of date, time, and location via electronic communication or electronic calendar scheduling.

b. Investigate the case, as appropriate.

c. Conduct the grievance hearing.

d. Prepare a written response.

14. Provide response to employee via electronic communications and employee acknowledges via electronic communication. Electronic copy of the response is provided to Employee Relations and response is placed in department grievance file as appropriate.

STEP 4 – HUMAN RESOURCES DIRECTOR (or designee)

Employee:

15. If not satisfied with the Department Director's written response in Step 3, the employee may appeal to the Human Resources Director (or designee) in writing via electronic communication within fourteen (14) calendar days after the receipt of the Step 3 response.

Human Resources Director (or designee):

16. Has fourteen (14) calendar days to:

a. Schedule a hearing and notify the employee, and any other appropriate persons, of the date, time, and location via electronic communication or electronic calendar scheduling.

b. Investigate the case, as appropriate.

c. Conduct the hearing.

17. Has fourteen (14) calendar days after the hearing to prepare a written response and provide it via electronic communication.

18. The response provided at step four of this grievance procedure is final and binding.

City of Tampa Personnel Manual
B. Directives and Benefits
B28.1 Discipline Administration

Issue Date:

B28.1A Policy

1. Purpose - The City recognizes that the interest of the community and the job security of its employees depends upon the City's success in providing proper and efficient services to the community. To this end, the City encourages to the fullest degree employee behavior which is positive and supportive of the goals of effective municipal management. The City and its employees recognize the need for progressive and appropriate disciplinary action when an employee's conduct and job performance are inconsistent with these goals.

2. Responsibilities

   a. First-line supervisors and middle management are responsible for monitoring, evaluating, and documenting the conduct and job performance of employees under their supervision.

   b. Department Directors are responsible for managing their supervisors and managers in the formulation of conduct and job performance standards and for the administration of discipline in their assigned department.

   c. The Director of Human Resources & Talent Development (or designee) is responsible for monitoring all disciplinary action for the City employees to ensure that basic employee rights are protected and to ensure that appropriate and consistent action are taken. The Director of Human Resources & Talent Development shall have the authority to void or alter any disciplinary action which is inconsistent with City policy and/or objectives in the area of discipline administration.

B28.1B Progressive Discipline Administration

Disciplinary action may be taken for any just cause. Generally, employee misconduct should be dealt with using a progression of disciplinary actions. Exceptions to this progressive system shall be made in cases of major misconduct and according to the seriousness of the offense. Nothing herein will be construed as a limitation on the right of the City in imposing discipline based on repeated or reoccurring behavior or severe misconduct. This policy shall apply only to classified City employees who have successfully completed the entrance probationary period. Individuals serving entrance probationary periods and/or individuals employed in any unclassified position, as defined by the Civil Service

Law and/or Rules and Regulations, shall be disciplined in a manner determined appropriate by the Director of Human Resources & Talent Development.

Progressive discipline may include, but is not limited to, the following:

Informal Discipline

1. Oral Admonishment

   a. An oral admonishment consists of a supervisor verbally warning an employee concerning his/her behavior or work performance and counseling the employee on how to improve.

   b. The supervisor should make a written record of the counseling session for his/her own file (pending evaluation file). The employee's initials should be obtained on this notation to indicate receipt of the oral admonishment. The employee's initials do not imply agreement. If the employee refuses to initial the record, the supervisor should note this refusal on the record.

2. Letter of Counseling (Written Admonishment)

   a. A Letter of Counseling consists of a supervisor documenting a warning to an employee, in writing, concerning their behavior or work performance and counseling the employee on how to improve.

   b. The supervisor should place the written record in the employee's pending evaluation file. The employee's initials should be obtained on this written Letter of Counseling to indicate receipt. The employee's initials do not imply agreement. If the employee refuses to initial the written Letter of Counseling, the supervisor should note this refusal on the record.

Formal Discipline

3. Written Reprimand

   a. A Written Reprimand is used when an oral admonishment or a written Letter of Counseling has not resulted in a satisfactory change in the employee's conduct, or when an oral admonishment, or a written Letter of Counseling is deemed insufficient for the offense. It also must be used whenever an employee is Absent Without Leave (AWL).

   b. A Written Reprimand is administered through the use of a Notice of Disciplinary Action (DA-88). The following information should be included:

1) Reference to any recent discipline on similar violations or conduct.

2) Specific charge of misconduct. Reference should be made to the City or department rules, supervisory order, or other directive which has been violated.

3) Management's expectations regarding proper conduct and/or performance.

4) Warning regarding management's course of action if the employee fails to correct the performance and/or behavior in the future.

5) The supervisor's signature and date.

6) The Department Director's (or designee's) signature and date.

7) The employee's signature which acknowledges receipt of the reprimand and the date of receipt. The employee's signature does not imply agreement. If the employee refuses to sign the written reprimand, the supervisor should note this action on the document.

c. To present the reprimand, the supervisor should coordinate a pre-disciplinary hearing with Employee Relations as provided in B28.1.C. The supervisor and Employee Relations shall meet with the employee, explain the necessity for disciplinary action, give a copy of the reprimand to the employee, and have the employee acknowledge receipt.

d. The copies of the written reprimand are placed in the employee's supervisor's pending file and in the employee's personnel file at the Department of Human Resources. Written reprimands and notices of misconduct shall not be placed in the employee's pending or personnel files before the employee has been informed of such action.

4. <u>Suspension</u>

a. A Suspension is used when a written warning or reprimand has not resulted in a satisfactory change in the employee's conduct or when a written Letter of Counseling or reprimand does not adequately address the severity of the offense.

b. Before completing or processing the Notice of Disciplinary Action (DA-88) the Department Director (or designee) must conduct a pre-disciplinary hearing as provided in B28.1.C.

c. The Suspension is administered using the Notice of Disciplinary Action form (DA-88). The document should contain the following information:

1) Reference to previous disciplinary action including oral admonishments, written reprimands, and/or suspension, as well as other counseling or efforts to correct the performance and/or conduct of the employee.

2) Specific charge of misconduct. Reference should be made to the City or departmental rules, supervisory order, or another directive which has been violated.

3) Management's expectations regarding proper conduct and/or performance.

4) Warning regarding management's course of action if the employee fails to correct the performance and/or behavior in the future.

5) The date of the pre-disciplinary hearing.

6) The supervisor's signature and date.

7) The Department Director's (or designee's) signature and date.

8) The employee's signature which acknowledges receipt of the suspension document and the date of receipt. The employee's signature does not imply agreement. If the employee refuses to sign the document, the supervisor should note this action on the document.

d. The copies of the disciplinary action are placed in the employee's supervisor's pending file and in the employee's personnel file at the Department of Human Resources. Disciplinary action and notices of misconduct shall not be placed in the employee's pending or personnel files before the employee has been informed of such action.

5. Dismissal

a. A Dismissal is initiated when all previous disciplinary actions have failed to bring a satisfactory change in an employee's conduct, or when a lesser action does not adequately address the severity of the offense.

b. Before completing or processing the Notice of Disciplinary Action (DA-88), the Department Director (or designee) must conduct a pre-disciplinary hearing as provided in B2B.1.C.

c. The Dismissal is administered using the Notice of Disciplinary Action form (DA-88). The document should contain the following information:

1) Reference to previous disciplinary action, including oral admonishments, written reprimands, and/or suspensions, as well as other counseling or efforts to correct the performance and/or conduct of the employee.

2) Specific charge of misconduct. Reference should be made to the City or department rules, supervisory order, or another directive which has been violated.

3) The date of the pre-disciplinary hearing.

4) The supervisor's signature and date.

5) The Department Director's (or designee's) signature and date.

6) The employee's signature which acknowledges receipt of the dismissal document and the date of receipt. The employee's signature does not imply agreement. If the employee refuses to sign the document, the supervisor should note this action on the document.

d. The copies of the disciplinary action are placed in the employee's supervisor's pending file and in the employee's personnel file at the Department of Human Resources. Disciplinary action and notices of misconduct shall not be placed in the employee's personnel files before the employee has been informed of such action.

6. Demotion

a. A disciplinary demotion may be appropriate in instances of failure of an employee to perform up to accepted work performance expectations

and/or when less severe forms of disciplinary action have failed to bring about the necessary improvements in performance levels or conduct.

b. Before completing or processing the Notice of Disciplinary Action (DA-88), the Department Director (or designee) must conduct a pre-disciplinary hearing as provided in B28.1.C.

c. The demotion is administered using Notice of Disciplinary Action form (DA-88). The document should contain the following information:

1) Reference to previous disciplinary action including oral admonishments, written reprimands, and/or suspensions, as well as other counseling or efforts to correct the performance and/or conduct of the employee.

2) Specific charge of misconduct. Reference should be made to the City or departmental rules, supervisory order, or another directive which has been violated.

3) Management's expectations regarding proper conduct and/or performance.

4) Warning regarding management's course of action if the employee fails to correct the performance and/or behavior in the future.

5) The date of the pre-disciplinary hearing.

6) The supervisor's signature and date.

7) The Department Director's (or designee's) signature and date.

8) The employee's signature which acknowledges receipt of the demotion document and the date of receipt. The employee's signature does not imply agreement. If the employee refuses to sign the document, the supervisor should note this action on the document.

d. For determination of the employee's pay rate after a demotion, refer to B18.1 (Salary Administration).

e. The copies of the disciplinary action are placed in the employee's supervisor's pending file and in the employee's personnel file at the Department of Human Resources. Disciplinary action and notices of

misconduct shall not be placed in the employee's personnel files before the employee has been informed of such action.

7. Disciplinary action may also include:

   a. Payment for Lost or Damaged Equipment - Disciplinary actions may also require payment by an employee for lost or damaged equipment due to negligence, up to a maximum of $750. Payment shall be made through payroll deductions not to exceed two (2) hours of pay per bi-weekly pay period (or one-hour pay per weekly pay period). Upon separation, any balance due shall be deducted from the employee's separation pay. The requirement for this payment shall be included as part of the disciplinary action (i.e., written reprimand, suspension, demotion, dismissal).

   b. The administration of discipline in the form of an oral admonishment, letter of counseling, written reprimand, demotion, or suspension does not preclude additional efforts to improve the employee's performance or job conduct. Techniques such as specialized training classes, Employee Assistance Program referral (see B.33), defensive driving classes, special performance evaluations, etc., may be used. These actions may be documented either in conjunction with disciplinary action or separately (i.e., in the form of a job assignment, counseling, or performance improvement plan (PIP).

B28.1C Pre-Disciplinary Hearings

1. Purpose - A Pre-Disciplinary Hearing is provided to all classified, non-probationary employees prior to the imposition of formal discipline. The hearing provides employees the opportunity to refute or clarify the events leading to the disciplinary action and fulfills due process requirements.

2. Scheduling - The Department Director (or designee) must schedule a Pre-Disciplinary Hearing upon awareness that a written reprimand, suspension, demotion, or dismissal may be imposed as a result of employee misconduct or sub-standard performance.

   a. Notice of the hearing must be given to the employee in writing at least forty-eight (48) hours prior to the meeting, along with a copy of the Notice of Disciplinary Action. The Notice of Disciplinary Action should be partially completed at this stage, only to include the pending charges. The decision of what type of disciplinary action will occur will not be made until the hearing is conducted. The notice of the hearing shall include confirmation that the employee has received the notice (employee signature).

3. Conducting Pre-Disciplinary Hearings - At the hearing, the Department Director (or designee):

   a. Confirms that the employee has received a copy of the charges;

   b. Explains the charges and the type of disciplinary action being contemplated;

   c. Provides the employee with an opportunity to offer any contrary evidence, explanation, and/or comments.

4. Making the Disciplinary Decision

   a. After the steps in Section 3 above have been satisfied, the employee is told to leave the hearing. At this time, management representatives discuss the appropriate action and a decision is made by management.

   b. The employee is then asked to return to the room and is informed of the decision.

5. Postponement of Hearings - Hearings may be postponed, rescheduled, or continued in the event that an employee's union representative (see Section 6) is not available (if a bargaining unit employee) or if the Department Director determines that further investigation of the case is necessary. Delays must be for reasonable circumstances for a reasonable length of time.

   a. Employees who fail to appear, or fail to reschedule, their Pre-Disciplinary Hearing will forfeit their right to a Pre-Disciplinary Hearing. The right to appeal actions through the appropriate procedures in not affected.

6. Employee Representation - Union representatives, including union appointed legal counsel, may attend hearings involving bargaining unit employees. It is the responsibility of the employee to arrange for union representation if it is desired. Attorneys or other representatives may be permitted to attend Pre-Disciplinary Hearings for non-bargaining unit employees.

B28.1D Summary Action

1. In the event that a Department Director (or designee) concludes that immediate removal of the employee from the work site is necessary for public interest or safety of the employee or others, the employee may be summarily suspended without pay pending a Pre-Disciplinary Hearing. The employee is informed to leave the worksite and is informed of the schedule for a Pre-Disciplinary Hearing as soon as practicable.

City of Tampa Personnel Manual
B. Directives and Benefits
B28.2 Discipline Administration - Cause for Discipline/Dismissal

Issue Date:

B28.2A Policy

1. Purpose - This policy is provided as definition of the types of conduct and/or performance which may be considered cause for discipline/dismissal of City of Tampa employees.

2. Employees may be disciplined/dismissed from employment for a variety of causes. The examples of misconduct and/or unsatisfactory performance enumerated in this policy for which discipline/dismissal is considered appropriate are not all inclusive. A listing of every instance for which discipline/dismissal may be appropriate is, of course, an impossibility. The City does not desire that improper conduct not listed herein be considered as proper or condoned due to its omission from this policy. City employees are also subject to disciplinary action as specified in other City policies, labor agreements, or other rules and regulations.

3. The City of Tampa Civil Service Rules and Regulations authorize the City to discipline/dismiss employees due to incompetence, insubordination, neglect of duty, moral turpitude, and/or breach of peace (Article J. Section 4(a). The types of conduct and/or performance which fall into these categories that may be considered cause for discipline/dismissal are listed below. As stated above, these lists are **not** all inclusive.

    a. Incompetence

        1) Inability to perform up to accepted work standards.

        2) Habitual tardiness, absenteeism, and/or abuse of leave privileges.

        3) Failure to obtain or to maintain licenses, certifications, and/or other professional credentials required for employment.

        4) Failure to notify appropriate City officials of the loss of any license, certification, or other credential required for employment.

        5) Failure to provide information required for employment including, but not limited to, disclosure of any arrest prior to reporting to work following the arrest.

b. Insubordination

1) Repeated violations of City and/or Departmental rules or directives.

2) Disregard for, or repeated failure to follow, the instruction or direction of a supervisor.

3) Refusal to sign and/or complete documents required for employment.

4) Refusal to have fingerprints or photograph taken for a legitimate City purpose.

5) Disorderly or inappropriate physical or verbal conduct.

6) Refusal to cooperate fully in any internal or other investigation or hearing.

7) Failure to provide timely and acceptable documentation to support a request for leave.

8) Inappropriate use of City identification, including uniforms.

9) Granting permission to a subordinate to violate any rule, policy, or regulation, whether explicit or condoned through inaction.

c. Neglect of Duty

1) Causing damage or loss of public or private property and equipment through negligence or willful misconduct.

2) Excessive or repeated waste of supplies and/or materials.

3) An absence without approved leave of three (3) consecutive workdays.

4) Failure to return to work after an approved leave of absence.

5) Involvement in excessive accidents or safety violations.

6) Operating a City vehicle without the type of valid license required for operation of the vehicle.

7) Operating a City vehicle or equipment in a wanton disregard for safety.

8) Failure to report any on-the-job accident or injury in a timely manner (30 calendar days).

9) Use of City equipment, including vehicles, for any unauthorized purpose.

10) Failure to notify supervisor of any use of prescription or other medication that may impair performance.

11) Unauthorized release of information or records.

12) Unauthorized vending or solicitation on City property.

d. Moral Turpitude

1) Falsification, misrepresentation, or material omission of statements, testimony, or any document or record completed in the course of employment or in obtaining employment including investigatory or disciplinary hearings; or falsification of records including but not limited to, time records and group insurance claims.

2) Violation of City Code or other City policies relating to impartiality, use of public property, conflict of interest, disclosure, and/or confidentiality.

3) Arrest for a felony.

4) Arrest for a misdemeanor involving moral turpitude or any 1st degree misdemeanor.

5) Attempting to coerce or influence a member of the public, fellow employees, subordinates, or supervisor with gifts, services, loans, or other considerations, or accepting same as described in B23 of the City of Tampa Personnel Manual, Conflict of Interest, or the City of Tampa Code of Ethics.

6) Violation of the City of Tampa Code of Ethics.

7) Violation of any Florida Statute dealing with labor organizations.

8) Violating City ordinance or regulations regarding political activity.

9) Violating City policy or state law regarding nepotism.

10) Engaging in any employment, activity, or enterprise which is illegal, incompatible, or in technical conflict with the employee's duties and responsibilities as a City employee.

11) Refusal to provide information required through the course of employment.

12) Theft or unauthorized removal or use of City property.

13) Failure to report salary overpayments.

14) Operating a City vehicle or equipment or reporting to work while under the influence of alcohol or controlled substance(s).

15) Possession of alcohol or controlled substance(s) while on duty or on City property. Any exception to the possession of alcohol while off-duty on any City property is subject to mayoral approval. Any Mayoral sponsored events shall be excluded.

16) Refusal to submit to substance abuse testing or to follow through with treatment or follow up testing as described in B33 of the City of Tampa Personnel Manual, Employee Assistance Program.

17) Violation of B1.1 of the City of Tampa Personnel Manual, Equal Opportunity, in accordance with the guidelines set forth in B1.1.

e. Breach of Peace

1) Being offensive or antagonistic, either physically or verbally, toward any City employee or member of the public at any time.

2) Threatening, conspiring to commit, attempting, or actually committing any assault or battery upon any City employee or member of the public on City property during working hours or as a result of City employment.

3) Possession or use of firearms, explosives, or other weapon during work hours, or at any time on City property, or in City vehicles unless authorized by the Mayor.

4) Disruption of City operations, functions, or services.

4. Arrest Procedures/Reinstatement – Any employee who has been arrested by any law enforcement agency in any jurisdiction must report such arrest to their immediate supervisor prior to the start of their next regular workday, in

compliance with 3(d)(3) and 3(d)(4) above. Failure to do so shall result in dismissal under 3(a)(5).

For purposes of this manual, an arrest shall include turning oneself in to law enforcement or any authority with jurisdiction or being arraigned.

Any employee who has been dismissed from the City of Tampa because of an arrest by any law enforcement agency may be considered for reinstatement to a position in the City of Tampa provided that the employee is acquitted after a trial on the merits or all charges are dismissed by the State Attorney's office, including a decision of Nolle Pros. Any decision that includes any intervention in order to receive a lesser or commuted sentence, to include PTI, will not be accepted. The employee shall notify the Director of Human Resources & Talent Development in writing of the request for reinstatement within five (5) working days following the determination of acquittal and shall include proof of the acquittal. An employee not eligible for reinstatement may be eligible for re-employment following the normal application, certification of eligibility, and selection procedures.

a. Any employee who is scheduled to be dismissed because of an arrest as specified above, may request to be placed on a personal leave of absence for a maximum of sixty (60) days. Additional extensions may be requested and provided by the Director of Human Resources & Talent Development in accordance with B9. At the expiration of the leave of absence, the employee shall be dismissed unless eligible for reinstatement as provided above.

