

Employee Manual

A MESSAGE FROM YOUR VILLAGE MANAGER



Part of what makes Wellington a great hometown is the work of our elected officials and you, our employees. We work each and every day to provide quality services that foster a family environment, create economic opportunity, are environmentally sound, and socially sustainability. Our culture is based on shared values, attitudes, standards, and beliefs that guide our actions. We believe in a strong family environment, safe and sustainable neighborhoods, and doing the right thing for our residents.

The Village is committed not only to its residents and elected officials, but also to its employees. We are an Equal Employment Opportunity Employer (EEOE). Our commitment to equality is without regard to race, color, creed, religion, gender, gender identity or expression, sexual orientation, national origin, disability, age, or marital status. Our employment practices are guided by the principles of inclusion and equality, and are designed to ensure that hiring is based solely on qualifications.

The Village's philosophy is to operate with full transparency and our Employee Manual is key to ensuring that each of us understand what the Village expects of us on a daily basis. Our foremost responsibility as Village of Wellington employees is service to our community through our vision of "A Great Hometown." Each employee plays a critical role in making this organization successful. We thank each and every one of you for your part in making the Village of Wellington "A Great Hometown!"


Paul Schofield, Village Manager



VILLAGE OF WELLINGTON, FLORIDA

Vision

A Great Hometown:
Great Neighborhoods
Great Schools
Great Parks

Mission

**To provide high quality services
that create economic, environmental,
and social sustainability for residents**

Five Fundamentals

Neighborhood Renaissance
Economic Development
Protecting our Investment
Respecting the Environment
Responsive Government

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Your Village of Wellington Employee Manual will provide you with valuable information regarding your employment with the Village of Wellington. The Village of Wellington Employee Handbook is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, any questions should be addressed to your immediate supervisor or the Human Resources Department. Neither this Manual nor any other Village of Wellington document confers any right, either expressed or implied, to remain in the Village's employ. Nor does it guarantee any fixed terms or conditions of employment. Further, it does not constitute a contract of employment for any specified period of time, nor does it in any way alter the "at will" nature of my employment with the Village of Wellington.

The procedures, policies, practices, and benefits contained herein may be modified or discontinued from time to time. Every attempt will be made to inform you of any changes as they occur. However, as an employee, it is your responsibility to keep current of all Village of Wellington policies and procedures. You are also responsible to review the policies and procedures contained within this manual and request clarification from your supervisor or the Human Resources department if needed. Violations of any Village of Wellington policies or procedures may result in disciplinary action, up to and including termination of employment.

Hard copies of the Village of Wellington's Employee Manual are available in each department, and additional copies (hard or electronic) may be requested from the Human Resources department. An electronic copy of the Village of Wellington's Employee Manual may also be found on the Village's intranet.

SECTION I: BACKGROUND

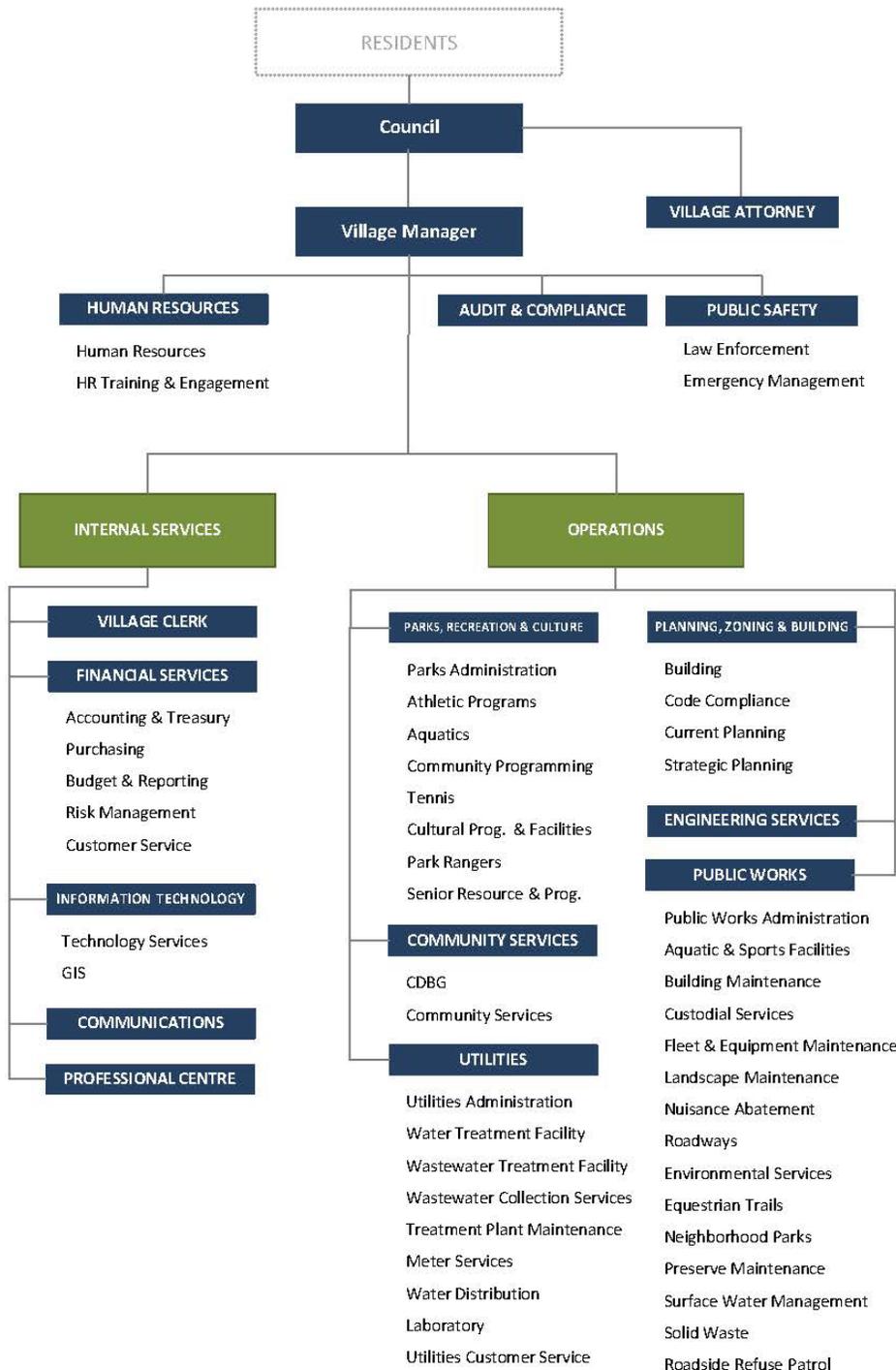
DEMOGRAPHICS

As a primarily residential community with a current population of over 60,000 residents, the Village continues to be an attractive hometown community in which to raise a family. It offers A-rated public schools and a variety of recreational programs for all ages. The Village's economic base continues to grow and is the home of major industries including a medical industry and a thriving retail industry with retail stores located around and inside the Mall at Wellington Green. In addition, the Village is home to the Winter Equestrian Festival and International Polo where annually, thousands of equestrians come to compete in a variety of competitive events. The equestrian community is a major contributor to the local economy.



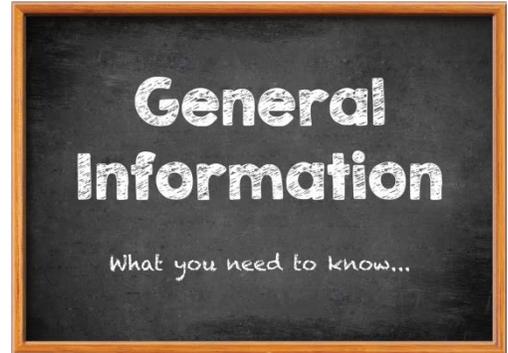
VILLAGE ORGANIZATION

In order to effectively provide the services required to meet the needs of the Village of Wellington communities, the Village is organized in a traditional Council/Village Manager form of government. The Village Council selects the Village Manager, who then selects all Village employees, except the Village Attorney (who is also selected by the Village Council). The Village Manager is the Chief Administrative Officer of the Village, ensuring the vision and supporting policies approved by the Council are implemented.



SECTION II: GENERAL EMPLOYMENT

Policies may be added at any time and those contained in this manual may be changed, modified or amended at any time, for any reason, without prior notice to employees. Any such additions, changes, modifications or amendments shall be communicated to employees as soon as practical. Any of those changes, modifications or amendments will supersede any and all previously approved policies.



INTRODUCTORY PERIOD

All new employees or former employees re-hired more than ten (10) days after their separation date are subject to a six (6) month introductory period. During this period, the employee must demonstrate an aptitude for the work, compliance with all polices, as well as the ability and desire to succeed. During this introductory period, employees may be evaluated after three (3) and (6) months of employment.

Completion of the Introductory Period: Completion of the introductory period does not confer any expectation of continuation in employment or modify the “at-will” employment relationship. Continuation of employment may be affected by many factors including funding, employee performance, adaptability, and conduct.