City of Tampa Personnel Manual
B. Directives and Benefits
B28.3 Discipline Administration - Voiding Reprimands

Issue Date:

B28.3A Policy

Written reprimands and other forms of minor misconduct, including reprimands documenting Absences Without Leave (AWL), shall be considered as void when and if twelve (12) months elapse without any additional documented infractions.

1. Records are not voided if the employee has received any warnings, written or oral reprimands, suspensions, or any disciplinary action which affected the employee's pay within the last twelve (12) months.

2. Notices of disciplinary action which affect the employee's pay, such as suspensions or demotions, are not voided.

3. Memorandums, letters, oral reprimand records, letters of counseling, written reprimands, or warnings from the employee's personnel file, are voided when and if they meet the one-year criteria.

4. An employee has the right to review his/her personnel file to ensure that policies regarding personnel file records have been followed and must request to have the manner of discipline voided in accordance with the above requirements.

City of Tampa Personnel Manual
B. Directives and Benefits
B29. Unemployment Compensation

Issue Date:

B29.A Policy

1. City departments must immediately forward all documents pertaining to Unemployment Compensation claims, appeals, or hearings to Employee Relations.

2. Background of the Program - The State of Florida operates a program of compensation for unemployed workers through the Department of Labor & Employment Security, Bureau of Unemployment Compensation (Chapter 443, Florida Statutes).

3. Purpose - The purpose of the program is to provide benefits to workers who are fit for employment, but who are unemployed through no fault of their own.

4. Program's Support - Public employers, such as the City of Tampa, reimburse the state 100% each quarter for the amount paid out for the City.

5. Employer's Share - The City pays a pro rata share of the qualified former employee's total benefits. This share is based on the amount of time the qualified former employee was employed by the City during the first four (4) of the previous five (5) completed calendar quarters.

6. Effect of Disciplinary Actions on Unemployment Compensation Claims - It is important that City departments follow the guidelines in B28.1, Discipline Administration, and that the reasons for dismissal be documented and well substantiated because the Bureau of Unemployment Compensation makes the determination of whether or not a person is disqualified for misconduct. This decision is made from substantiated information concerning the reasons and circumstances for the dismissal as supplied by the employer. Failure to supply such information, or failure to give substantial information, generally results in the state declaring the person eligible for Unemployment Compensation benefits. The City is then obligated to reimburse the state for the City's share of the benefits.

City of Tampa Personnel Manual
B. Directives and Benefits
B30 Tobacco Free Workplace

Issue Date:

B30.A Policy

1. To establish guidelines for the use of tobacco products by employees during all hours of work and in all City of Tampa buildings, facilities, and vehicles.

2. The City of Tampa is a Tobacco Free Workplace. Sworn employees are prohibited from the use of tobacco products in accordance with the terms and conditions of their applicable collective bargaining agreements and department policies in addition to this policy.

3. Employees are not allowed to use tobacco products during City paid working hours, including City paid breaks. This does not apply to meal breaks, which are taken on the employee's own time. An employee who chooses to use tobacco products during his/her meal break, or on his/her own time, must do so off City premises. Use of tobacco products is prohibited at all times in City vehicles.

4. For purposes of this policy, "City premises" would include City-owned and/or maintained parks, buildings, and facilities, including the surrounding grounds and indoor and outdoor associated walkways. City premises do not include City-owned roadways or rights-of-way, including public sidewalks in the right-of-way.

5. "Use of tobacco products" includes smoking or carrying a lighted cigarette, cigar, cigarillo, pipe, or other smoking material including e-cigarettes, or the use of chewing tobacco, snuff, herbal tobacco, and/or any smokeless tobacco products including vape pens.

6. Department Directors are responsible for ensuring uniform Citywide implementation of this policy. Department Directors, managers, and supervisors are responsible for uniform implementation of this policy in their respective work area(s), facilities, buildings, and vehicles.

7. Employees who violate this policy shall be subject to progressive discipline.

8. Department Directors and managers shall coordinate any necessary signage through LAM Facilities Management.

9. The department of initial hire is responsible for explaining this policy to prospective employees during the interview process before an offer of employment is made.

10. The Human Resources & Talent Development Department is responsible for communicating this policy to new employees during orientation.

11. The Human Resources & Talent Development Department is responsible for smoking cessation programming through the Benefits division.

12. Citizens, clients, contractors, and visitors to City facilities will be encouraged to voluntarily comply with the Tobacco Free Workplace.

City of Tampa Personnel Manual
B. Directives and Benefits
B31 Vehicle Operations

Issue Date:

B31.A Policy

1. Purpose - The City of Tampa is committed to ensuring that City vehicles are utilized for the purpose of conducting authorized City business in a safe and effective manner. This includes policies regarding the use and authorization for an employee to utilize their personal vehicle while on authorized City business.

2. Exception - This policy does not apply to employees who are sworn police officers or firefighters.

3. Responsibilities - Employees, supervisors, and managerial employees are responsible for fully enforcing this policy. Failure to comply with any portion of this policy may result in disciplinary action, up to and including dismissal.

4. Authorized Drivers - Only authorized City of Tampa employees are permitted to drive or operate any City owned, leased, or rented vehicles.

    a. Non-City employees are specifically prohibited from operating City owned, leased, or rented vehicles without the written authorization of the City's Risk Manager, Department of Human Resources.

5. Vehicle Driver Identification - Employees shall be required to complete the Vehicle Driver Identification (VDI) during new hire orientation. Updates to the form may be required at least annually or upon request of Risk Management.

    a. The VDI form requires the employee to verify their possession of a current valid State of Florida driver's license and the class.

    b. Employees shall notify their immediate supervisor (or designated department contact person) of any moving violations, suspension, added restriction, or revocation of their driving license. Notification must be completed prior to any further driving of a City vehicle or personal vehicle on City business and disciplinary action may be warranted. Driving of a City vehicle or a personal vehicle on City business is prohibited until proof of license or the removal of restrictions is verified by the department.

c. Other Citations: Any other citation brought to the attention of the City will be placed in the name of the employee identified in the violation. Additionally, disciplinary action may be appropriate.

6. Driver Training - An employee shall not operate City vehicles, or conduct City business in a personal vehicle, unless the employee has successfully completed the City's Driver Training Course offered through the Risk Management Division of the Department of Human Resources.

   a. Completion of the Driver Training Course is valid for three years. Prior to the expiration of the three-year period, the employee is required to attend the course for continued driving eligibility.

   b. Department Directors will be notified by Human Resources of employees who have completed the Driver Training Course, as well as the expiration date of the three-year period for those employees. Departments shall establish internal procedures to ensure compliance.

   c. The Fleet Maintenance Division, Logistics and Asset Management, shall verify that any employee utilizing a motor pool vehicle has completed the required driver training.

   d. Employees required to hold and maintain a Commercial Driver's License (CDL) for their City position shall attend the Smith System Safe Driver training through Risk Management. Refresher training shall be required as determined by Risk Management.

7. Anti-Idling Requirements - In order to conserve fuel, reduce operating and maintenance costs, protect public health, and improve the environment through reduced emissions, employees shall not permit a vehicle's engine to idle (operate the engine while the vehicle is not in motion) for more than five (5) minutes in any (1) one hour period.

   Anti-idling requirements include the prohibition of idling for the purpose of keeping the vehicle's cab cool or warm, loading or unloading, while fueling, during employee breaks, or any other time that the vehicle is unoccupied or not actually in immediate use.

   a. Exceptions: Idling is permitted only when the vehicle/equipment is required to remain motionless for the following:

      1) An emergency;

      2) Protection of a City laptop computer;

3) Motor traffic has stopped at an official traffic control device;

4) Required for powering the vehicle/equipment's auxiliary equipment (PTO, generator, pumps, computers, emergency lights, etc.);

5) Required for maintenance, servicing, repair, or diagnostic purposes;

6) Charging batteries for hybrid engine;

7) Participating in an authorized parade or special event;

8) At the department's discretion during periods of high heat for prevention of heat-related injury.

8. Altering of Equipment - Employees are required to operate any vehicle/equipment as issued from the Fleet Maintenance Division, Department of Public Works. Alterations or modification to any type of vehicles/equipment are not permitted without the authorization of Fleet Maintenance. This includes operating or safety features for the vehicle/equipment.

9. Tobacco Use - The use of any tobacco product in any City owned, leased, or rented vehicle is prohibited. This includes smokeless tobacco products, chewing tobacco, cigarettes, cigars, vape pens, and any other similar product.

10. Cellular Phone and Personal Digital Assistant (PDA) Usage - All City cell phone and PDA usage shall be in compliance with B41, Personnel Manual, Cellular Phone and Personal Digital Assistant (PDA) Policy. Employees operating personal vehicles for City business or City owned, leased, or rented vehicles are prohibited from utilizing cellular phones or PDAs while driving unless utilizing a hands-free device.

    The City encourages all managers and supervisors to train employees to defer telephone conversations until the employee can safely pull off the road.

    Texting, sending/reading email, or utilizing any non-audio PDA or cellular phone feature, requires that the employee bring the vehicle to a complete stop.

11. Seat Belt Requirement - City employees and all occupants of a vehicle operated by a City employee must utilize seat belts properly fastened at all times. This includes operation of any vehicle out-of-state, regardless of that state's seat belt law. Seat belts shall also be used where installed in all heavy equipment, including but not limited to, forklifts, powered industrial trucks, track

hoes, backhoes, rollers, graders, dump trucks, and trash trucks (except as permitted under State Statute during trash route pick-up).

a. Employees injured in a vehicular accident who were not wearing a seat belt in compliance with this policy shall have their Workers' Compensation benefit reduced by the maximum amount allowed by law.

b. The seat belt requirement applies to vehicles on legal roadways, rights-of-way, City property, and construction locations.

12. Other Safe Driving Requirements

a. Eating while driving for City business is prohibited.

b. Reading maps or reading other reference material while driving is prohibited.

c. Wearing any listening device, including headphones or earbuds, that cover both ears while driving, with the exception of prescribed hearing aids.

13. "How's My Driving?" Program - Decals for the City's "How's My Driving?" Program may be affixed by the Fleet Maintenance Division to City vehicles designated for inclusion in the program by the City's Risk Manager. Employees are prohibited from removing these decals. Information received, both complaints and accolades, shall be recorded by the Risk Management Division and forwarded to the applicable department's safety committee for review and consideration.

14. Enforcement - The Risk Management Division of the Human Resources Department shall conduct periodic checks and report their findings to the respective Department Directors.

City of Tampa Personnel Manual
B. Directives and Benefits
B32.1 Employee Involvement Program - Mentoring Program

Issue Date:

B32.1A Policy

1. Purpose - The purpose of this policy is to provide and encourage a flexible means by which City of Tampa employees can volunteer in the local school system and community programs from a list of opportunities approved by the Mayor that focus on mentoring. The City recognizes that City of Tampa employees have a long history of commitment to volunteer service in the community beyond their employment responsibilities.

2. Eligibility and Use - All full-time employees may be granted up to one-hour of Mentoring Leave per week (normally four (4) hours per month, however five (5) hours per month can be authorized when there are five (5) weeks in the applicable month). An additional 1/2 hour for travel time may be utilized per usage of Mentoring Leave.

    a. Use of Mentoring Leave is limited to within the employee's normal total number of work hours in the work week of the employee so that the approval of the leave will not cause the employee to exceed the normal assigned hours per work week. Mentoring Leave is not intended to cover every possible hour of participation in a program by an employee. However, employees may also be authorized the adjustment of their work hours and/or the use of accrued annual leave or compensatory time in combination with the use of Mentoring Leave.

    b. When special events warrant, an employee may aggregate the use of up to four (4) hours for the month or combine hours within the month (for example, two (2) hours in one (1) week and two (2) hours in another week; One (1) hour in one (1) week and three (3) hours in another week) to participate in a specific mentoring activity. However, it is preferred that employees make use of the time by scheduling one (1) hour per week so that they consistently participate in the program.

        1) In the event that an employee utilizes four (4) hours of Mentoring Leave for one (1) event within the month, they may not use any additional Mentoring Leave until the commencement of the following month.

            In the event that an employee utilizes a combination of hours, the 1/2 hour travel time (per usage) is not adjusted. For example, the

total balance of Mentoring Leave with two (2) usages of two (2) hours each plus travel is five (5) hours; four usages of one (1) hour each plus travel is six (6) hours; one (1) usage of four (4) hours plus travel is 4 1/2 hours).

c. In the event that an employee does not use Mentoring Leave, the employee shall not accrue or be paid for said Leave. Time is non-cumulative and will not carry over beyond a one-month period.

d. Mentoring Leave does not count as hours worked for purposes of calculating overtime.

e. Mentoring Leave is considered to be time off from work. An employee is not entitled to mileage reimbursement, is not covered by City Workers' Compensation, and for any other purpose, is not considered to be on City time during the time period. Travel shall not include the use of City vehicles unless the vehicle is permanently assigned to the employee as either an assigned vehicle or as a "take home" vehicle and the use has the approval of the Department Director.

f. Approval of the use of Mentoring Leave shall be balanced with the needs of the workplace such that no one individual, or time of the month, is disproportionately impacted. The department shall take into consideration the impact of such leave on the employee's work unit, the needs of the workplace, and the impact on the ability of the work unit to accomplish its mission.

1) Mentoring Leave shall not be approved when such approval can reasonably be expected to result in the required payment of overtime to other employees or otherwise cause an overtime situation within the City.

g. An employee must submit a request in the current electronic timekeeping system and notify their immediate supervisor for authorization prior to the actual use of Mentoring Leave. The supervisor must notify the Department Administrator for their review and final approval of the request. The supervisor may require confirmation from the program receiving the employee's service.

3. Program Eligibility - Programs eligible for the use of Mentoring Leave by employees shall be approved in advance by the Mayor. Employee participation shall be coordinated by the City's Community Engagement & Partnerships Department. The employee must be engaged as an active volunteer rather than a spectator.

City of Tampa Personnel Manual
B. Directives and Benefits
B32.2 Employee Involvement Program - Civic Leave

Issue Date:

B32.3A Policy

1. Purpose - The purpose of this policy is to provide and encourage City of Tampa employees to serve as election officials (poll workers) with the Hillsborough County Supervisor of Elections.

2. Eligibility and Use - All full-time employees may be authorized the use of Civic Leave for mandatory training classes and for working the primary and/or general elections conducted by the Hillsborough County Supervisor of Elections. Civic Leave shall not be authorized for City of Tampa Municipal elections.

    a. Use of Civic Leave is limited to and may not exceed the hours of work the employee is scheduled to work for the City of Tampa, on the date of the election or training date. For example, an employee scheduled to work eight (8) hours in their City position and who works fourteen (14) hours at an election, receives a maximum of eight (8) hours of Civic Leave; an employee who is scheduled to work eight (8) hours for the City and attend 3 1/2 hours of election training, receives 3 1/2 hours of Civic Leave.

    b. Employees shall not accept compensation from the Hillsborough County Supervisor of Elections for the same time they are compensated by the City on Civic Leave.

        1) Employees may accept compensation from the Hillsborough County Supervisor of Elections for time served beyond City Civic Leave. For example, if the employee works fourteen (14) hours for the election and the employee receives eight (8) hours Civic Leave (City pay), six (6) hours of pay can be accepted from the Supervisor of Elections.

        2) In lieu of Civic Leave, an employee may choose to utilize annual leave for payment for the absence from work and, in which case, the employee can accept compensation from the Hillsborough County Supervisor of Elections for the same time.

        3) An employee shall not be authorized Civic Leave for off-duty work hours, nor have their schedule adjusted. For example, an

employee who attends election training during their off-duty hours, receives compensation from the Hillsborough County Supervisor of Elections and does not additionally utilize City Civic Leave or other paid leave.

c. Employees may include travel time not to exceed 1/2 hour from their worksite to the Hillsborough County Supervisor of Elections Office or training site as part of their Civic Leave usage. For example, an employee attending 3 1/2 hours training with a twenty (20) minute travel time would utilize three (3) hours and fifty (50 minutes of Civic Leave. Travel time is not provided for travel from the employee's home or other non-City worksite. Requests for Civic Leave which include travel time shall specify the actual duration of the travel along with the departure and destination locations.

d. Civic Leave does not count as hours worked for purposes of calculating overtime.

e. Civic Leave is considered time off from work with pay. An employee is not entitled to mileage reimbursement, is not covered by City Workers' Compensation, and for any other purpose, is not considered to be on City time during the time period. Travel shall not include the use of City vehicles.

f. An employee must be selected by and meet the qualifications of the Supervisor of Elections. This includes, but is not limited to, being registered or eligible to register to vote in Hillsborough County.

g. An employee shall not apply for participation in an election without prior authorization from the department and the recognition that leave will be approved for training and election work service except in the event of an emergency and that the City's approval can reasonably be expected to not result in required payment of overtime to other employees or otherwise cause an overtime situation for the City.

h. Approval of the use of Civic Leave shall be balanced with the needs of the workplace. The employee and the department shall take into consideration the impact of such leave on the employee's work unit, the needs of the workplace, and the impact on the ability of the work unit to accomplish its mission.

i. For implementation purposes, employees shall select "CIV" (Civic Leave) in the current electronic timekeeping system and notify their immediate supervisor. The supervisor shall require confirmation from the

Hillsborough County Supervisor of Elections for the time worked or for attendance at training, as well as verification that the payment received was limited to the time excluded from City payment.

City of Tampa Personnel Manual
B. Directives and Benefits
B33.1 Employee Assistance Program

Issue Date:

B33.1A Policy

1. Purpose

The City of Tampa recognizes that an employee's personal problems may result in a less than optimum, and even a declining job performance. These personal problems may include, but are not limited to, emotional or behavioral problems, marital or family problems, legal problems, financial problems, alcohol abuse, or drug abuse. In keeping with the mission of the City to provide the finest of services to the citizens of Tampa and recognizing the importance of the City's human resources, the City has established an Employee Assistance Program (EAP), in addition to that program as established under the current health care provider. The goal of these programs is to restore the employee to full productivity by offering guidance and referral to qualified professional providers. It is the City's policy that an employee's participation in either EAP will not jeopardize his/her future opportunities with the City. However, the EAP shall not replace, alter, or be used to circumvent the City's discipline administration policy.

2. Eligibility

Employees enrolled in the City's group health insurance plan are eligible for EAP services. Spouses and/or dependents or employees are eligible if the employee is enrolled in the City's group health insurance program with family coverage. Any eligible employee or family member may directly seek EAP services for any personal problem. Such problems may include, but are not limited to, depression, anxiety, stress, or psychiatric illnesses, difficulties stemming from alcohol or drug abuse, or the emotional problems of another person.

3. Program Access

Eligible employees or family members may access EAP services by:

a. Self-Referral

Employees or eligible family members experiencing personal problems may voluntarily and directly contact the EAP for services with complete confidentiality (see item Section 4)

b. Supervisor/Department Director Mandatory Referral

A supervisor/department director may mandate referral for an employee to the EAP for assessment, further referral, or counseling services, noting:

1) An observable change in behavior that impacts job performance; or,

2) Documented off-duty conduct that causes concern for the employee or their ability to perform their assigned job duties, or the safety of the employee, or the safety of others.

3) All mandatory referrals to the EAP must be coordinated through the City's Employee Relations Division.

4) An employee's job will not be jeopardized by such a referral or by the employee's refusal to participate in the EAP. However, an employee's job may be jeopardized by failure to improve job performance, and such failure will be handled according to the City's Discipline Administration Policy (see B28.1)

4. Confidentiality

The confidentiality of EAP services is absolutely essential to the program's acceptance and success. Participants have the right to complete confidentiality concerning their use of the program, the content of the sessions, and all existing case information and records. Regardless of the nature of the referral, the EAP Counselor may not disclose any information about a participating employee to the City without the employee's written consent. In the case of a supervisory referral, the EAP Counselor may communicate to the City that the employee has or has not kept appointments. The EAP Counselor may also, with the employee's consent, work with the employee and the supervisor in defining the job performance difficulties and in setting work goals for improvement. All counseling records and information from employee visits are the property of the EAP.

5. Appointments

a. Appointments may be scheduled Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m. An EAP staff member is available on a 24-hour basis by answering service for life threatening situations.

b. Employees and eligible family members may see an EAP staff member or other participating practitioner for up to four (4) sessions at no cost to the employee. The EAP will endeavor to refer participants to providers covered by the City's health insurance plan.

1) Supervisor referrals may be scheduled during the employee's work hours. Self-referrals are to be scheduled during the employee's own time, or through the use of paid or unpaid leave, as applicable.

City of Tampa Personnel Manual
B. Directives and Benefits
B33.2 Drug-Free Workplace

Issue Date:

B33.2A Policy

1. The City of Tampa has grave concerns regarding the abuse of alcohol and other drug substances in the community. Many City departments and their employees are directly involved and responsible for programs and services to control and eliminate drug usage in the community. The City of Tampa must also ensure that the City, as a workplace, is drug-free. With the determination to maintain a drug-free workplace, the City strives toward that end by reissuing and enhancing this policy. The obligation and desire to provide a drug-free workplace is not only for employee safety and well-being but also a commitment to the public we serve.

   Drug use has serious adverse effects on the workforce resulting in lost productivity and a threat to safety for the employee, co-workers, and the public. Drug use creates a variety of workplace problems including, but not limited to, increased injury, absenteeism, medical costs, and theft along with decreased employee morale, productivity, and a decline in the quality of services. A drug-free workplace promotes protection of co-workers and the public. Realizing that no workplace is safe from the devastating effects of drugs, the City continues significant progress in the "war on drugs."

2. It is understood that City policy prohibits the consumption, possession, or being under the influence of drugs or intoxicating substances while on duty. Drug use and employment are not compatible.

3. Employees or eligible family members experiencing problems due to substance abuse are encouraged to voluntarily contact the Employee Assistance Program (EAP) in accordance with B33.1. This provides the employee with the opportunity to confidentially seek treatment.

4. Department directors, managers, and supervisors and employees shall be subject to disciplinary action if they fail to report actual or suspected drug use or influence by any City employee or fail to enforce, encourage, and follow the requirements of the policy.

5. All Department Directors are responsible for verification that managers, supervisors, and all employees attend mandatory training on the City of Tampa Drug-Free Workplace program. As is always the case, when failure to meet directives occurs, disciplinary action shall be considered when supervisors fail

to attend scheduled training or fail to ensure that subordinate employees attend scheduled training.

a. Regardless of the source, any reports of actual or suspected employee drug use must be forwarded to the Department of Human Resources & Talent Development immediately but no later than within 48 hours. Assistance with further investigation, the determination of mandatory referral for testing, and/or disciplinary action shall be provided.

b. The Police Department shall be notified immediately in the event that an employee is in possession of an illegal substance.

6. Testing - The City has the authority to require an employee to complete physical examinations to ensure that the employee is fit for duty which may include drug testing. This includes, but is not limited to, physical examinations to determine if a specified employee is under the influence of alcohol on duty, to determine any abuse of prescription or nonprescription drugs, and to determine any use of illegal substances.

The City of Tampa conducts drug testing as follows:

a. Drug testing is included in all pre-employment medical examination, if applicable.

b. Drug testing is provided under the provisions of the collective bargaining agreements with the City's certified unions. Employees covered by these agreements should refer to the applicable contract for required testing.

c. For non-bargaining unit employees, drug testing is provided as follows:

1) Reasonable Suspicion.

a. The reasonable suspicion standard requires that the City must have some "factual foundation and rationale which is interpreted in light of experience." In other words, a decision to test an employee shall be based on factors such as changes in job performance; physical symptoms commonly associated with drug usage such as slurred speech, altered motor skills and other changes; changes in attention span or attendance; reports or actual witnessing of possession or use of substances; changes in appetite or sleeping habits; or other mannerisms or behavioral changes which indicate the suspicion of drug usage.

b. The supervisor having reasonable suspicion of the use of alcohol or drugs shall immediately contact the City's Employee Relations Division to arrange for referral for testing.

c. The City shall meet with and inform an employee that, in the opinion of the City, there is a basis for reasonable suspicion and the City's intention to schedule a drug and/or alcohol test. At said meeting, the City shall consider the comments from the employee regarding the matter and shall then make the determination of whether to proceed and require the test.

d. If it is determined, at the sole discretion of the City, that a drug test will be required, the employee shall be immediately escorted to be appropriate facility for tests. The employee shall not be allowed to drive. Prior to transport, the supervisor shall obtain the employee's signature on the "Consent to Perform" and obtain a witness of the signature. Refusal by an employee to submit to said test shall be grounds for dismissal.

e. Pending the results of the test, the employee may be placed on sick leave. If the employee does not have a sufficient sick leave balance, the employee may be placed on annual leave or Absence Without Pay (AWP) when an insufficient annual leave balance exists.

    1) If a sworn police employee tests positive for an illegal substance, the employee shall be dismissed. If a sworn police employee tests positive for a legal substance, the provisions below shall apply.

    2) If an employee tests positive, the employee shall be placed on sick leave (or a medical leave of absence if eligible when there is an insufficient leave balance) and shall be referred to the City's Employee Assistance Program (EAP) for counseling, further drug testing, and/or enrollment in an appropriate program. Upon completion of the program, the City shall require medical substantiation regarding fitness for duty and resolution of drug or alcohol use or dependency

prior to reinstatement from sick leave or the medical leave of absence.

Reinstatement shall be conditioned on continued monitoring and testing to ensure continued and complete recovery. Only one such referral to the Employee Assistance Program shall be permitted. An employee who fails to complete the program or fails to remain in compliance with the program, or who resumes use of said substances after the original reinstatement to work, shall be dismissed.

3) If an employee tests negative, any paid or unpaid leave utilized pending the test results shall be corrected to regular pay status.

4) The City, at its sole discretion, may require testing following an accident or injury. In that event, the procedure provided in (1) (d)-(e) is implemented.

5) The City, at its sole discretion, may require testing prior to promotions in non-bargaining unit positions. In that event, the procedure provided in 1) (d)-(e) is implemented. Additionally, an employee who tests positive shall not be eligible for the promotion.

6) The City may require random testing. Effective with the implementation of a random testing program through the PBA and IAFF Contracts, the non-bargaining / sworn police and fire employees, shall also be randomly tested in accordance with their respective department SOP.

7) Employees whose positions are federally funded and/or subject to the Federal Drug Free Workplace Act shall comply with all requirements of the Act. Notification of this is provided to the applicable individual employees.

CONSENT TO PERFORM

I, _____, consent to a medical examination and the collection of blood and/or urine samples, as requested by the City of Tampa, for the purpose of determining the presence of alcohol and/or drugs, if any.

I furthermore authorize the release of any and all medical information obtained during the examination and testing procedure to the City of Tampa.

I understand that my alteration of this consent form, refusal to consent to or cooperate fully with a medical examination and the collection of the blood and/or urine samples;

or my refusal to authorize release of information to the City of Tampa constitutes insubordination and is grounds for termination.

I also understand that a positive result for the drugs tested may be considered grounds for termination and/or may result in mandatory referral to the City's Employee Assistance Program and required satisfactory completion of any course of treatment prescribed by the EAP.

_____ _____

Employee Signature Date

_____

Witness

City of Tampa Personnel Manual
B. Directives and Benefits
B34. Workers' Compensation - Light Duty

Issue Date:

B34.A Policy

1. It is the policy of the City of Tampa that employees who have had on the job injuries be returned to work as soon as possible with a minimum of lost productivity and associated costs.

2. Modified Duty Coordinator - Each major department shall appoint one (1) member of their departmental safety committee to serve as the Modified Duty Coordinator (MDC). The MDC is responsible for maintaining communication with the physician, the employee, Risk Management, and all other parties involved in the return to work.

3. The Workers' Compensation Light Duty program is intended to allow employees, under the care of a Workers' Compensation physician, to continue or return to work under the following circumstances:

    a. The employee's current job may be modified to accommodate the employee's temporary medical restrictions; or,

    b. The employee may perform other meaningful tasks within the City until being released back to full duty. In the event light duty is being performed outside of an employee’s regular department, the employee shall report to the supervisor assigned by the MDC. Failure to perform light duty assignments shall subject employees to disciplinary action up to and including, dismissal.

4. The Workers' Compensation physician will indicate the work status of the employee on the Physician's Appointment Authorization, DA 36. The DA36 is presented to the department by the employee following the medical examination. If appropriate, the physician will have indicated the status of "light duty" with any applicable restrictions.

    a. When light duty is indicated, the department shall provide light duty work for up to seven (7) working days unless an exception is approved by Risk Management.

    b. If the employee has not been released to full duty by the physician after the seven (7) working days, the department may choose to:

1) Discontinue light duty work and place the employee on Workers' Compensation; or,

2) Extend light duty work for an additional seven (7) working days. This may be appropriate after consultation with the treating physician regarding the expected time for recovery. The Department Director shall have the authority to extend light duty after the first seven (7) workday period. Light duty may be extended for subsequent seven (7) workday periods at the discretion of the Department Director.

5. Exception - This policy does not apply to employees who are sworn police officers or firefighters.

City of Tampa Personnel Manual
B. Directives and Benefits
B35. Management Safety Committees

Issue Date:

B35.A Policy

1. It is the policy of the City of Tampa that departments conduct safety meetings on a regular basis.

2. Management Safety committees shall be organized to review incidents involving employee injury, vehicle damage, equipment abuse and damage, toxic exposure, and damage to citizen property. Committees may also address issues such as unsafe working conditions, safety suggestions, training, and other related safety concerns.

3. Organization - Management Safety committees will be organized in the following departments: Police, Fire, Parks & Recreation, Convention Facilities, Logistics and Asset Management, Mobility, Solid Waste, Water, and Wastewater. A multi-departmental committee will be established for the remaining City departments.

4. Membership - Management Safety committees shall normally not exceed five (5) members. The chair shall be a Division Manager, Major, Chief, or higher, depending upon the departmental structure. The chair shall appoint three (3) additional committee members, and a representative from Risk Management shall also serve as a member.

5. Meetings - Management Safety committees shall meet monthly. The chair shall prepare and distribute to members an agenda prior to each meeting. Committee members may request that a particular item be placed on the agenda prior to the meeting. One member shall be designated to keep brief minutes and distribute these to the committee.

6. Accident Review - Each Management Safety committee will be concerned with the causality, preventability, corrective action, and documentation of accidents. Of particular interest will be lost-time injuries, moving vehicle accidents, serious property damage, and accidents involving possible recklessness or disregard of departmental safety procedures. It shall not be the purpose of the Safety committee to review or recommend discipline.

7. The chair shall, however, document discipline by recording in the minutes any disciplinary action taken by the department as a result of an accident, including

employee payment for equipment or vehicle damage (see B28.1, 6a and/or applicable collective bargaining agreement.

City of Tampa Personnel Manual
B. Directives and Benefits
B36. Vending Machines

Issue Date:

B36.A Policy

1. This policy requires that the operation of vending machines located at employee worksites or City property be authorized and that employees may not benefit from a machine's profits as a result of vending purchases by the general public.

2. The operation of any vending machines(s) at employee worksites shall be with the authorization of the Chief Financial Officer. Said authorization shall include confirmation that compliance with applicable federal, state, and local laws, or requirements are met. The Department of Revenue and Finance shall maintain an inventory of all such vending machines and verify applicable compliance. This will include, but is not limited to, identification numbers, notices, contractual agreements, and payment of sales taxes.

3. Revenue generated by vending machines located at employee worksites shall be collected and deposited to the applicable City revenue accounts.

4. In the event that a vending machine is located at an employee worksite that is restricted to City employees, revenue from the machine may be designated for specified use.

    a. Areas restricted to City employees are areas usually reserved for employee break or meal periods and do not include areas open to the general public. The area must be a location at which non-employees are permitted only with specific authorization, or for City business, which results in only occasional or sporadic use of the vending machine by non-employees.

        1) Employee restricted vending machines(s) shall be designated by the Chief Financial Officer as provided in Section 2 (above) and shall be identified as a restricted use machine only if in authorized operation as of October 1, 1993.

    b. Revenue from restricted use vending machines may be utilized by the designated work unit or department for purposes of funding the recognition of retirements, illnesses, deaths, birthdays, holidays, break room enhancements, and other appropriate use. Records of revenues

and expenditures shall comply with the directives from the Chief Financial Officer.

City of Tampa Personnel Manual
B. Directives and Benefits
B37. Assigned Vehicles

Issue Date:

B37.A Policy

1. Assignment of a City vehicle on a full-time basis is appropriate only when that assignment will improve the delivery of essential and emergency services after the normal operating hours of the employee.

2. A City vehicle may be assigned to an employee on a full-time basis provided:

    a. The employee is regularly recalled to work after normal assigned hours in response to an essential need or emergency situation; or,

    b. The visibility of the City vehicle aids in the normalization of an operation or an emergency situation; and,

    c. The assignment of the City vehicle is consistent with cost efficiency and energy conservation.

3. Vehicle assignments may be altered or revoked at any time at the discretion of the City.

4. The use of vehicles is restricted to City business and travel directly to and from work.

5. The operator of the vehicle must have and maintain applicable state and city operator licenses.

6. The assignment of a vehicle is not an employee benefit or condition of employment.

7. The City and its employees shall comply with all IRS regulations. Procedures for compliance with commuting valuation rules shall be the responsibility of the Chief Financial Officer.

City of Tampa Personnel Manual
B. Directives and Benefits
B38. Workplace Violence

Issue Date:

B38. A Policy

1. Purpose - The City of Tampa maintains a zero-tolerance policy toward workplace violence, or the threat of violence, by and of its employees, customers, the general public, and/or anyone who conducts business with the City. It is the intent of the City to provide a workplace free from intimidations, threats, or violent acts.

2. Definitions

    a. Workplace Violence - Workplace Violence includes, but is not limited to, harassment, threats, physical attack, or property damage.

    b. Threat - A Threat is the expression of an intent to cause physical or mental harm regardless of whether the person communicating the threat has the present ability to carry out the threat and regardless of whether the threat is contingent, conditional, or future.

    c. Physical Attack - Physical Attack is unwanted or hostile physical contact with another person such as hitting, fighting, pushing, shoving, or throwing objects.

    d. Property Damage - Property Damage is intentional damage to property which includes property owned by the City, employees, or others.

3. Prevention - The City subscribes to the concept of a safe work environment and supports the prevention of workplace violence. Prevention efforts include, but are not limited to, informing employees of this policy, instructing employees regarding the dangers of workplace violence, communicating the sanctions imposed for violating this policy, and providing a reporting hierarchy within which to report incidents of violence without fear of reprisal.

4. Security Audit - On an annual basis or whenever the physical layout of a workspace is significantly altered, the Department Director will verify the escape routes of the work area and communicate any changes to employees. On an as-needed basis, the Department Director may request a security audit from the Police Department to determine whether any additional security measures are necessary.

5. Crises Management Team - The Crises Management Team (CMT) consists of the Security Coordinator (Tampa Police Department), the Director of Human Resources & Talent Development (and representatives from the Employee Relations Division), the Department Director, and the Department Manager (of the specific worksite). Representatives from the Employee Assistance Program (EAP), the Legal Department and Facilities Management, will assist the CMT on an as-needed basis. The CMT is responsible for establishing the protocol in the event of a threat or actual violent incident which includes, but is not limited to, evaluating potential violence problems, referring employees for fitness for duty evaluation, coordinating with affected parties such as victims, families, employees, and media, and referring victims for appropriate assistance and required counseling.

    a. Critical Incidents - Critical incidents are those with serious threat or injury that is in progress or appears imminent. Employees shall first call 911 for Police and Fire response and then contact department management. Department management shall then contact Employee Relations to assemble the CMT.

    b. Potential Incidents - Potential incidents are those situations where aggressive behavior, threats, verbal abuse, or inappropriate verbal or physical behavior occurs, and an employee reasonably believes an indication of a potential incident has occurred. All employees are required to report any indications of a potential incident as indicated in Section 6.

6. Reporting - Each incident of violent behavior, whether the incident is committed by another employee or an external individual such as a citizen, must be reported to department management. The department management will contact Employee Relations to assess and investigate the incident to determine if a critical incident is occurring or has the potential to occur.

    a. All employees must openly communicate with each other to be aware of any unusual activity that may identify the potential for or actual occurrence of a violent incident.

        1) Employees who are experiencing or threatened with domestic or non-employment related violence of any type are referred to the Employee Assistance Program for assistance. In the event that the employee believes that they are in danger at the worksite they must notify department management as specified in Section 6 above. Employees who have court ordered restraining orders shall notify department management so that security at the worksite can be assessed.

7. Discipline - Any employee who is determined to have engaged in any act of workplace violence shall be subject to disciplinary action up to and including dismissal, and depending upon the violent act, may be subject to criminal sanctions.

City of Tampa Personnel Manual
B. Directives and Benefits
B39. Computer Use

Issue Date:

B39. A Policy

1. Purpose - Use of the City of Tampa's computer network is for City of Tampa business only and must meet standards as specified in this policy. The City of Tampa provides several information sharing technical services including email, Intranet, and Internet access. Desktop support services include networked office automation, file, and print sharing services. Application support services provide access to both Citywide and departmental applications. When using the City's computer systems, employees agree that they are aware of, understand, and comply with the provisions of this policy and any other policies and procedures established by the City's Technology and Innovation Department.

    a. Usage is restricted to City of Tampa business purposes. The purpose of access and usage is to support and enhance the research and information capabilities of the City and to encourage electronic communications and sharing of information resources within the system, with other network users and the public at large.

2. Acceptable Uses - Acceptable uses of computer resources include:

    a. City of Tampa business purposes only;

    b. Usage conducted in a responsible, efficient, ethical, and legal manner;

        1) When accessing any computer resources, the user automatically confirms their understanding of the policy and guidelines as a condition of receiving access.

        2) The burden of responsibility is on the user to inquire as to acceptable and unacceptable use prior to use.

    c. Only those activities that enhance the ability of the user, increase their productivity, and provide job related information.