EMERGENCY MEDICAL INFORMATION AND HEALTH QUESTIONNAIRE

Employees who have been hired by the Village shall be required to complete a medical questionnaire before they can begin work. All medical information is exempt under Statute 119 of the Public Records Act.

IDENTIFICATION BADGES

For reasons of security and safety, all employees, as well as other contractors, volunteers, interns, or vendors as determined by Village management, are provided an identification (ID) badge. ID badges shall be issued at time of hire and are used to swipe in and out for duty and provide access to secured areas. All employees shall have their ID badge clearly displayed on their person during working hours.

Employees must report the loss of their ID badge to their supervisor immediately. Upon termination of employment, the ID badge must be returned during out-processing.

BACKGROUND SCREENING

The Village of Wellington is committed to the safety and security of our community and administers background screening in accordance with the Fair Credit Reporting Act and Florida Statutes. All employees will receive background screening prior to hire and placement. Employees assigned to work with or around children, as well as those employees designated by the Village Manager or his designee, shall be fingerprinted prior to employment, and may be fingerprinted bi-annually thereafter. Any

employee transferring to a designated position or department will be fingerprinted at the time of transfer.

QUALIFYING EVENTS

Upon receipt of any qualifying event, Human Resources, in partnership with Executive Management, will determine the most appropriate course of action. The Village reserves the right to immediately terminate employment should any charges be uncovered, or should any of the charges as listed below be brought against an employee while working for the Village. Current and potential Village employees and volunteers must not have entered a plea of nolo contendere or guilty, have been found guilty of, or had adjudication withheld in any criminal offense or conduct including, but not limited to the following:

1. Murder
2. Manslaughter
3. Abuse, exploitation, or neglect of a person
4. Assault or battery on a minor
5. Kidnapping
6. Sexual battery
7. Incest
8. Lewd or lascivious behavior
9. Possessing or dealing in obscene material relating to or involving minors
10. Negligent treatment of a child

Applicants may not be eligible for employment and employees and volunteers may be terminated if they have been convicted of any criminal offense or conduct within the past seven (7) years including, but not limited to the following:

1. Lewdness and indecent exposure
2. Aggravated assault and battery
3. Theft, robbery, and related crimes (felony)
4. Sale of controlled substances (felony)
5. Contributing to the delinquency or dependency of a child
6. Domestic violence / battery (felony)
7. Prostitution and/or Solicitation
8. DUI (felony)
9. Any crime involving moral turpitude
10. Any felony conviction

Florida Driver Licenses

The Village requires employees in all job classifications to hold a valid Class “E” or equivalent Driver License and employees in designated positions are required to possess a valid Class “B” or equivalent

Commercial Driver License (CDL). The day-to-day activities of a position classification may not necessarily require employees to drive a car or operate a particular piece of equipment; however, in the event of a natural disaster or due to ongoing operational needs, use of a car or operation of equipment not typically used may be required. Reasonable accommodations will be made for qualified disabled individuals in accordance with applicable laws and Village policies.

All employees who are permitted to drive Village vehicles or large pieces of equipment shall possess a valid Florida Driver License that is required based on the type of vehicle as listed below:

COMMERCIAL DRIVER LICENSES (CDL)

Class A: Commercial motor vehicles - trucks or truck combinations with a Gross Vehicle Weight Rating of 26,001 lbs. or more, provided towed vehicle is more than 10,000 lbs.

Class B: Commercial motor vehicles - straight trucks weighing 26,001 lbs. Gross Vehicle Weight Rating or more.

Class C: Vehicles transporting placard able amounts of hazardous materials, or vehicles designed to transport more than 15 persons including the driver with a Gross Vehicle Weight Rating of less than 26,001 lbs.

The Village will reimburse employees for the differential cost of upgrading to a required license, and will reimburse employees for the renewal cost of the required license on an ongoing basis.

1. New employees who do not have the required license at the time of hire will be required to obtain by the completion of their 6 month introductory period.
2. Existing employees who do not have the required license when transferred to another position will be provided a six (6) month grace period to obtain one.

NON COMMERCIAL DRIVER LICENSES

Class E: Any non-commercial motor vehicles with a Gross Vehicle Weight Rating (GVWR) of less than 26,001 pounds, including passenger cars, 15 passenger vans including the driver, trucks or recreational vehicles and two or three wheel motor vehicles 50 cc or less, such as mopeds or small scooters. Farmers and drivers of authorized emergency vehicles who are exempt from obtaining a commercial driver license must obtain a Class E license.