3. Unacceptable Uses - Unacceptable uses include, but are not limited to:

    a. Violation of federal, state, or local laws, codes, regulations, departmental or City policy;

1) This includes, but is not limited to, the City of Tampa Ethics Code and B26, No Solicitation.

b. Using profanity, obscenity, or other language that may be offensive or considered harassment;

c. Copying, uploading, or downloading commercial or free software in violation of copyright law and/or software license agreements. All software must receive authorization prior to installation per the Citywide Information Technology Management policy;

d. Any personal use including computer games, access to social media sites for personal use, personal correspondence, or any other non-City activity, as well as for any commercial or illegal activity;

e. Usage that hampers or precludes the City's network performance. This includes the prohibition of access to streaming media of any type (including audio or video), unless specifically authorized;

f. Deliberate attempts to degrade or disrupt system performance or attempting to make unauthorized entry to other City systems or to other networks (hacking, spooking, sniffing, scanning, etc.) are not only prohibited, but may be viewed as criminal activity under applicable state and federal law.

g. Unintentional or non-deliberate usage that degrades or disrupts system performance. Employees must seek appropriate assistance for responsible usage and to avoid inadvertent file deletion, file corruption, or any other system usage that is not within their skill level.

h. Remote file sharing, peer-to-peer or remote access tools are prohibited.

4. Additional Employee Responsibilities - Employees are responsible for learning proper techniques and standards for participation and for understanding that if they misuse the network, they will lose access and are subject to disciplinary action. Particular concerns include issues of privacy, copyright infringement, email etiquette, computer viruses, and intended use of computer resources. Employees must request training as needed and stay current with new tools. The City will continue to offer periodic computer training.

a. Additional policy, procedures and requirement of usage shall be determined by the Technology and Innovation Department and shall be posted on the City's Intranet. Any employee who is issued a password is responsible for adherence to these requirements and any subsequent revisions.

b. Employees shall not insert personal tag lines in their email correspondence. Acceptable tag lines include employee contact information (name, title, and other authorized departmental information) as prescribed in the Email Style Guide.

5. Employee Desktop Security - The employee in whose name access is issued is responsible at all times for its proper use. Employees shall not share their password with any other individual. Only the Technology and Innovation Department security staff has access to passwords.

   a. Employees shall log out of their computer system when they are not in use by using password protected screen savers after a maximum of twenty (20) minutes of inactivity during their work hours and by logging out (shut down) of their system at the end of their workday.

   b. Employees shall be responsible for storing and archiving data in accordance with state and City records retention schedules.

6. Internet Access - Internet Access requires the approval of the Department Director and completion of basic access training.

7. Internet Access Protocol - All access to the Internet, for City purposes or on City equipment, will be performed through the City's Internet services unless authorized by the Technology and Innovation Department. Commercial subscription services shall not be used for City business or on City equipment without approval by the Technology and Innovation Department.

8. Email Messages and Transfer of Information - Email messages and other transfers of information are public records. As public records, retention requirements set forth in Chapter 115, Florida Statues, must be adhered to the same degree as conventional correspondence. The City provides public access to message archives and logs Internet traffic for audit purposes.

City of Tampa Personnel Manual
B. Directives and Benefits
B40. Emergency Conditions and Know Your Role Program

Issue Date:

B40. Policy

1. Purpose - The purpose of this policy is to provide direction regarding employee work assignments and pay status during an impending or declared disaster or declared emergency conditions and, when applicable, during the post-event/recovery period. This includes situations due to severe inclement dangerous weather and other types of emergency situations where this policy will be applied uniformly, regardless of presidential declaration. Departments shall refer to the City's Emergency Operations Plan and Know Your Role Program for execution of response activities and emergency roles.

    a. This policy shall not apply to bargaining unit sworn fire or bargaining unit sworn police personnel.

    b. Seasonal and temporary employees may be assigned duties as needed. This provision also applies to game officials and will be determined by the City of Tampa Emergency Operations.

2. Declaration of Emergency Conditions - The provisions and procedures contained in this policy shall be implemented only upon authorization of the Mayor. Even if other government officials have declared emergency status, this policy applies only when the Mayor has declared emergency conditions. It is recognized that upon declaration of an emergency status, collective bargaining contracts are suspended for the duration of the emergency. This means that the City may suspend timeframes for grievances, seniority, disciplinary actions, processing pay changes, and other personnel transactions until the emergency period is no longer in effect.

3. Job Duties - In order to continue to address the needs of the community in emergencies, and to provide essential services, employees may be temporarily assigned to duties other than the essential functions of their regular position and/or be assigned to work at different jobsites through the Know Your Role Program as designated by the department head. As is the case for all regular and overtime assigned work, employees are subject to disciplinary action up to and including dismissal for failure to report to duty. Failure to report for an emergency assignment (pre-impact, emergency period, and/or post-event/recovery period) shall also subject the employee to disciplinary action up to and including immediate dismissal.

4. Emergency Phases - For purposes of job assignments and pay status, emergency conditions are addressed according to three (3) phases as follows:

   a. Pre-Impact Period - This is the time period prior to the impending emergency. This period includes emergency response preparation activities and preventative measures by the City of Tampa departments in preparing for the impending emergency.

   b. Emergency Period - This is the time period during which emergency response activities and restoration of critical services are conducted to protect life and property and most normal City services are suspended.

   c. Post-Event / Recovery Period - This is the time period during which activities are conducted to restore the City's infrastructure and services to pre-emergency conditions and some City services may be suspended.

5. Employee Emergency Status. All employees shall be assigned to an Employee Emergency Status Group as follows:

   a. Emergency Assigned Employees (Group I) are those employees who are assigned pre-defined emergency roles and duties that require that they report during the Pre-Impact or Emergency periods. This group includes those employees assigned to the Emergency Operations Center (EOC) and the Emergency Response Centers (ERCs) before during, and after an emergency. Dismissal or worksite closure announcements do not apply to these employees unless instructed otherwise.

   b. Non-Emergency Assigned Employees (Group II) are those employees who are not required to work during the pre-impact or emergency periods when normal City services have been suspended, however, are pre-assigned continuity of operations and/or emergency support functions in their department, typically responding as services are restored.

   c. Post-Event Assigned Employees (Group III) are the remainder of employees not previously assigned a specific role or function but are required to be available when recalled/notified. Employees may be temporarily assigned to duties other than the essential functions of their regular position, and/or be assigned to work at different jobsites.

6. Pre-Impact Period - The determination to close worksites either entirely or partially, and/or to implement disaster/emergency duties for City employees is at the sole discretion of the Mayor. Accordingly, the Mayor may determine that

non-emergency employees at all or certain worksites are to have an early work dismissal, later work arrival, or site closure for one or more work shifts.

a. Individual Leave Requests for Family Obligations - Individual employees may face special family situations (i.e., when employees are expected to report or remain at work but schools open late, are closed, or close early and no alternative childcare is available, or the appropriate FMLA paperwork has been filed with the Director of Human Resources & Talent Development). If an employee is not designated to report for emergency duty work, supervisors are advised to be flexible to the extent possible and approve annual leave for the employee to handle the situation. If employees are designated to report for emergency duty work, the Department Director may authorize, up to the end of the employee's current shift, paid time to make the appropriate family arrangements prior to reporting to the emergency duty work assignment.

b. Early Work Dismissal - Employees will be informed by their supervisor in the event that an early work dismissal has been authorized by the Mayor. Supervisors shall not permit employees to be dismissed without verification through the Department Director that authorization by the Mayor has occurred. Rumors or announcements by unauthorized personnel shall not be considered to be a factual basis for this determination.

c. Worksite Closure or Late Work Arrival - If known prior to the employee's departure from work, employees will be informed by their supervisor in the event that their worksite will be closed or will be utilizing a late work arrival time. Supervisors shall not inform employees of information without verification through the Department Director that authorization by the Mayor has occurred. Rumors or announcements by unauthorized personnel shall not be considered to be a factual basis for this determination.

d. Pre-Impact Pay Status

1) Non-Working Employees - Employees who are authorized to be dismissed from work due to an early work dismissal, late work arrival, or other closing of the worksite, shall receive regular pay for all hours not worked during their regularly scheduled shift.

a. Employees directed to NOT report to work (or to cease work during the day) as specified in "b" and "c" below, shall be recorded as Emergency Duty Relief (EDR) on the

payroll. No deductions are made from the employees' leave accounts.

b. Determination of EDR status shall be made on a frequent basis and shall not exceed a maximum of three (3) workdays, except under extraordinary circumstances as determined by the Mayor.

c. Employees who are on sick leave or annual leave status during the EDR status period, shall remain on the sick or annual leave status and shall not be eligible for EDR.

d. Employees on normal day(s) off shall not receive EDR pay.

2) Working Employees

a. Employees who are required to work during the EDR status shall receive EDR pay for the equivalent time period and shall be paid for all hours actually worked. Hours actually worked shall be indicated as Emergency Duty Work (EDS - Emergency Duty Overtime - 150%).

b. Only those employees required to work in support of emergency response activities shall be authorized to work. Authorization is also required for those employees recalled/notified to work post-event/recovery.

c. Compensation for the hours actually worked as Emergency Duty Work (EDW) will be paid at their normal pay rate and the appropriate overtime rate if all other assigned hours are worked during the week of the emergency. There is no guaranteed number of work hours during an emergency. Employees are relieved from emergency work at the earliest opportunity. Emergency Duty Relief (EDR) and Emergency Duty Work (EDS, EDO) count as hours worked for purposes of calculating overtime.

d. The appropriate overtime rate referenced above shall be the overtime rate determined by the applicable overtime policy depending on the employee's type. However, for purposes of this policy only:

1) Supervisory employees (Grade "S"), professional or technical employees (Grade "N"), Police

Lieutenants (Grade P-14) shall receive payment at 100% of their rate of pay (straight time) rather than the crediting of compensatory time as provided in B4.1.

2) Managerial and appointed unclassified employees shall be credited Emergency Duty Bank (EDB) time which provides compensatory time equivalent to 100% straight time for the additional hours worked rather than no credit as provided in B4.1

Exception: Administrators and Department Directors shall not be eligible and shall not receive any additional compensation or compensatory time credit for additional hours worked.

7. Emergency Period - Work assignments and pay status shall be implemented during the Emergency Period as provided in the Pre-Impact Period specified above.

8. Post-Event / Recovery Period - If some City services remain suspended during the post-event/recovery period, an employee must be working at their designated City position, a designated official post-event/recovery assignment through the Know Your Role Program or be on approved leave to receive pay.

   a. In the event that an employee is unable to report for their assigned recovery duties, the employee must contact their direct supervisor to request approval of annual leave (or leave without pay if annual leave is exhausted).

   b. An employee that fails to report for post-event/recovery assignments will not receive pay beyond the maximum specified as EDR on the payroll and may face disciplinary action up to and including dismissal for failure to report to duty for a post-event/recovery period assignment.

9. Emergency Information - Information regarding the City's status during all emergency phases (pre-impact, emergency, and post-event/recovery periods) will be communicated via the City's Emergency Alert Line (EAL), 813-232-6865. In addition, notices to employees regarding recall notifications, assignment locations, and return to work, will be communicated via the EAL and/or the supervisor.

Additionally, the primary Emergency broadcast System (EBS) stations are WYNF (94.9 FM), WRBQ (1320 AM and 104.7 FM), and WFLA (970 AM), although most television/radio stations remaining in service will be providing essential emergency information to the community. In addition to calling the EAL, employees are encouraged to monitor these stations for instructions regarding the City's status, including work closures and work re-opening, as well as information regarding employee recall notifications, assignment locations, and return to work. In the event of conflicting or uncertain information, employees must confirm information with their supervisors.

10. Sworn Fire / Sworn Police - As stated in Section 1(a) above, this policy shall not apply to bargaining unit sworn fire or bargaining unit sworn police personnel, provided however, that specialized payroll coding, designating work hours as emergency assignments, shall be used to indicate all hours worked for accounting purposes. These codes are "ESS" (Emergency Sworn Straight Time - 100%) and "ESO" (Emergency Sworn Overtime - 150%).

11. Emergency Mutual Aid - The pay status for employees as provided herein may apply to specified Emergency Mutual Aid assignments at the direction and discretion of the Mayor. Prior to assigning employees to Emergency Mutual Aid duties the Department Director shall confirm the authorization for special payment and shall utilize the applicable payroll codes as designated for that purpose.

City of Tampa Personnel Manual
B. Directives and Benefits
B41. Cellular Phone Policy and Personal Digital Assistant (PDA) Policy

Issue Date:

B41.A Cellular Phone Policy

1. Purpose - The policy governs the use of City-owned or personal cellular telephones Mobile Devices for business purposes and defines the appropriate use and security configuration of personal devices that are granted access to the City of Tampa network and computer systems. All mobile devices that connect to any City of Tampa system must be enrolled in the City of Tampa's mobile device management (MDM) and have active endpoint security protection.

    a. Usage is restricted to City of Tampa business purposes. The purpose of access and usage is to support and enhance the research and information capabilities of the City and to encourage electronic communications and sharing of information resources within the system, with other network users and the public at large.

    b. Employees are reminded that communications and related actions are subject to public records requirements pursuant to applicable statute.

2. Acceptable Uses - Acceptable uses of cell phone resources include:

    a. City of Tampa business purposes only;

    b. Usage conducted in a responsible, efficient, ethical, and legal manner;

        1) When accessing any computer or phone resources, the user automatically confirms their understanding of the policy and guidelines as a condition of receiving access.

        2) The burden of responsibility is on the user to inquire as to acceptable and unacceptable use prior to use.

    c. Only those activities that enhance the ability of the user, increase their productivity, and provide job related information.

3. Unacceptable Uses - Unacceptable uses include, but are not limited to:

    a. Violation of federal, state, or local laws, codes, regulations, departmental or City policy;

        1) This includes, but is not limited to, the City of Tampa Ethics Code and B26, No Solicitation.

b. Using profanity, obscenity, or other language that may be offensive or considered harassment;

c. Copying, uploading, or downloading commercial or free software in violation of copyright law and/or software license agreements. All software must receive authorization prior to installation per the Citywide Information Technology Management policy;

d. Any personal use including mobile games, access to social media sites for personal use, personal correspondence, or any other non-City activity, as well as for any commercial or illegal activity;

e. Usage that hampers or precludes the City's network performance. This includes the prohibition of access to streaming media of any type (including audio or video), unless specifically authorized;

f. Deliberate attempts to degrade or disrupt system performance or attempting to make unauthorized entry to other City systems or to other networks (hacking, spooking, sniffing, scanning, etc.) are not only prohibited, but may be viewed as criminal activity under applicable state and federal law.

g. Unintentional or non-deliberate usage that degrades or disrupts system performance. Employees must seek appropriate assistance for responsible usage and avoid inadvertent file deletion, file corruption, or any other system usage that is not within their skill level.

h. Remote file sharing, peer-to-peer or remote access tools are prohibited.

4. Additional Employee Responsibilities - Employees are responsible for learning proper techniques and standards for participation and for understanding that if they misuse the network or City cellphone, they will lose access and are subject to disciplinary action. Particular concerns include issues of privacy, copyright infringement, email etiquette, computer viruses, and intended use of cellphone or other related resources.

   a. Additional policy, procedures and requirements of usage shall be determined by the Technology and Innovation Department and shall be posted on the City's Intranet. Any employee who is issued a password is responsible for adherence to these requirements and any subsequent revisions.

B41.B Personally-Owned (BYOD - Bring Your Own Device)

1. Qualified, eligible individuals with a Personally owned device which meets T&I standards will be allowed to connect to City of Tampa business applications. T&I will provide basic instructions to connect to these services and limit support to that end only. Regular monthly service fees may not be expensed back to the City of Tampa. All other questions regarding costs, coverage, service, or support, should be directed to the individual's contracted carrier. If using a personally owned device, be advised that connectivity to corporate data comes with guidelines. As with any technology, the employee is expected to protect City of Tampa data and remain vigilant in regard to the use of mobile applications.

    a. Employees are reminded that communications and related actions are subject to public records requirements pursuant to applicable statute.

2. Eligibility

    For individuals to use a Personally-Owned mobile device, they need to be an employee or business partner with City of Tampa in good standing with an active City of Tampa Active Directory user account and a device that meets our minimum security standards. Any exceptions to the criteria below must be reviewed and approved by T&I Security. As with new access to systems via any device, individual users must acknowledge and sign the End-User Agreement. Examples of individuals who can use a personal device to connect to City of Tampa Systems:

    a. City of Tampa employees (remote and telework);

    b. City of Tampa affiliated partners;

    c. Contract employees conducting City business who cannot access systems without this technology.

3. Security

    Employees who use a Personally-Owned device must comply with all provisions of City of Tampa information security policies.

4. <u>Application of City of Tampa Policies</u>

    All City of Tampa policies, including public records compliance and retention, apply to Personally-Owned mobile device users when using a Personally-Owned mobile device:

a. To access City of Tampa's information or information systems;

b. To conduct City of Tampa business, and;

c. While on City of Tampa premises.

5. Additional Employee Responsibilities - Employees are responsible for learning proper techniques and standards for participation and for understanding that if they misuse the network via a personal cell phone, they will lose access and are subject to disciplinary action. Particular concerns include issues of privacy, copyright infringement, email etiquette, computer viruses, and intended use of network or other related resources.

   a. Additional policy, procedures and requirement of usage shall be determined by the Technology and Innovation Department and shall be posted on the City's Intranet. Any employee who uses a personal device to access City resources is responsible for adherence to these requirements and any subsequent revisions.

City of Tampa Personnel Manual
B. Directives and Benefits
B42.1 Social Media and Media Relations Policy

Issue Date:

B42.A Policy

1. Purpose - The City of Tampa supports social networking and social media usage to address the fast-changing Internet and the way employees and citizens communicate and obtain information. The City of Tampa encourages the use of official social media accounts managed by department/division communications coordinators to further the goals of the City and the missions of its department/divisions when and where appropriate. Furthermore, the City supports providing clear, accurate, and timely information to the public through traditional news media, which can include but is not limited to, television news, newspapers, digital publications, radio, and pod casts. This policy establishes the utility and management of social media and the approval process needed to conduct media interviews on behalf of or in relation to the City.

2. Official Social Media Use - The City will maintain social media sites or online forums that allow for open communication and interaction with members of the public.

    a. The City's social media participation will be determined in conjunction with the Marketing and Communications Department in order to maintain the integrity of the City's overall communication strategies and programs.

    b. The Marketing and Communications Department will establish accounts over various platforms of social media limiting participation in order to maintain the quality of the City's presence in the digital arena.

    c. The Marketing and Communications Department will maintain the City's list of social media accounts, as well as the list of employees granted permission to post information on behalf of the City.

    d. No City department or division is authorized to create or maintain social media accounts on behalf of the City without the approval of the Marketing and Communications Department.

3. Professional Social Media Use - Each division and/or department should submit information and updates to the Marketing and Communications Department for posting on the City's Twitter account, Facebook page, or other social media sites. Departments and divisions are encouraged to submit information of value to City residents and the public including upcoming events,

programs, and projects. All submissions should attempt to encourage and direct the targeted audience to visit tampa.gov for additional information and, if possible, provide a link.

4. Personal Social Media Use - As public employees, all City employees must be aware of their City association when using social media sites. Employees are reminded that City policy B39 Computer Use specifically precludes the use of email, Internet, and City equipment for personal purposes and the City monitors equipment for such use. Additionally, personal business is not to be conducted on City time.

    a. Employees shall not post, transmit, or otherwise disseminate any information obtained as a result of their employment without written permission of the Director of Marketing and Communications.

    b. Employees, as private citizens, may comment on social media sites regarding issues of general or public concern to the degree that their speech does not impair efficient service, hinder the performance of duties, impede discipline, negatively affect harmony among co-workers, undermine public perception of the City, or embarrass the City.

    c. In order to distinguish posts as personal, employees are strongly encouraged to use a reasonable disclaimer such as "The postings on this site are my own and do not represent the City of Tampa's mission statement, strategies, or opinions."

    d. Employees are expected to conduct themselves in a respectful manner, including the use of social media. Any issues that arise in the workplace from an employee's personal use of social media will be handled according to applicable City policy. As an example, any harassment, bullying, or retaliation against a co-worker that would not be permissible in the workplace is not permissible between co-workers online, even if it is done off-duty from home and/or on personal devices.

5. Public Record - Any social media activity that involves the posting or discussion of City of Tampa-related matters online may make the communication subject to Florida's Public Record Law.

6. Media Relations - One of the major functions of the Marketing and Communications Department is to provide clear, accurate, and consistent information to the media and the public. In order to do this, cooperation from all employees and departments is required. Employees must:

a. Direct any media inquiries or any contact with the news media to the respective communications coordinator within their department/division and/or directly to the Marketing and Communications Department.

b. Statements, interviews, or information on behalf of the City of Tampa, or in relations to the City department/division, should not be given to the media by anyone other than the Mayor, administrators, department / division directors, or a department's designee unless directed to do so by the aforementioned.

c. In the event that the media directly contacts an employee (i.e., phone call, voicemail, email, text message, or via social media) the employee should contact the communications coordinator within their department/ division or the City's Marketing and Communications Department requesting that a communications representative follow up with the media on their behalf.

d. In all circumstances, it is important to treat members of the media with courtesy and respect and to represent the City of Tampa in a professional manner.

e. If the Marketing and Communications Department asks a City employee to provide media information, the employee should make their best effort to respond within the time requested by the Marketing and Communications Department.

City of Tampa Personnel Manual
B. Directives and Benefits
B43.1 City Dress Code

Issue Date:

B43.1A Policy

1. Purpose - Employees of the City of Tampa are expected to maintain high standards of personal hygiene and present an appearance that is in good taste, consistent with the duties of their respective positions, and in conformance with City of Tampa standards at all times during their working hours. This policy will provide guidelines for employees with regard to appearance and dress, including when wearing apparel with the City of Tampa insignia, name, or logo, in a professional business manner.

2. The City of Tampa expects all employees to choose apparel appropriate for the job to be performed, in good taste, and compliant with all guidelines.

3. Generally, business casual attire is expected of City employees. Collared dress shirts or polo shirts, and khakis or dress slacks are preferred. Departments may approve the wearing of jeans that are free from rips, tears and fraying for daily wear based on operations.

    a. Departments may require a modified dress code based on job duties, events, or assignments. This may include business attire (suits, dress shirt, etc.), uniforms, City or Department-identified shirts, safety equipment or apparel, or athletic apparel.

4. For all employees, the following guidelines for attire shall apply:

    a. All clothing should be neat and clean, and free from profanity, questionable logos, or obscene images.

    b. Clothing must be free from tears, holes, and any patches or emblems.

    c. Sleeveless tops, halter tops, or tank tops with thin straps must be covered with a blazer, jacket or sweater.

    d. All clothing shall be appropriate length and shall not be sheer, transparent or revealing, to include tops, pants and skirts or dresses.

    e. Athletic wear, sweatpants, yoga pants and leggings are not permitted, unless specifically required based on job duties or assignment.

    f. Camouflage or fatigue wear is not permitted.

5. Approved Footwear - Unless footwear is provided by the City, as provided in collective bargaining agreements or departmental policies, all footwear shall be clean and should be sturdy, stable, and safe. The following items are prohibited, unless specifically approved by the department based on job duties or assignment:

    - Flip-Flops of any kind, unless appropriate to job duties and approved by the department;

    - Beach or water shoes.

6. Casual Days - On those days determined by the Department Director to be dress down or casual days, clothing worn should be appropriate for the job performed. Employees must abide by their departmental office standards and use good taste.

7. Restrictions - Employees may be given additional dress code restrictions by their department for safety and/or uniform reasons, and based on job duties, event or assignment. When an employee's dress, appearance, and/or grooming could create a potential safety hazard to themselves or others or does not comply with this or specific departmental policies, the supervisor may require the employee to go home and modify their dress. Refusal or failure of the employee to do so will be considered a violation of this policy and disciplinary action may be imposed, up to and including, dismissal.

City of Tampa
B. Directives and Benefits
B44.1 Telework Program Policy

Issue Date:

B44.1A. Purpose

1. Telework is an arrangement that allows eligible City of Tampa (City) employees to work in a designated area – an alternative worksite – outside the office. Telework is a cooperative arrangement between employees, supervisors, and employing departments. Telework may be discontinued at any time with little or no notice at the discretion of the City or the department director. The purpose of this policy is to implement a telework program within the City and provide direction on the requirements and proper application of the program.

   Telework benefits employees, departments, and the community. Benefits include:

   - Ability to function during an emergency when the regular worksite is inaccessible.
   - Increased productivity.
   - Efficient use of City resources, including office space.
   - Recruitment and retention of highly qualified employees.
   - Greater flexibility for employees and departments.
   - Improved employee morale and job satisfaction.
   - Reduced employee absenteeism.
   - Reduced employee commute time and costs.
   - Decreased energy consumption, air pollution, traffic and parking congestion, and transit overcrowding.

2. Application.
   a. This policy applies to all department positions which have been approved to telework by the Administration. This policy does not apply to the employees of contractors of the City.
   b. Telework does not include, and this policy does not apply to:
      - Duties and responsibilities that, by their nature, are considered remote work performed routinely in the field, away from the department worksite.
      - Performance of required work duties while traveling for City business.

- Occasional, pre-approved performance of required work duties away from the department worksite.

3. Policy

   a. General

      1) **Telework is a privilege, not a right, and is voluntary**. All City employees who telework must have an approved Telework Agreement under this policy. A City department may have additional telework requirements, guidelines, or procedures, provided they are consistent with the intent of this program and are approved by the Human Resources Department.

      2) Telework does not change the duties, obligations, responsibilities, or terms and conditions of City employment. Telework employees must comply with all City rules, policies, practices, and instructions.

      3) A telework employee shall only perform City work during scheduled telework hours. Employees may not engage in activities while teleworking that would not be permitted at the department worksite, such as child, elder, or other dependent care, or conducting personal business or performing work for other employers. Such outside activities must only be conducted outside of work hours.

      4) Employees may be removed from the Telework Program if they do not comply with the terms of their Telework Agreement. A manager or department director may deny, end, or modify a Telework Agreement for any business reason that is not arbitrary or capricious. Similarly, a telework employee may end or request to change a Telework Agreement but must provide thirty (30) days notice to management.

      5) The Telework Program is intended to be cost neutral. The City is not required to provide telework employees with materials or supplies needed to establish an alternative worksite (desk, chair, computer, software, cell phone, fax, copier, etc.), and assumes no responsibility for set-up or operating costs at an alternative worksite (telephone or internet services, etc.).

      6) Departments have the sole discretion to provide work-required equipment, software, or supplies, or allow employees to use their personal equipment while teleworking. Departments providing equipment, software, or other supplies to teleworking employees must reasonably allocate those resources based on operational and workload needs.

7) All City rules regarding the use of computers and the internet apply while an employee is teleworking, regardless of whether the employee is using City-provided or personal equipment. City-provided equipment and personal equipment used for teleworking shall be subject to Chapter 119, Florida Statutes, Public Records.

8) Each department shall establish and track proven performance measures that support Telework Program analysis. Department supervisors will validate performance metrics and report data to their respective managers/directors. Managers should review to determine if performance measurements are being met.

b. Eligibility

1) Eligibility for teleworking is based on the role/position eligibility and the employee eligibility job. Not every job, or every employee, is well suited for teleworking. Managers and supervisors are encouraged to look at specific job duties, flexible scheduling and other alternatives which can be key to allowing a City employee to be eligible for telework. Department Directors will make the final determination on roles/positions suitable for teleworking. In the event an employee violates the teleworking policy and/or the Telework Agreement, they shall become ineligible.

2) Department administrators are responsible for the annual identification and update of positions that are considered eligible for telework, with assistance from the Human Resources Department, no later than June 30 of each year.

3) In addition, department administrators shall update positions to reflect those employees that are working under a current Telework Agreement.

4) Human Resources will create and maintain a master list of all employees who are teleworking as provided by the departments and will make the list available upon request.

Position eligibility. An employee's position may be suitable for telework when the job duties include but are not limited to:

- Are independent in nature.
- Have limited in-person public interaction at the regular worksite.
- Are primarily knowledge-based.
- Lend themselves to measurable deliverables.
- Do not slow down critical on-site workflow.

- Do not handle secure materials determined to be inappropriate for telework.
- Can be done on certain days/times to allow the employee to telework.
- Do not require hands-on installation and maintenance of infrastructure.
- Do not require in-person field checks and/or on-site inspections.
- Do not require transporting members of the public or being a first responder.
- As determined by the Administration.

Even if a position at times includes some of the above duties, that may not mean all work duties are required to be done in person. Supervisors are again encouraged to think creatively when weighing which work duties may or may not be eligible for teleworking.

No new positions will be created as a result of flexible scheduling and teleworking arrangements.

Employees who are undergoing disciplinary action, on show cause or are subject to the Performance Improvement Program, are not eligible to telework. Furthermore, only employees who have worked for the City for a minimum of six months shall be eligible to participate in the Telework Program.

4. Types of Telework

a. Required Telework. Required Telework is an alternative work arrangement in which the City department requires an employee to telework, on a full or part-time basis, as part of normal business operations, which is usually due to a declared emergency or extreme weather event.

b. Voluntary Opt-In Telework. Voluntary Opt-In Telework is an alternative work arrangement where an employee requests authorization to work away from the department worksite on a regular basis for a period of time. Optional Telework is voluntary and must be mutually agreed upon by the employee and department management. Upon a request by the employee to telework, or to modify the telework arrangement, the department shall notify the employee in writing whether the request to telework is approved or denied. An employee may request to cancel the telework arrangement by providing thirty (30) days notice.

c. Temporary Telework. Temporary Telework is an alternative work arrangement in which an employee is directed to telework in response to circumstances affecting City or department business operations or is

permitted to telework to meet the employee's temporary need. A temporary telework arrangement will last no more than 30 consecutive workdays unless extended by the department administrator. Upon a request by the employee to temporarily telework, or to modify the telework arrangement, the department shall notify the employee in writing whether the request to telework is approved or denied. An employee may request to cancel the temporary telework arrangement at any time.

5. Participation in the Telework Program

   a. The City Telework Program is voluntary for employees in eligible positions as determined by management.

   b. Alternative worksites must be approved by the department director or administrator and may not be changed without prior written approval. Employees shall provide any reasonably requested information regarding the alternative worksite, including providing pictures of the alternative worksite.

   c. Employees in positions which have been approved to telework are subject to the same rules regarding attendance, leave, performance, discipline, and other employment requirements outlined in the City's Personnel Manual and/or respective collective bargaining agreement.

   d. Telework will not adversely affect an employee's eligibility for advancement within the department or any other employee right or benefit, provided the employee remains in compliance with the Telework Agreement.

   e. Upon reasonable notice, teleworking employees may be required to report to the department worksite for scheduled training, meetings or other activities as determined by management which require the employee's physical presence. Additionally, teleworking employees must be able to report to the department worksite within 1.5 hours of notification, or as otherwise agreed to by the department and employee in the Telework Agreement.

   f. Teleworking employees shall be compensated for all pay, leave, overtime and travel reimbursement (if applicable) as if duties were performed at the department worksite.

   g. In the event a City office or facility, or any portion thereof, is closed due to a non-emergency or non-disaster condition, teleworking employees who are assigned to that office or facility shall continue to perform their assigned work duties at the approved alternative worksite during the closure. Teleworking employees will not be impacted by such closures.

   h. Teleworking employees who are unable to perform work at the alternative worksite due to circumstances beyond their control, such as a power outage or loss of internet access, must immediately notify their supervisor

and follow department standard operating procedures if they are unable to perform work. Employees may be required to return to the department worksite, or take paid or unpaid leave, if inoperability circumstances persist for more than one hour. If a teleworker is required to return to the department worksite, the commute time will not be considered as "on-duty" time.

i. The City or department director may terminate any employee's telework arrangement and require the employee to return to the department worksite if the employee violates the Telework Agreement, or the policies or procedures of the City or the department.

j. Teleworking employees may not conduct in-person meetings at their personal residence with persons requesting or receiving services from the City. Additionally, teleworkers may not use their alternative worksite to receive official correspondence or packages intended for City use. Any violation of these provisions will result in immediate termination of the Telework Agreement and corrective action. Teleworking employees also shall not permanently publish personal addresses and phone numbers on City websites, stationery, correspondence and email contact information.

k. The City may terminate a Telework Agreement if there are issues at the alternative worksite that prevent the employee from effectively performing their job duties and/or maintaining satisfactory levels of work productivity.

l. When participating in a Teams, Zoom or other video conferencing platform while teleworking, employees are expected to maintain a professional appearance and conduct themselves in a professional manner as if they were working in the office. Teleworking employees should be prepared to have their computer camera turned on when requested and/or when conducting City business.

6. Telework Agreement - A Telework Agreement must be completed for all telework arrangements. The Telework Agreement must be approved by the department director or manager in accordance with the City's Telework Procedures.

7. Work Hours - All the rules applicable at the department worksite are applicable while teleworking. Time accounting should be included in the Telework Agreement. Employees should only work overtime when requested by their supervisor or pre-approved by their supervisor.

8. Alternative Worksite

a. A telework employee must designate a work area suitable for performing official business. The employee must perform work in the designated area of the alternative worksite(s) when teleworking in accordance with the Telework Agreement. Requirements for the designated work area will

vary depending on the nature of the work and the equipment needed and may be determined by the department.

b. Telework employees must work in an environment that allows them to perform their duties safely, efficiently, and free from interruptions. Employees are responsible for ensuring their work areas comply with all health and safety requirements listed below. The department will request photographs of the employee's designated work area to determine compliance with health and safety requirements.

c. Worksite must have adequate lighting and space to move around and work comfortably, clear and unobstructed access and walkways, operating smoke detectors, and practice child and pet safety in all work areas.

d. Employees may be covered by workers' compensation laws when performing work duties at their designated alternative worksite during regular work hours. Employees who suffer a work-related injury or illness while teleworking must notify their supervisor, follow all City injury procedures that are in place and complete all required documents immediately.

e. The City is not liable for damages to an employee's personal or real property while the employee is working at an alternative worksite.

f. An alternative worksite must be no farther than an hour and a half (1.5 hours) commute from the department worksite or otherwise documented in the Telework Agreement.

g. When working at the alternative worksite, an employee must annotate their Outlook calendar with "Teleworking" and "Show as: Working Elsewhere" (setting in Outlook rather than Free, Busy, or Out of Office) on scheduled telework days.

9. Equipment and Supplies - A telework employee must identify the equipment, software, supplies, and support required to successfully work at an alternative worksite and must specify those items in the Telework Agreement. If the department does not provide the needed equipment, software, supplies, or support, and the employee does not have them, the employee will not be eligible to telework.

a. City Equipment

1) Equipment, software, and supplies provided by the City are for City business only. The teleworking employee is required to prevent unauthorized or accidental access, use, modification, or destruction to City equipment.

2) A telework employee does not obtain any rights to City equipment, software, or supplies provided in connection with teleworking. The employee must immediately return all City equipment, software,

and supplies at the conclusion of the telework arrangement or at the department's request.

3) A telework employee must protect City equipment, software, and supplies from possible theft, loss, and damage. The telework employee may be liable for replacement or repair of the equipment, software, or supplies in compliance with applicable laws on negligence or intentional conduct in the event of theft, loss, or damage.

4) Any equipment, software, and data provided by the City shall remain the property of the City. A telework employee must adhere to all software copyright laws and may not make unauthorized copies of any City-owned software or data. Employees may not add hardware or software to City equipment without prior written approval.

5) Office supplies will be provided by the City as needed. Teleworkers will be expected to pick up supplies during a regularly scheduled time at the designated department worksite. Any other arrangements must be pre-approved by management. Any City materials taken to a remote work site should be kept in the designated work area and not used by others. Employees using private funds will not be reimbursed for any supplies purchased without proper authorization.

b. Personal Equipment

1) If personal equipment is used for teleworking, it must be configured to comply with the City's Information Technology Policy and Security Standards and meet the minimum requirements for accessing City systems and be approved by the City.

2) Employees who use their personal equipment for telework are responsible for the installation, repair, and maintenance of the equipment and may not hold the City responsible for damage to the software or hardware. Additionally, employees must have a basic functional knowledge of any personal equipment being used to complete their assignments and the ability to recover from common hardware and software issues.

3) Telework employees must understand and agree that the City is entitled to, and may access, any personal equipment used while teleworking, such as a personal computer, telephone, and internet records.

4) Employees must contact their supervisors if equipment, connectivity, or other supply problems prevent them from working while teleworking.

5) No employee may use their personal telephone(s) to contact department customers, job applicants, or external partners, except as approved by department management.

6) Teleworkers must maintain a home internet service with sufficient upload and download speeds capable of supporting all required job duties and responsibilities. Teleworking employees will be responsible for using personal leave in the event of a service interruption, power outage, or if there is no remote work available. The Department will not provide or reimburse the cost of any equipment, installation fees, or monthly service charges for teleworkers to have the required internet connectivity.

10. Security of Confidential Information

a. All files, records, papers, or other materials created while teleworking are City property. Telework employees and their supervisors shall identify any confidential, private, or personal information and records to be accessed and ensure appropriate safeguards are used to protect them. A department may require employees to work in private locations when handling confidential or sensitive material. Departments may prohibit employees from printing confidential information in telework locations to avoid breaches of confidentiality.

b. Employees may not disclose confidential or private files, records, materials, or information, and may not allow access to City networks or databases to anyone who is not authorized to have access. Employees who are found to misuse sensitive information illegally shall be prosecuted.

11. Public Records

Teleworking employees must be aware of and comply with the requirements of the Florida Public Records Act, Chapter 119, Florida Statutes. A public record includes all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of physical form, characteristic, or means of transmission, made in connection with the transaction of official City business. Public records must be made available for public disclosure and copying. Teleworking employees shall coordinate with their supervisors regarding any requests for public records in the employee's possession, and shall provide such records as soon as possible, in conformance with the Public Records Act. If the documents contain exempt or confidential information and require redactions, the teleworking employee or the employee's supervisor shall discuss the needed redactions with the City's public records custodian. Upon request, teleworking employees must release public records that are in their custody, including public records that reside on the teleworker's personal computer (or other personal device) located at the employee's residence. Original documents (such as boxes from

storage or paper files) should not be taken home with employees as they can be subject to destruction prior to meeting retention schedules.