The Village has the right to review any appropriate documents including driving records, proof of a valid license and automobile insurance information. The Village may periodically require employees to demonstrate proof that they possess a valid Florida Driver License and may conduct a driver license records check semiannually to ensure individuals have valid driver licenses. Employees found to be driving a Village vehicle without a valid driver license may be disciplined up to and including termination of employment.

REPORTING

All applicants are subject to a motor vehicle record check as well as a criminal record check prior to being hired by the Village. Employees may also be subject to a Motor Vehicle Record check at least every other year thereafter. Employees must immediately report in writing:

1. Expired License
2. Points in excess of three (3) on their license
3. Arrest for driving under the influence (D.U.I.) or driving while intoxicated (D.W.I.)
4. Suspension or revocation of driver license
5. Any traffic accident where employee was issued a ticket or there was an injury as the result of the accident

Employees with a suspended or revoked driver license shall not be allowed to operate Village vehicles or personal vehicles for business purposes, until their license has been reinstated. If an employee's driver license is suspended and the employee is therefore unable to perform the essential functions of his/her position, the employee may be terminated from employment.

SAFETY AND HEALTH

Every employee has the right to a safe and healthy work environment. The Village endeavors to provide a workplace free from safety and health hazards.



MANAGEMENT COMMITMENT

The Village is committed to providing its employees with a safe and healthy work environment. Employees are required to immediately report unsafe working conditions and shall not perform tasks if the work conditions are considered to be unsafe. Employees must immediately report all accidents, injuries, and unsafe conditions to their supervisors. Employee recommendations to improve safety and health conditions shall be given thorough consideration by Village management. Safe working conditions are a top priority, and financial and other resources shall be provided to correct any unsafe conditions.

EMPLOYEE RESPONSIBILITY

It is the responsibility of each employee to carry out the Village's safety programs while continuing to develop safe work habits. This condition of employment also states that employees protect themselves, the Village, Village equipment, and Village residents and coworkers by conducting their actions in a safe, responsible and competent manner. An employee found to be in violation of safety rules, or not reporting accidents as required, shall be subject to disciplinary action, up to and including termination of employment.

USE OF VILLAGE PROPERTY

Village vehicles and other operating equipment are insured for Village use only. Inappropriate or abusive use of Village-owned vehicles, clothing, equipment, materials, or other property for unauthorized personal convenience, for profit, for private use, or as a part of secondary employment is not permitted and may result in disciplinary action up to and including termination of employment.

UNIFORMS, DRESS ATTIRE, AND SAFETY SHOE PROGRAM

All employees are expected to present a positive image of the Village through their dress and their behavior and are expected to dress and groom in a neat, clean, and businesslike manner consistent with their position and work location. All employees are expected to practice good hygiene.

Employees in professional and leadership positions or who are assigned to an office environment are required to dress professionally as appropriate to their location and work assignment. Selected staff members are required to wear “Career Apparel” including shirts or sweaters with Village logos. Wellington logo shirts may be worn with slacks or a skirt. Leggings, stretch pants, cargo pants, gym attire, sneakers, casual sandals, and flip flops are not considered professional dress attire.

Certain exceptions to the uniform and dress attire guidelines may be made as appropriate for specified departments, or at the discretion of the Village Manager or designee. Employees who have questions about their attire should consult their supervisor.

UNIFORMS

Employees in designated positions generally categorized as field positions (typically non-office personnel) are required to wear uniforms. Field staff employees shall be supplied with uniforms and uniform cleaning services at the Village’s expense.

Each eligible employee shall receive an appropriate number of work uniforms and is expected to report to work each day in a clean uniform. Employees should notify their supervisor if uniforms are returned from the uniform contractor damaged, in poor condition, or if they are not returned in a timely manner.

1. Employees required to wear uniforms are responsible for wearing and having clean uniforms available at all times. Employees should have at least one (1) clean uniform available. If an employee participates in the Safety Shoe Program, then safety shoes are considered part of the employee’s uniform and therefore shall be worn daily as required.
2. Upon separation from the Village of Wellington, employees shall return all uniforms in their possession to their supervisor. A deduction from the employee’s final pay in accordance with the Fair Labor Standards Act (FLSA) may be administered for the cost of replacing any uniforms that are not returned. Employees required to wear uniforms should contact their supervisor for further information regarding replacement and return of uniforms.

Any attire purchased on behalf of the employee beyond the required, mandatory uniforms, will be reported as taxable income and is subject to withholding.

SAFETY SHOE PROGRAM

Eligible employees will be issued one (1) Safety Shoe Program eligibility letter to be used for pre-approved shoe/boot selections from the approved vendor the second quarter of each fiscal year. Shoes must be obtained from the approved vendor within 30 days of receipt of the eligibility letter. No other items may be purchased using the eligibility letter.