12. Telework Program Application Procedures

a. Employees must complete the following steps before teleworking:

1) Talk with the supervisor to determine eligibility.

a. Read and agree to the Telework Program Policy.

b. Read and agree to comply with the Telework Technical Guidelines.

c. Acknowledge and agree to following the criteria of an alternative worksite.

2) Complete the telework application and agreement form as required by the department.

3) Receive approval of the Telework Agreement in accordance with the City/department's approval process.

b. Denial of Application

1) The City's Telework Policy and Program is not subject to any review or appeal procedures, except as noted in this section.

2) An employee who believes the telework application has been denied for arbitrary or capricious reasons may appeal the decision to the department head or designee. The decision of the department head or designee is final.

c. Enforcement/Penalties for Non-Compliance - Non-compliance with any term or condition of this policy or associated procedures may result in termination of the Telework Agreement and/or corrective action in accordance with the City's Personnel Manual.

d. Contractual Agreements - No employee participating in the City's Telework Program shall be required to comply with any provision of the program which is in direct conflict with any collective bargaining agreement or other City employment agreement or contract.

e. Income Tax - It is the employee's responsibility to determine any tax implications of maintaining a home office area. The City will not provide tax guidance, nor will the City assume any tax liabilities. Teleworkers are encouraged to consult with a qualified tax professional to discuss tax implications.

13. City of Tampa Telework Committee

A Telework Committee will be established and maintained to address facets of the telework program that include, but are not limited to, the policy, implementation and execution, program evaluation, operational security,

management of teleworkers, telework tools, productivity, operation costs, employee morale, retention and recruitment. The Committee will be co-chaired by Human Resources and Technology and Innovation and comprise of representatives from all departments. Meetings will occur no less than once a quarter.

14. Definitions:

Alternative worksite is generally considered an employee's approved telework site, or, for a remote worker, the approved remote site (e.g., an employee's residence).

Department worksite refers to an official City location where work activities are based, generally considered a centralized location of an employee's assigned organization. The term regular worksite is also used to describe department worksite.

Mobile work is work which is characterized by routine and regular travel to conduct work in customer service or other worksites as opposed to a single authorized alternative worksite. Examples of mobile work include site audits, site inspections, investigations, property management, and work performed while commuting, traveling between worksites, or on Temporary Duty (TDY).

Non-emergency or non-disaster condition is an interruption of utility or other services to an office or facility, or any portion thereof (e.g., electricity, water, heating, air conditioning, etc.), or an activity or event occurring within an office or facility (e.g., painting, extermination services, fire, water leak, etc.), that could temporarily disrupt normal business operations.

Remote work is an arrangement in which an employee, under a written remote work agreement, is scheduled to perform their work at an alternative worksite and is not expected to perform work at a department worksite on a regular and recurring basis. A remote worker's official worksite may be within or outside the local commuting area of a department worksite.

Official worksite is the department worksite for most employees, including a teleworker. For a remote worker, the official worksite is the alternative worksite to which the department and the employee agreed (e.g., the employee's residence). The official worksite is generally the location of an employee's duty station as documented on an employee's contract/agreement.

Telework is an arrangement in which an employee, under a written telework agreement, is scheduled to perform their work at an agency worksite on a regular and recurring basis. The term "telework" is considered to be synonymous with "telecommuting".

CITY OF TAMPA

CIVIL SERVICE LAW

CHAPTER 24927, LAWS OF FLORIDA

AS AMENDED TO

JULY 1, 1981

INDEX Z1. CIVIL SERVICE LAWS

	SECTION
Approval of City Employees; Classification	12
Civil Service Board; Continuation of Existing Board And Election of Future Members	2
Civil Service Board, Creation; Membership	1
Civil Service Board, Employment of Personnel	10
Civil Service Board, Organization; Selection of Chairman and Vice-Chairman	4
Civil Service Board, Powers; Subpoena; Quorum; Contempt	7
Civil Service Board, Qualifications	5
Civil Service Board, Removal; Procedure	6
Civil Service Board, Reports to Mayor and City Council	8
Civil Service Board, Salary	9
Civil Service Board, Vacancies; Method of Filling	3
Compliance with Rules of Board; Legal Action by Same	24
Discharge; Suspension; Hearing; Procedure; Appeal; Basis	21

Effective Date of Act 26

Eligible List, Filling Vacancies 14

Employees to Retain Position and Status 23

Excessive Employees; Discharge; Demotion; Priority
In Reemployment 18

Political Activity of Officers and Employees; Coercion
Of Votes and Moneys Prohibited; Penalty 22

Preference to Veterans 15

Probation; Discharge; Reduction; Permanent Status 17

Promotion of Employees; Basis; Preference, Exceptions 16

Removal of employees for Certain Reasons 19

Repeal of Conflicting Laws 25

Right to Organize 20

Rules and Regulations – Adoption and Amendment,
Administration and Enforcement 11

Selection of Employees; Purposes; Examination;
Eligible List Establishment 13

Section 1. <u>Civil Service Board – Creation: Membership.</u>

A Civil Service Board for the City of Tampa, Florida, is hereby created to be composed of five (5) members, three (3) of whom shall be appointed by the Mayor of said City, and two (2) of whom shall be appointed by the City Council of said City by Resolution. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 63-1978; Ch. 65-2314; Ch 81- 496).

Section 2. <u>Continuation of Existing Board Terms and Election of Future Members.</u>

Each of the appointed members serving on the Board on the effective date of this Act shall continue to serve for the term to which originally appointed. At the expiration of the term of each appointed member of the Board so constituted, and of each future appointive member, respective successors shall be appointed for terms of three (3) years each. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 81-496).

Section 3. <u>Vacancies: Method of Filling.</u>

Whenever a vacancy occurs in the membership of the Civil Service Board, whether caused by death, resignation, disqualification, or otherwise, such vacancy shall be filled for the unexpired term of such member in the same manner as hereinabove provided for the periodic appointment of members of the board, observing that method applicable to the vacancy occurring. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 63-1978; Special Acts, Ch. 81-496).

Section 4. <u>Organization: Selection of Chairman and Vice-Chairman.</u>

In January of each year, the Board shall organize by electing a chairman, and a vice-chairman from among its members, to hold office until the appointment and qualification of a successor at the next organization meeting of said Board. In the event the office of the Board member who shall be chairman shall become vacant, a new chairman shall be elected by the Board immediately after such vacancy shall be filled. The Board shall meet as necessary to handle its duties and functions. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 81-496).

Section 5. <u>Qualifications.</u>

Any qualified voter residing in the City of Tampa, Florida, other than a City employee, shall be eligible to hold office as a member of the Civil Service Board, provided, however, that no person who has been convicted of a felony shall be eligible. Nothing contained in this Act shall prohibit any Civil Service Board member from being reappointed to such office. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 63-1978; Ch. 81-496).

Section 6. <u>Removal: Procedure.</u>

(A) Violation of any trust of any members of the Civil Service Board, or any act of malfeasance, misfeasance, neglect of duty, permanent inability to perform the duties of this office, or conviction of a felony shall be ground for the member's removal.
(B) The Mayor may, by executive order, stating the grounds and filed with the clerk of the City of Tampa, suspend from office any member of the Civil Service Board of the City of Tampa for any of the offenses enumerated in Section 6 (A) of this Act. The suspended member may at any time before removal be reinstated by the Mayor.
(C) The City Council of the City of Tampa may, in proceedings prescribed by rules adopted by resolution of that body, remove from office or reinstate a suspended member and for such purpose the City Council may be convened in special session by its membership. Unless a five-sevenths majority of the City Council votes to remove the suspended member, such member shall be reinstated immediately to the Civil Service Board.

In the event that the member shall be found guilty, then it shall be declared that a vacancy exists to be filled as per Section 3 of this Act. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 81-496).

Section 7. <u>Powers: Subpoena: Quorum: Contempt.</u>

In connection with each member's performance of any duty under this Act, each member of said Civil Service Board shall have the power to administer oaths, to issue subpoenas, to compel the attendance of witnesses, and the production of books, papers, and documents and other matters and things relevant to any proceeding before it or investigation being conducted by it. A majority of the

members of the said Board shall constitute a quorum, and the concurrence of a majority of the members of said Board present at a meeting shall be necessary for any action taken by it, save the administering of oaths and the issuance of subpoena. The said Board shall have the same right to punish contempts as is now had by the county judges of the State of Florida. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 65-2311; Ch. 81-496).

Section 8. Reports to Mayor and City Council.

From time to time, as often as shall be required by the Mayor or the City Council of the City of Tampa, but no less than once a year, the Civil Service Board shall render reports of its accomplishments and actions. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 81-496).

Section 9. Salary.

The City Council shall by ordinance fix and prescribe the compensation of the members of the Civil Service Board. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 73-634; Ch. 81-496).

Section 10. Employment of Personnel.

(A) The Civil Service Board, with the advice and consent of the Mayor, shall have the power to employ and remove a Director.
(B) The duties of the Director shall be to assist the Board in its administrative functions; such duties shall include audits, as directed by the Board, of the administration and enforcement of this Act and the rules and regulations pursuant thereto; and any other duties as assigned by the Board; but in no event shall such duties in any way impair or overlap with the jurisdiction of the department head described in Section 11(C) of this Act.
(C) The Mayor within budgetary limitations and subject to Civil Service requirements shall employe such additional personnel for the Board as shall be necessary. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 81-496).

Section 11. Rules and Regulations – Adoption and Amendment, Administration and Enforcement.

(A) The Civil Service Board shall be responsible for the adoption of Rules and Regulations for the administration of this Act. The adoption procedure shall be as follows:

(1) The Mayor shall formulate and recommend to the Civil Service Board or adoption specific Rules and Regulations for the administration of this Act. These Rules shall be forwarded for the Board's approval within ninety (90) days of the effective date of this Act. Until such time as said Rules and Regulations referenced above are promulgated and approved, the Rules and Regulations currently existing shall remain in full force and effect, except where they conflict with the provisions of this Act.

(2) The Rules and Regulations shall cover the following specific procedures and policies:

(a) Administration of a classification plan;

(b) Announcement of employment vacancies and the acceptance of applications for employment:

(c) Preparation and conduct of examinations;

(d) Establishment and use of eligible lists;

(e) Establishment of promotional policies;

(f) Certification of employment of persons from employment lists to fill vacancies;

(g) Transfer, promotion, and reinstatement of employees;

(h) Separation from the career services of employees by resignation, suspension, dismissal, layoff, or incapacity to perform required duties.

(3) Upon receipt of the proposed Rules and Regulations from the Mayor, the Board shall conduct a public hearing. Notice of the public hearing shall be distributed for posting by department heads on every bulletin board of said City for the benefit of all employees, for a period of two (2) weeks prior to public hearing. Minutes of the public hearing shall be taken.

(4) After the public hearing, the Board, if it is satisfied that the Rules and Regulations recommended by the Mayor are complete and in accordance with all provisions of this Act, shall adopt said Rules and Regulations. Once adopted, the Rules shall have the force and effect of the law.

(5) If the Board decides that the proposed Rules and Regulations recommended by the Mayor do not satisfy the requirements of this Act, it shall notify the Mayor in

writing specifically outlining the areas of deficiency. The Mayor shall then submit new Rules and Regulations correcting any deficiencies within thirty (30) days of receipt of the written findings of the Board. If the Board still feels that the Rules as corrected by the Mayor do not satisfy the requirements of this Act, it shall again notify the Mayor in writing of any deficiencies. The Mayor will have another thirty (30) day period in which to respond.

(6) If, after the second submission by the Mayor of the proposed Rules and Regulations, there is a determination by the Board that the proposals do not satisfy the requirements of this Act, the Board, by majority vote, shall then resolve the issues in dispute and formally adopt the Rules and Regulations of the Civil Service Board.

(B) The Civil Service Board may also adopt and amend the Rules and Regulations from time to time as it deems necessary, but only pursuant to the procedure outlined in subsection (A) of this section. The Mayor must respond to any proposed changes within thirty (30) days of the written submission by the Board.

(C) The Mayor shall appoint a department head who shall be responsible for the administration and enforcement of this Act and the Rules and Regulations created pursuant to this Act. The duties of said department head shall include but shall not be limited to the following functions:

(1) Administer, under the direction of the Mayor, the personnel management system as set forth in this article and the personnel Rules and Regulations.

(2) Establish and maintain comprehensive personnel records of all employees in the municipal service.

(3) Prepare, recommend and maintain a position classification plan for all positions in the municipal service, based on the level and difficulty of duties performed and responsibilities assumed.

(4) Develop and administer programs for the recruitment, examination, and placement of persons to determine the relative fitness of applicants for positions in the career service.

(5) Establish and maintain eligible lists for appointment and promotion, upon which lists shall be placed the names of successful candidates.

(6) Certify to the appointing authority names of persons who are considered under this act as qualified for a vacancy.

(7) Administer procedures for disciplinary actions, such as suspensions, demotions in rank or grade, or discharge, which provide for presentation of charges, hearing rights and appeals for all employees in the career service.

(8) Certify all payrolls.

(9) Make a semi-annual report to the Civil Service Board regarding the work of the personnel department and the condition of the personnel management system.

(10) Provide the Civil Service Board with stenographic and other staff assistance as may be required by the Board. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 59-1924; Ch. 81-496).

Section 12. <u>Approval of City Employees; Classification.</u>

All employees of the City of Tampa, other than those in the unclassified service, shall be selected from the list of applicants found competent upon examination held pursuant to the Rules and Regulations of this Act. For the purpose of this Act the following classifications of positions in the City of Tampa are hereby established:

(A) The unclassified services shall comprise:

(1) All officers elected by the people.

(2)

(a) All managerial positions reporting directly to the Mayor, all heads of departments, and positions reporting directly to them which are primarily responsible for both substantive program policy determination and is public advocacy. Unclassified positions under this section, other than managerial positions reporting directly to the Mayor and department heads, shall be specifically stated in the Rules and Regulations.

(b) Whenever an unclassified employee has been appointed from the classified service, said employee may be removed and does not have the right to be reinstated to a classified position equivalent to that held when the employee was appointed to the unclassified position.

(3) All members of executive and administrative Boards.

(4) Accountants, engineers, and all other persons duly admitted by law to engage in the practice of a profession, working on a part-time basis and not exclusively for the City. Full-time employees engaged in these professions, devoting their professional services exclusively to the City, except as provided herein, shall be in the classified service.

(5) All positions as may be found impracticable to fill by competitive examinations or noncompetitive examinations.

(6) Assistant City Attorneys.

(7) Temporary positions.

(8) Employees on the Mayor's staff.

(B) The classified service shall include all positions now existing, or hereafter created, not included in the unclassified service. All persons applying for employment with the City of Tampa in the classified service shall be examined, except persons duly admitted by law to engage in the practice of a profession and holding certificates from governmental examining boards, to be given under the Rules and Regulations as provided in this Act. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 59-1918; 63-1985; Ch. 69-1666; Ch. 73-644; Ch. 81-496).

Section 13. <u>Selection of Employees; Purpose; Examination; Eligible List Establishment.</u>

(A) The Rules and Regulations of the Civil Service Board shall provide for examining applicants for positions in the classified service. The primary purpose of the examining process shall be to provide for certified eligibility for appointment to positions in the classified service.

(B) There shall at all times be maintained an eligible list for employment for the classified service of the City of Tampa.

(C) Employees determined to be most qualified from the list of eligible employees shall be certified to the appointing authority for selection. For the purpose of this

section, “most qualified” shall be determined on the basis of relative ability, knowledge, skills, affirmative action and other principles of a merit system of personnel administration.

(D) Selection to any position in the classified service shall only be from the certified eligibility list. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 59-1924; Ch. 81-496).

Section 14. <u>Eligible List, Filling Vacancies.</u>

When necessity for employment shall exist in any type of classified municipal employment covered by the Civil Service, such vacancy shall be filled from an eligible register of names certified to the appointing authority. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 59-1924; Ch. 81-496).

Section 15. <u>Preference to Veterans.</u>

Qualified persons presenting certificate of honorable discharge from the Army, Air Force, Navy, Marine Corps or Coast Guard of the United States and who seek to enter the City classified service within five (5) years from the date of honorable discharge from military service, shall be given preference of five (5) points as applied to a scale of one hundred (100) points which shall be added to the final grade of such person, provided they shall previously have attained the qualifying passing grade for such entrance examination. Disabled veterans shall be given preference pursuant to Chapter 295, Florida Statutes. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 81-496).

Section 16. <u>Promotion of Employees; Basis; Preference; Exceptions.</u>

The Civil Service Board shall by its rules provide for the promotion of all employees, who shall be engaged in types of employment covered by the classified service, upon a basis of relative ability, seniority in service, knowledge and skills, affirmative action; and other principles of a merit system of personnel administration giving due consideration in the making of any recommended list for the filling of all vacancies to the eligibility of any subordinate employee for promotion. (Ch. 24927, Special Acts 1947; Special Acts, CH. 81-496).

Section 17. <u>Probation; Discharge, Reduction; Permanent Status.</u>

(A) No appointment, employment, or promotion of any employee in the classified service of said City shall be deemed complete or permanent until the employee has completed a probationary period. The employee may be discharged or reduced in rank at any time within said probationary period upon the recommendation of the appointing authority. The probationary period shall be that period specified by a majority of the Civil Service Board of the City of Tampa after receipt of the recommendation of the Mayor as to the length of said period. Probationary periods may vary for different departments of the City.

(B) If no discharge or demotion shall be made within such probationary period then such appointment shall be deemed complete, and such employee or appointee shall be deemed a member of the classified service of said City, and shall hold office or employment during satisfactory performance or until reduced, suspended or discharged in accordance with the provisions of this Act, and any person Who may be promoted under the rules of the said Civil Service Board shall hold the office or employment, to which the person is promoted, during satisfactory performance and unless reduced, suspended or discharged in accordance with the provisions of this Act. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 70-951; Ch. 81-496).

Section 18. <u>Excessive Employees; Discharge; Demotion, Priority for Reemployment.</u>

(A) Whenever it appears to the appointing authority of the City of Tampa that an excessive number of persons are employed in any class of work in a department of the city government, the appointing authority shall cause the excess number of employees in such department to be laid off from employment. Employees shall be dismissed for layoff pursuant to the procedure outlined in the appropriate collective bargaining agreement.

(B) Employees in the classified service who are not part of a collective bargaining agreement unit and employees covered by a collective agreement which does not address this subject shall be laid off in accordance with seniority, performance standards, and affirmative action goals.

(C) Any persons being laid off under the provisions of this section shall be placed upon a preferred list of reemployment and shall have priority over all other applicants for reemployment in any equivalent level of municipal employment for which the

person may be eligible. If a vacancy occurs in any department, persons who have been laid off from that department under the provisions of this section, and who have been placed on the preferred list, shall be reemployed in their respective order of seniority. The appointing authority shall not recommend for employment any persons on the regular list until all persons upon the preferred list have been reemployed, even though in so doing it may necessitate recommendation of only one name for each vacancy. The candidates for employment who are placed on the preferred list shall be classified in order of seniority, and the person who has served the longest period of time shall be first entitled to fill a vacancy.

(D) As used in this act, "seniority" means the total length of continuous employment with the City of Tampa. Temporary interruptions of employment caused by military service, illness, or, if the employee is reinstated by action of the Civil Service Board, involuntary severance from employment shall not constitute a break in service, and an employee so affected shall be deemed to have continuous employment. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 81-496).

Section 19. <u>Removal of Employees for Certain Reasons.</u>

Any employee of the classified civil service, who shall be incompetent or be guilty of neglect of duty, or of insubordination, or of any offense involving moral turpitude, or while on duty committing a breach of the peace, or for any other just cause, shall be subject to removal, suspension, demotion, reduction or discharge. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 59-1918; Ch. 81-496).

Section 20. <u>Right to Organize; Dismissal for Failure to Perform Duties.</u>

Nothing contained in this act is intended to restrict or deny the rights of any employee to organize or become members of an organization; provided, however, that failure of any employee to continue in the performance of the duties and requirements of the employee's position shall be cause for dismissal. (Ch. 24927, Special Acts 1947; Special Accts, C. 81-496).

Section 21. <u>Discharge; Suspension; Hearing; Procedure; Appeal; Basis.</u>

(A) No officer or employee of the City of Tampa, Florida, in the classified service shall be removed, suspended, demoted, reduced, or discharged except for cause shown upon written charges preferred.

(B) The appointing authority shall not have the power to suspend an employee in excess of sixty (60) days.

(C) Classified employees who are removed, suspended, demoted or discharged under the provisions of this Act shall have the right to appeal this adverse action to the Civil Service Board. Employees who exercise their right of appeal shall notify the Civil Service Board in writing of their decision within ten (10) days of receipt of notice of the adverse action.

(D) It shall be the duty of the Civil Service Board to hear and review appeals submitted by classified employees resulting from alleged adverse employer action that results in demotion, dismissal, suspension, or loss of other employee rights including violations of classification procedures, promotion guidelines or other Rules and Regulations established pursuant to this Act. After the Civil Service Board has been notified of an employee's decision to appeal, it shall schedule a hearing within a reasonable time. During such review, both the appealing employee and the persons who initiated the action shall have the right to be heard publicly. Each party shall be represented by a person of his choice and shall have the right to present evidential facts. At the hearing of such appeals, technical rules of evidence shall not apply.

(E) The Board after hearing all the evidence may take the following action:

(1) The Board may immediately reinstate with back pay from the time of the adverse action an employee who was removed, suspended, demoted, reduced, or discharged without being notified of the charges in writing.

(2) In the case of an employee who was improperly removed, suspended, demoted, reduced, or discharged on written charged preferred, the Board, if it determines the action of the appointing authority was without just cause, may reinstate the employee with back pay from the time of the initial disciplinary action of the appointing authority.

(3) In the case of an employee who was removed, suspended, demoted, reduced, or discharged on written charges preferred, the Board, if it determines the action of the appointing authority was wit just cause, may uphold the action of the appointing authority, may direct a suspension without pay for a given period and subsequent restoration to duty, or may require the disciplined employee to take a demotion in the classification grade or pay, or any such other penalty as the Board may deem appropriate.

(F) In all cases, the Board, after hearing all of the evidence, shall file a written statement of its findings with the appointing authority. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 59-1918; Ch. 81-496).

Section 22. <u>Political Activity of Officers and Employees; Coercion of Votes and Moneys Prohibited; Penalty.</u>

(A) Any person holding a position with the City of Tampa, Florida, in the classified service or in the unclassified service, shall have the same right to take part in political campaigns and to exercise their rights of franchise as any other citizen, except that no officer or employee of the City, except an elected official, shall engage in any political activities during hours of duty, service or work with the City. No leave of absence for any time whatsoever shall be granted to any officer or employee of the City for the purpose of engaging in political activities for any candidate, other than the employee's candidacy, for public office. Ay violation of this provision shall be deemed to be neglect of duty.

(B) Any person holding a position with the City of Tampa, Florida, in the classified service or in the unclassified service, except an elected officer, must take a leave of absence, without pay, beginning when said person completes his qualification as a political candidate in any election for:

(1) A City of Tampa office;
(2) A County of Hillsborough office;
(3) A State of Florida office;
(4) A Federal office.

Such Leave of absence shall cease when the individual is no longer a candidate for one of said offices.

(C) It shall be unlawful for the head of any department of the City of Tampa, Florida, or any person connected therewith, to coerce, or attempt to coerce any person connected with the classified service of the City of Tampa to vote for or against any person in any election specified in Section 22 (B), or to collect, receive or attempt to collect or receive, by coercion, or attempted coercion, any moneys whatsoever for any purpose, and any person so violating such provisions of this Section shall, upon conviction, be deemed guilty of a misdemeanor in the second degree and shall be punishable as provided in General Law. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 57-1891; Ch. 70-950; Ch. 81-496).

Section 23. <u>Employees to Retain Position and Status.</u>

Employees holding positions in the classified service herein upon the adoption of this law shall be continued in their respective positions without further examination, until separated from their positions as provided by law. (Ch. 24927, Special Acts 1947; Special Acts, Ch. 81-496).

Section 24. <u>Compliance with Rules of Board; Legal Action by Same.</u>

All officers and employees of the City of Tampa shall comply with the provisions of this law and the rules, regulations, and orders thereunder, and shall furnish any records or information which the Board may reasonably request for any purpose of this law and shall aid in all proper ways in effectuating the Civil Service System. Any action or proceeding law or inequity considered necessary or appropriate to secure compliance with this Act and rules thereunder may be instituted by the Mayor or Board. No City officer shall make or approve or take any part in making or approving any payment for personal service to any person holding a position in the city service unless the persons named therein have been appointed and employed in accordance with the provisions of this law and the rules, regulations and orders thereunder. (Ch. 24927, Special Acts 1947; Special Acts Ch. 59-1924; Ch. 81-496).

Section 25. All laws and parts of laws in conflict herewith are hereby repealed. (Special Acts, Ch. 81-496).

Section 26. This act shall take effect July1, 1981. (Special Acts, Ch. 81-496).

City of Tampa

Civil Service

Rules and Regulations

PERSONNEL MANUAL

APPENDIX

July 12, 1982

Z2. TABLE OF CONTENTS

ARTICLE A – Definitions

ARTICLE B – General Provisions

Purpose of Rules
Positions Included in Rules
Scope of Non-discrimination

ARTICLE C – Administration of Rules

Assignment of Responsibility

ARTICLE D – Position Classification Plan

The Existing Plan
Use of Position Classification Plan
Amendment to Classification Plan, Allocation
And Reallocation of Positions

ARTICLE E – Recruiting and Examining

Recruiting
Public Notice of Examination
Qualifications of Applicants
Disqualification of Applicants
Scope of Examinations
Conduct of Examinations
Rating of Examinations
Notice of Results of Examinations
Veterans' Preference

Medical Requirements
Retests

ARTICLE F – Eligibility

Eligibility Records
Removal of Names from Eligible Lists

ARTICLE G – Methods of Appointment

Filling Position Vacancies
Reemployment
Temporary Appointments
Transfer

ARTICLE H – Certification of Eligibles

Certification Procedures
Special Certification Procedures

ARTICLE I – Probationary Period

Objective of Probationary Period
Regular Status Appointment Following
The Probationary Period
Dismissal During Probationary Period

ARTICLE J - Disciplinary Action

Discipline
Demotion
Suspension
Dismissal

ARTICLE K – Appeals

Appeal Rights

ARTICLE L – Lay Off

Lay off Procedure

ARTICLE M – Records and Reports

Employment Records

ARTICLE N – Severability and Waiver

ARTICLE A: Definitions

The following terms when used in the Rules shall have the following meaning:

1. “ACT” means the Civil Service Act, Chapter 24927, Laws of Florida, 1947, as amended.

2. “AFFIRMATIVE ACTION” means the method used by the City of Tampa to identify and eliminate all barriers within the personnel management system which limit the ability of females and minorities to reach their full potential as employees in all job categories, especially in job groups where there is underutilization.

3. “APPOINTING AUTHORITY” means the Mayor or properly authorized designee(s), City Council or other officers or boards which have power of appointment to and removal from positions.

4. APPOINTMENT” means the designation of an employee to perform assigned duties and responsibilities in a specific position.

5. “CERTIFICATION” means the process of providing the names of eligibles for a class of work to be considered in filling a vacancy.

6. “CLASS” or “CLASSIFICATION” or “CLASS OF WORK” means a position or group of positions sufficiently similar in duties and responsibilities that the same title, minimum qualifications for employment, tests of fitness, and schedule of compensation apply equitably.

7. “CLASSIFIED SERVICE” means all positions now existing or created not included in the unclassified service.

8. “DEMOTION” means the reduction of any employee from a position in a higher class to a position in a lower class involving a decrease in duties and responsibilities.

9. “DEPARTMENT OF ADMINISTRATION” as used herein means the Director of Administration and others properly designated to act in behalf of and with the authority of the Director of Administration.

10. “DISMISSAL” means the discharge of an employee by the appointing authority.

11. “ELIGIBLE LIST” means the record of the names of persons found qualified through suitable examination for employment in a specific class of work.

12. “POSITION” means a group of current duties and responsibilities, assigned or delegated by competent authority, requiring the employment of one person.

13. “PREFERENTIAL REEMPLOYMENT LIST” means a record of the names of laid-off individuals who have preference for reemployment.

14. “PROMOTION” means a change from a position in a lower class to a position in a higher class involving an increase in duties and responsibilities.

15. “REGULAR STATUS” means the employment status of an employee in the classified service who has satisfactorily completed the required probationary period.

16. “REEMPLOYMENT” means to employ again after a break in service.

17. “REINSTATEMENT” means the restoration of an employee to employment with the City without a break in service.

18. “RESIGNATION” means that the employee has formally elected to terminate his/her employment with the City.

19. “SENIORITY” means the total length of continuous service with the City of Tampa.

20. “SUSPENSION” means the removal of an employee from the service for a specified period of time, said removal being ordered by the appointing authority as a disciplinary measure.

21. TEMPORARY APPOINTMENT” means the appointment of a person to a position which will be in existence for a short period of time only, usually fewer than ninety (90) days, in which there is no expectation of continued employment.

22. “TEMPORARY ASSIGNMENT” means the assignment of duties and responsibilities associated with a higher level position to an employee for a limited period of time but not fewer than fifteen (15) consecutive work days.

23. “TRANSFER” means the change of an employee from one position to another position within the same or a related class or to another position with the same level of responsibility.

24. “UNCLASSIFIED SERVICE” means a position excluded from the classified service as defined in the Act. The positions are subject to change by Mayoral reorganization and reassignment. Positions currently included are:

a. All officers elected by the people.
b. Department Heads and managerial positions reporting directly to the Mayor.
c. Managerial and administrative positions reporting directly to heads of departments and which are primarily responsible for both substantive program policy determination and its public advocacy.

The following are included:

(1) Administrative Support Services Manager
(2) Community Affairs Manager
(3) Department Deputy and equivalent positions
(4) Deputy Director of Management Information Systems
(5) Development Coordination Manager
(6) Director of Management Information Systems
(7) Employee Relations Manager
(8) Employment and Training Manager
(9) Equal Employment Opportunity Director
(10) Fire Marshal

(11) Inspectional Services Manager
(12) Mall Administrator
(13) Public Safety Information Coordinator
(14) Urban Environmental Coordinator
(15) Urban Planning Manager
(16) Ybor Redevelopment Director

d. All members of executive and administrative boards.
e. Accountants, engineers and all other persons duly admitted by law to engage in the practice of a profession, working on a part-time basis and not exclusively for the City.
f. Assistant City Attorneys.
g. Temporary positions.
h. Employees on the Mayor's staff.
(1) All positions immediately subordinate to the Mayor.
(2) All professional, clerical and administrative positions which report to the Mayor or immediate subordinates of the Mayor and whose primary responsibilities involve:

- Public advocacy of program and/or executive policy; or
- The provision and dissemination of official public information releases; or
- The performance of sensitive, confidential or other related duties in direct support of mayoral processes or which reflect directly on the office of the Mayor. Those are:

(a) Secretary to the Administrative Assistant
(b) Secretary to the Mayor/Administrative Assistant
(c) Assistant to the Secretary to the Mayor
(d) Executive Aide
(e) Receptionist to the Mayor
(f) Director of Communication

A. All positions as may be found impractical to fill by competitive or noncompetitive examinations.

ARTICLE B: General Provisions

Section 1. Purpose of Rules

a. It is the purpose of these Rules and Regulations (hereinafter referred to as Rules) to establish general policy and procedures for managing personnel activities and transactions provided for in the Act. The objective is to ensure that the primary and controlling factor in making appointments and dismissals, and in determining promotions, will be the merit and fitness of the individual concerned. Included also are all other actions which may in any way affect any employee or prospective employee coming within the purview of the Act.

b. Amendments to the Rules shall be made as stated in Section 11, subsections (A) and (B), of the Act. All Rules and amendments thereto shall become effective upon the date of approval and copies of Rules and amendments shall be furnished to any citizen, upon request, at reasonable cost as provided in Chapter 119 of the Florida Statutes (1981).

Section 2. Positions Included in the Rules

These Rules shall apply only to positions and employees in the classified service as defined in the Act and Article A, 7, of these Rules.

Section 3. Non-Discrimination

No question in any examination, in any application form, or in any other proceedings of any Department Head or appointing authority, shall be so framed as to attempt to elicit information concerning political or religious opinions or affiliations of the applicant. No appointment to or removal from a position in the classified service, or other change in status, shall be influenced in any manner by age, race, color, religion, sex, national origin, handicap, or political affiliation, except:

(1) as provided by the City's Equal Employment Opportunity/Affirmative Action Policy and procedures for non-discrimination in employment in accordance with federal and state law and other regulatory authorities, and

(2) as age, sex, or physical capabilities are determined to be bona fide occupational qualifications.

ARTICLE C. Administration of Rules

Section 1. Assignment of Responsibility

The Director of Administration is designated as the Department head responsible for the administration and enforcement of the Civil Service Law and the Rules adopted by the Civil Service Board. The Director of Administration shall, subject to the provisions of the Act and these Rules, and in conformance with the policies issued by the Mayor, direct all personnel activities of the City of Tampa and shall have authority to adopt such administrative practices as might be necessary.

ARTICLE D. The Position Classification Plan

Section 1. The Existing Plan

The Position Classification Plan existing as of the date of adoption of these Rules, with such modifications as may be made from time to time, shall constitute the official plan for all positions in the classified service. Such plan shall include a list of the titles of the classes to which all positions have been allocated and a written description for each class setting forth the title of the class; the nature of the work performed; examples of duties; desirable knowledges, abilities and skill; training and experience requirements; and licenses or certificates desired or required.

Section 2. Use of the Classification Plan

a. The titles assigned to the appropriate classes established in the classification plan shall be used in all personnel, accounting, budget requests, and financial records. Working titles used in the course of departmental routine to indicate authority, status in the organization, or administrative rank may continue to be used for these purposes.

b. The class descriptions embodies in the classification plan are descriptive and explanatory but not necessarily inclusive or exclusive. Although they may not be specifically mentioned, certain qualifications such as honesty, industry, and other personal qualities which are proper requirements of all positions are deemed a part of the descriptions.

Section 3. Amendments to Classification Plan; Allocation of New Positions; Reallocations.

When new positions are created, or when the duties and responsibilities of existing positions change, the Department of Administration shall allocate or reallocate the affected positions by placing them in the appropriate existing classes, or establishing the necessary new classes, as determined by analysis of the responsibilities and duties involved. When, because of a change in duties, a position is reallocated to a different classification, if the duties under the new classification are on an equal level with those performed under the original classification, a corresponding change in title may be approved without process of examination. If the duties of a reallocated position under its new classification are on a higher level than those performed under the original classification, the position must be filled by examination; however, noncompetitive examination may be used for an incumbent.

ARTICLE E. Recruiting and Examining

Section 1. Recruiting

The Department of Administration shall establish, operate and maintain a recruiting program to provide qualified eligibles to perform the various occupations required for city departments to operate.

Section 2. Public Notice of Examination

The Department of Administration shall give reasonable public notice of examinations for positions in the classified service using such means and methods as are deemed appropriate. Such notice shall specify the general scope of each examination, the title and salary range of the position; the final date on which applications will be received; and any other pertinent information consistent with the provisions of these Rules.

Section 3. Qualifications of Applicants

a. Applicants must meet citizenship requirements for the specific position sought.

b. Applicants shall, upon demand, furnish proof of age, experience, educational qualifications, and such licenses or certificates as the laws and ordinances may require for the practice of the profession, are or trade involved.

c. Establishment of minimum and maximum ages for purposes of determining eligibility for employment will be consistent with State and Federal age discrimination

legislation. Exceptions will be based on bona fide occupational qualifications and stated in the public notice.

d. Applicants shall, upon demand, furnish proof of good character, sound health, and physical ability to perform the duties and responsibilities of the position to which appointment is sought.

Section 4. Disqualification of Applicants

The Department of Administration may reject the application of any person for admission to a test, or may, after examination, decline to certify or remove from an eligible list an applicant who:

(1) is found to lack any of the established minimum requirements for the position for which application was made; or
(2) is physically unfit and fails to pass the required medical examination for the position to which appointment is sought; or
(3) is addicted to the use of alcohol or other drugs to the extent that job performance is compromised; or
(4) has been guilty of a crime or misdemeanor involving moral turpitude that affects suitability for a particular job as evidence by: a) any job related felony conviction within the past three years; b) any job related traffic or misdemeanor conviction within the past year; or
(5) has been dismissed from the public service or from other employment for good cause; or
(6) has made a false statement of any material fact; or
(7) has practiced or attempted to practice any deception or fraud in the application or examination, or in securing eligibility or appointment; or
(8) has used, threatened to use, or attempted to use political influence in securing employment, reemployment or promotion; or
(9) has an unsatisfactory report of character investigation or personal habits which may jeopardize ability to perform in a particular class of work.

Section 5. Scope of Examinations

Examinations may consist of written or oral tests, proficiency (i.e. manual dexterity) tests, performance appraisal, evaluation of the applicant's job-related personal history (including training and experience), situational or work sample exercises, or any other professionally accepted screening procedure consistent with Federal and State statutes and other governing legislation and these Rules.

Section 6. Conduct of Examinations

Examinations shall be conducted at such places as the Department of Administration may designate. The Department of Administration will issue directions governing the identification of those taking examinations in order to protest the confidentiality of test-takers and test materials.

Section 7. Rating of Examinations

a. The final score to be used in establishing an eligible list resulting from any examination, whether it is an individual or multiple component examination, shall be no lower than 70 and no higher than 100 prior to the addition of preference points, with the exception of those classes of work for which minimum qualifications screening only has been determined appropriate. Scoring procedures, including the establishment of minimum passing scores, shall conform to relevant professional and legal standards such as, but not limited to, the Standards for Educational Psychological Tests published by the American Psychological Association.

b. Failure in one phase of an examination might be grounds for the applicant to be declared as failing in the entire examination or as disqualified for subsequent parts of the examination.

c. Each part of the examination for any class shall be separately rated. The minimum passing score on any component shall not exceed 70% of the maximum possible score for said test. Final scores shall be determined by a weighting system based on the proportionate value of each scored component in the examination procedure for that class.

Section 8. Notice of Results of Examination

Within ten (10) days following the holding of an examination, applicants may review the inspection copy of the test, unless prohibited by copyright, and, if the test was intended for one-time administration only, may also review a copy of the

scoring key. Applicants may file a written protest of any question or answer believed to be incorrect, unfair or otherwise inappropriate, citing the reasons(s) and authority for the challenge. Such protests will be reviewed by the Department of Administration. Applicants may request a rescoring of their answers and any manifest error in scoring shall be corrected and their score adjusted accordingly. Such correction shall not invalidate any certification or appointment previously made. For the examinations which the Department of Administration determines review of the actual test instruments to be contrary to the reasonable interests of the City, alternate methods of providing information to applicants will be used.

Section 9. Veterans Preference

Military veterans shall be awarded additional points in accord with the Act.

Section 10. Medical Requirements

a. The Director of Administration may designate one or more qualified medical examiners who shall administer a medical examination to determine the medical fitness of eligibles selected for possible appointment to positions in the classified service. If, in the opinion of the examiner, an applicant is not medically qualified to perform satisfactorily the duties and responsibilities of the position, the examiner shall so report to the Department of Administration.

b. An individual entering the classified service must receive a satisfactory medical examination report before the appointment can be made. The Department of Administration may require any employee to meet these requirements when there are reasonable grounds to question employees regarding their medical or physical suitability for continued employment. An employee returning from leave of absence status or seeking reemployment might also be required to meet these requirements for a satisfactory report of medical status.

Section 11. Retests

Applicants who have been admitted to an examination for a particular class of work shall not again be approved for the same examination within a period of forty-five (45) days. Exceptions for specific tests may be made by the Director of Administration if doing so would better serve the interests of the City.

ARTICLE F. Eligibility

Section 1. Eligibility Records

a. After each administration of an examination, the scores of all applicants shall be recorded. Those passing the examination will be deemed eligible and treated in the manner provided for all who have previously passed the examination, consistent with the other requirements of these Rules, without regard to the date of the test.

b. Individual eligibility shall be for a period of up to one (1) year from the date of the test unless an extension for a period of no longer than one additional year is specifically authorized for all eligibles for a class of work by the Department of Administration. When examination materials or procedures are changed, individuals on the current eligible list will be required to establish eligibility under the new test within a reasonable period of time.

c. Any employee in the classified service who resigns after having completed the required probationary period is entitled to be placed on an eligible list for the class of work formerly held, provided such request is made in writing within six (6) months from the effective date of resignation. The name of such person shall be placed on the eligible list on the basis of the grade earned on the previous examination for the class unless the examination has been changed, in which case the person must take the new test or be placed on the eligible list with the minimum passing score of a period of not more than 90 days.

Section 2. Removal of Names from Eligible Lists

a. The name of any person appearing on an eligible list may be removed therefrom if the eligible requests in writing that his/her name be removed; if he/she fails to report for an interview as requested; if he/she fails to report for duty as directed by the appointing authority; or, if he/she cannot be located.

b. If an eligible has been certified two (2) times to a specific department and not hired, and the department provides satisfactory written documentation that said eligible does not meet its requirements and will, in fact, not be hired, then the Department of Administration may order that the eligible not be certified to that department for a period of twelve (12) months unless there is a documented material improvement in the eligible's qualifications.

c. Eligibles removed from the list or denied certification to a particular department shall be notified of such action and informed of the reason(s) for removal from the eligible list or denial of certification to a department.

d. An eligible certified for appointment may, with the approval of the Department of Administration, waive such certification for a stipulated period.

e. An eligible may be removed from an eligible list on the basis of the disqualification factors defined in Article E, Section 4.

ARTICLE G. Methods of Appointment

Section 1. Filling Position Vacancies

a. Whenever an appointing authority desires to fill a vacancy in any position in the classified service, notification shall be made using the form prescribed by the Department of Administration. The Department of Administration will determine which method of certification will be employed.

b. So far as it is practical, reasonable, and consistent with the best interests of the City, vacancies in the classified service shall be filled by promotion of regular status employees in the classified service.

Section 2. Reemployment

Whenever a vacancy is to be filled by reemployment, the Department of Administration shall certify to the appointing authority only the names of those eligible for reemployment in that specific lass of work.

Section 3. Temporary Appointments

a. Temporary appointees are deemed to be in the unclassified service and not eligible for regular appointment without first meeting the qualifications of the classified position. When a temporary position is replaced by a regular classified position, the employee occupying the temporary position may be given preference over entrance eligibles; however, in case of a vacancy constituting a promotional opportunity, the temporary employee must compete with promotional eligibles in accordance with the provisions of these Rules.

b. Acceptance of temporary employment shall not effect standing on any eligibility list.

c. A person occupying a temporary appointment shall be terminated when the person replaced returns to the regular position, or upon completion of the term of employment, or upon completion of a specific project.

Section 4. Transfer

a. The Director of Administration may authorize the transfer of an employee in the classified service from a position in one department to an equivalent position in another department. Any transfer of an employee from a position of lower classification to a higher class shall be deemed a promotion and shall be accomplished only in the manner provided in these Rules for making promotional appointments. Transferring employees may be required to serve a probationary period in the position to which transferred. Interdepartmental involuntary transfers may be appealed to the Civil Service Board.

b. An employee may initiate a transfer request provided that, if the position to which transfer is sought is under a different appointing authority, the authority where the employee is presently located may request up to ten working days from the date of notification before the transfer can take place.

ARTICLE H. Certification of Eligibles

Section 1. Certification Procedures

a. After determining the type of appointment to be made, the Department of Administration shall direct the certification of eligibles in accordance with these Rules.

b. Whenever a vacancy is to be filled by original appointment or promotion the Department of Administration shall certify to the appointing authority ten percent (10%) or a minimum of six (6) of the eligibles ranking highest on the appropriate list. If there are fewer than six (6) names on the list, the Department of Administration may declare the list depleted and initiate procedures toward establishing a new eligible list. Two (2) additional names will be certified for each additional vacancy. No effort will be made

to break tie scores for the first and the last vacancies. Intermediate tie scores will be counted on a one-for-one basis.

c. Certification may be made on the basis of special qualifications only if such requirements have been determined to be job-related by the Department of Administration.

d. Each eligible certified shall be notified if possible and shall be given consideration for employment.

Section 2. Special Certification Procedures

a. In order to further affirmative action efforts, the Department of Administration will make periodic determination of minority and female representation in all classes (or groups of classes) of work for the City overall and in all City departments. For those classes of work within each department in which underutilization exists, special certification procedures designed to enhance minority and/or female availability for employment will be used. The Department of Administration will designate those classes of work in which underutilization exists.

The Department of Administration will carefully monitor adherence by appointing authorities to the spirit and letter of the affirmative action portion of the May 20, 1976, Equal Employment Opportunity Commission Conciliation Agreement.

b. Until such time as each test is validated in accordance with provisions of the Federal Uniform Guidelines on Employee Selection Procedures (1978) and in order to comply with the aforementioned conciliation agreement, the Department of Administration may authorize certification to classifications in which females/blacks are under-represented in the following manner:

(1) Certify, in accordance with these Rules, three certifications to appointing authorities for each authorized requisition for an underrepresented class as follows:
Certification 1 – Blacks (both male and female)
Certification 2 – White Females
Certification 3 – White Males

(2) Underrepresentation will be determined from Hillsborough County labor market statistics.

c. Whole-list certification may be authorized by the Director of Administration for those classes for which it is determined to be essential for furthering affirmative action efforts or for which it is impractical to certify otherwise. Such procedure is appropriate when there is underutilization which cannot be addressed adequately through three list certification, when there are few eligibles for a class of work, when promotion is automatic from a trainee/apprentice class, when a high percentage of the eligibles are normally found to be unavailable for employment, or when the job is a bona fide assignment subject to revocation at any time at the discretion of the hiring authority.

ARTICLE I. Probationary Period

Section 1. Objective of Probationary Period

The probationary period is an intrinsic part of the examination process and shall be utilized for carefully evaluating the employee's performance and suitability for continued employment.

Section 2. Regular Status Appointment Following the Probationary Period

a. All appointments to the classified service shall have a probationary period. The probationary period shall be that period specified by a majority of the Civil Service Board after receipt of the recommendation of the Mayor as to the length of said period. The probationary period shall be for six (6) months unless specifically stated otherwise. Probationary periods may vary for different departments of the City. Upon verification by the appointing authority of the employee's satisfactory performance, the employee will be changed to regular status.

b. Upon recommendation of the Department Head, and with the concurrence of the Department of Administration, the probationary period may be extended for no more than three (3) months for individual employees. Such extension requests must be supported by documentation clearly establishing a reasonable possibility of the employee meeting expectations within the extension period.

Section 3. Dismissal During the Probationary Period

a. During the probationary period, an entrance employee may be dismissed by the appointing authority without the right of the employee to a Civil Service appeal.

b. Any employee in the classified service who fails to complete satisfactorily a promotional probationary period for other than disciplinary reasons shall be reinstated within seven (7) calendar days to the position occupied before the promotion, even though this may require the layoff of the employee occupying the former position or assigned to an equivalent level position.

ARTICLE J. Disciplinary Actions

Section 1. Discipline

Disciplinary action may be taken for any just cause. Generally, employee misconduct should be addressed using a progression of disciplinary actions. Exceptions to this progressive system may be made in cases of major misconduct.

Section 2. Demotion

a. Demotion is most properly employed as a method of realistically managing employees who are unable or unwilling to meet the normal performance expectations associated with the position they hold. An employee should not be demoted if there is reason to conclude that he/she would continue to be unsatisfactory in the lower level position.

b. Written notice of the charges and disciplinary action shall be given to the demoted employee.

Section 3. Suspension

a. An appointing authority may, for disciplinary purposes, suspend an employee for a reasonable period, not exceeding sixty (60) consecutive working days. Suspension is a recognized part of the progressive discipline process that results from repeated violations or may be used where the infraction is of such severity that a lesser action is insufficient.

b. Written notice of the charges and disciplinary action shall be given to the suspended employee.

Section 4. Dismissal

a. Dismissal is the most severe form of disciplinary action and should be instituted 1) after progressive discipline has failed to correct unacceptable behavior; or, 2) in response to an infraction of such severity that a lesser action nis clearly insufficient. Dismissal may be the result of, but not necessarily limited to:

(1) Incompetence such as: (a) inability to perform up to accepted work standards, (b) habitual tardiness, absenteeism, or abuse of leave privileges.

(2) Insubordination such as: (a) violating a published City or departmental rule, (b) failing to obey any lawful or reasonable direction given by his/her immediate supervisor, (c) refusing to sign documents required for City employment, (d) refusing to have fingerprints or photograph taken for a legitimate City purpose.

(3) Neglect of Duty such as: (a) causing damage or loss of public or private property and equipment through negligence or willful misconduct, (b) wasting or using inappropriate public supplies and materials, (c) absent without leave for more than three consecutive working days, (d) failing to return to work after an approved leave of absence, (e) intentionally falsifying time or leave records, (f) having an excessive number of accidents on the job resulting in personal injury or injury to others or property damage, (g) having a suspended, revoked, or expired driver's license when the duties of his/her position require the operation of a motor vehicle, (h) operating a City vehicle in wanton disregard of safety.

(4) Moral Turpitude such as: (a) falsifying or misrepresenting such things as City Insurance claims, workers' compensation claims, travel expenses, et., (b) violating the City Code sections 2-1972-203 inclusive in regards to

impartiality, use of public property, conflict of personal and financial interest, disclosure and confidentiality, (c) embarrassing the City by being indicted for any felony while employed by the City, (d) while employed by the City, being charged with a misdemeanor which could cause serious embarrassment to the City and undermine public trust and confidence in the City and in the employee's performance of his/her job duties, (e) attempting to coerce or influence fellow employees, subordinates, or supervisors with gifts, services, loans, and other considerations, (f) violating any of the Florida statutes dealing with public employees and labor organizations, (g) violating City law regarding political activity, (h) violating state nepotism statue, (i) during non-work hours, engaging in an employment, activity, or enterprise which is illegal, incompatible, or in technical conflict with his/her duties, functions, and responsibilities as a City employee.

(5) Breach of Peace such as: (a) being offensive, antagonistic towards supervisors, subordinates, fellow employees, and the public, (b) threatening, conspiring, attempting, and actually committing any form of assault or battery on a supervisor, subordinate, fellow employee, or the public, on City property, City time, or as a result of City employment.

b. Written notice of the charges and disciplinary action shall be given to the dismissed employee.

ARTICLE K. Appeals

Section 1. Appeal Rights

a. A regular status employee may appeal to the Civil Service Board any employer action that results in demotion, dismissal, suspension, or loss of employee rights including position classification results, promotion guidelines or these Rules. Such appeals must be made within ten (10) working days of the adverse action.

b. An employee on promotional probationary status may appeal to the Civil Service Board a suspension or dismissal within ten (10) working days of the effective date of the action by completing and submitting the proper request to the Civil Service Board. A demotion may not be appealed to the Civil Service Board.

c. Employees on other employment status may appeal a suspension, demotion, dismissal or classification decision by filing a grievance in accordance with established procedures or contractual agreements.

d. Employees may not appeal any single action through both the provided administrative or collective bargaining grievance procedure and the Civil Service appeal process. Once an appeal is initiated in either channel it shall be resolved in that channel unless agreed to in writing by all concerned parties.

ARTICLE L. Lay Off

Section 1. Lay Off Procedure

a. This procedure applies only to employees in the classified service who are not covered by a collective bargaining agreement. The recognized purpose of lay off is to affect a reduction in the number of employees where functions have been eliminated, when organizational units have been eliminated or when funds are no longer available to sustain the number of employees. The initial step in the layoff process is the documentation by the Department Head of the need for lay off that clearly establishes the reasons or conditions necessitating the reduction in force and the specific class(es) involved.

b. Upon determination that lay off is necessary, the Director of Administration will develop a list of employees, ranked in the order in which they are to be laid off. The first name on the list will be the first laid off. The procedure to be used in developing the layoff list is as follows:

(1) Rank ordering of all employees in each classification within the department where lay off is to occur by seniority, least senior first.

(2) A determination will be made of the impact of the seniority rank ordering on the EEO compliance posture of the Department in which the layoff is to occur. If analysis indicates that the seniority approach will have a significant impact on protected class representation, then factors other than seniority shall

be given consideration. An effort shall be made to maintain minority and female representation in the class(es) of work affected.

(3) Department Heads shall give consideration to individual contributions and skill levels in relation to departmental performance standards in order to determine the relative merit of all employees in the class to be reduced. Department Heads may request exemption from layoff for specific employees determined to be functioning at a consistently outstanding level or possessing critical skills. Such requests must be thoroughly documented and clearly establish that the particular operational functions are essential and could not be satisfactorily assumed by any other personnel. The submission of such a request is not an assurance that exemption will be granted, or the extent to which such consideration will be given by the Department of Administration.

c. An individual identified for layoff may be entitled to bump an employee in a lower classification in the same Department if the employee:

(1) has more seniority than the employee to be bumped,
(2) had regular status in the lower classification, and
(3) is capable of performing the work of the lower classification.

A bumped employee can exercise the same bumping privilege into a lower class of work in the same Department.

d. Employees who are laid off, whether directly or as the result of bumping, shall have preferential reemployment rights to those equivalent or lower level positions for which they are eligible, and shall be reinstated on the basis of seniority. These preferential reemployment rights are limited to one year and will also terminate with the employee's reinstatement, request, failure to accept reinstatement, or if the employee takes other steps to terminate the relationship with the City.

e. Before determining the seniority list mentioned in b-(1) above, temporary employees in the same class of work shall be laid off prior to probationary or regular status employees.

ARTICLE M. Records and Reports

Section 1. Employment Records

a. The Director of Administration shall maintain an employment record for each employee.

b. The employment record shall be confidential. The Director of Administration shall issue guidelines regulating access to and release of information from personnel records.

ARTICLE N. Severability and Waiver

Section 1.

a. Each and every clause of these Rules shall be deemed separable from each other clause. In the event any clause or clauses shall be finally determined to be in violation of any law such clause or clauses shall be deemed of no force and effect and unenforceable. Any such determined violation shall not impair the validity and enforceability of the remaining Rules, including any and all provisions in the remainder of any clause, sentence, or paragraph in which the offending language might appear.

INDEX

	Article	Section
Administration of Rules	C	1.
Affirmative Action	B	3., (1)
"	H	2., a-c
Allocation of New Positions	D	3.
Amendments		
To Position Classification Plan	D	3.
To Rules	B	1., b
Appeal Rights	K	1., b
Applicants		
Disqualification of	E	4., (1-9)
Qualification of	E	3., a-d
Appointments		
Methods of	G	1., a-b
Reemployment	G	2.
Regular Status	I	2., a-b
Temporary	G	3., a-c

Certification		
Denial of	F	2., b-c
Eligibles	H	1. & 2.
Notice of	H	1., d
Procedures	H	1. & 2.
Special Qualifications	H	1., c
Waiver	F	2., a
Citizen Requirements	E	3., a
Classification Plan		
Amendments to	D	3.
Factors	D	1.
Use of	D	2., a-b
Demotion		
Appeal	K	1., a-d
Disciplinary	J	2., a-b
Dismissal		
Appeal	K	1., a-d
Reasons for	J	4., a-b
Disciplinary Action, Notice of	J	2., b; 3., b; 4b
Disruptive Behavior	J	4., a(5)
Eligibility		
Disqualification	E	4.
Period	F	1., b-c
Records of	F	1., a & c
Removal of Names	F	2., a-c, e
Employee Certifications, Number of	F	2., b
Employment		
Considerations for	H	1., d
Records	H	1.
Examinations		
Conduct of	E	6.
Correction of Scores	E	8.
Failure of	E	7., b
Notice of Results	E	8.
Public Notice	E	2.
Rating of	E	7., a-c

Retests	E	11.
Reviews	E	8.
Scope of	E	5.
Grievance	K	1., b-d
Lay Off Procedure	L	1., a-e
Leave of Absence Status	E	10., b
Loss of Employee Rights	K	1., a
Medical Examination	E	10., a-b
Medical Requirements	E	10., a-b
Medical Status	E	10., b
Misconduct	J	4., a
Non-Discrimination	B	3.
Performance Appraisal	E	5.
Physical Inability	E	10., a-b
Position Classification Plan	D	1., 3
Program Responsibility	C	1.
Probationary Period		
Dismissal during	I	3., a-b
Extension of	I	2., b
Length of	I	1., a
Objective of	I	1.
Transfers Subject to	G	4., a
Unsuccessful Completion of	I	1., b
Promotional Policy	G	1., b
Reallocations, Position	D	3.
Records and Reports	M	1., a-b
Recruiting	E	1.
Reemployment		
Certification	G	2.
Preferential	L	1., d
Resignation		
Return to Work	F	1., c
Rules		
Positions Included	B	2.
Procedures to Amend	B	1., b

Purpose of	B	1., a
Severability and Waiver	N	1., a
Special Qualifications	H	1., c
Suspensions		
Appeals	K	1., a-c
Maximum Period	J	3., a
Temporary Appointment, Completion of	G	3., e
Transfers		
Between Departments	G	4., a
Involuntary Transfers	G	1., a
Request Delay	G	4., b
Veteran’s Preference	E	9.
Working Titles	D	2., a