Eligibility letters will contain information regarding the approved vendor and approved footwear, and must be used within 30 days of issue. Eligibility letters are not transferable, and have no cash value. Eligibility letters are good for one time use and must be surrendered at the time of purchase. No adjustments may be made on previous purchases. Returns and exchanges are subject to the vendor's return policy.

Employees assigned as follows are required to wear safety shoes and will receive one (1) pair per fiscal year as outlined in this policy (this requirement excludes administrative staff in all classifications, unless otherwise designated by the Department Director):

1. All maintenance personnel and field staff;
2. All treatment plant personnel;
3. All engineering and construction personnel, including inspectors and plans examiners;
4. All code enforcement officers;
5. Any other field personnel;
6. Any position designated by the Department Director

Employees participating in the Safety Shoe program generally work in uncontrolled environments, work out in the field, carry or move heavy items, and/or walk on unpredictable terrain.

Eligible newly hired employees in designated classifications will be able to participate in the Safety Shoe program upon hire. Newly hired employees who received safety shoes or boots, and who do not complete their 6 month introductory period, will receive a prorated deduction on their final paycheck, up to the total value of the shoes or boots they received. Newly eligible employees (including position transfers) will be able to participate in the Safety Shoe program, as determined by the department director.

Employees with an eligibility date between October 1st and January 1st will be able to participate in the Safety Shoe program at time of eligibility, and shall not be eligible to participate in the Safety Shoe program again until the following January.

HOURS OF OPERATION/MEAL BREAKS/REST PERIODS

Normal operating hours may vary according to specific work areas. Employees will be informed of scheduled work hours, meal breaks, and rest periods by their supervisors.

Meal Breaks: Employees who work a full day are strongly encouraged to take a meal break. Employees without regular access to a time clock, or who do not have meals automatically deducted, must identify all meal breaks in accordance with approved timekeeping procedures. Employees will only be permitted to work through meal breaks (which may include remaining at their work station during meal times) if specifically authorized and approved by their supervisor. Employees are not permitted to perform work “off the clock” at any time or for any reason.



Rest Periods: Rest periods are not required by law, however, the Village allows supervisors to determine if a rest period is appropriate based on operational needs. Generally, there are two (2) rest periods per an eight to ten hour day with one rest period every four to five hours which will not extend beyond fifteen (15) minutes and shall be counted as hours worked. Rest periods may be adjusted at the discretion of the supervisor and shall be taken on the Village’s premises or at the work site, unless otherwise authorized by the supervisor.

SMOKE-FREE/TOBACCO-FREE/VAPE-FREE WORKPLACE

Smoking, use of tobacco products, and/or “vaping” (using vapor or e-cigarettes) is prohibited throughout Village offices and in Village-owned vehicles. Smoking, use of tobacco products, and/or “vaping” is permitted outdoors in designated “smoking / tobacco” sections, and is limited to the employee’s meal break or during rest periods only. Employees are not permitted to smoke, use tobacco products, or vape in any indoor work area at any time, or outside the front door of any facility during work hours, pursuant to the Florida Clean Indoor Air Act and / or other related legislation.

EMPLOYMENT RECORDS

The Village maintains employment-related records and files for each employee and tracks employee information for internal business purposes, to comply with various federal, state, and local laws, to administer its employment and benefit programs, and to comply with the Public Records Act. The Village maintains an electronic employee file for each employee in the organization.

Employment records fall under the jurisdiction of the Florida Public Records Act and therefore are subject to the terms and conditions of the Act. Employees who desire to review their employee file may do so by request made to the Human Resources Department. A member of the Human Resources Department shall witness the employee’s review.

Various items contained in the employee file shall be made available for review by the public when a Public Information Request is made in accordance with the Florida Public Records Act. Based on job classification, the home addresses, and home telephone numbers of specific municipal employees and

spouses may be confidential and exempt from the provisions of the Florida Public Records Act. In addition, medical information on all employees is confidential and considered exempt.

Phone calls from outside agencies, businesses, or people requesting employment records or personal information on an employee should be directed to the Village Clerk's office.

UPDATING RECORDS

All employee information must be kept up to date. Notification must be sent in writing to the Human Resources Department immediately following any change in status which includes but is not limited to the following:

1. Name, Address, Telephone Number, Email address
2. Emergency contact and information
3. Marital status (for insurance purposes)
4. Dependent status (for tax withholding and insurance purposes)
5. Beneficiary (for life insurance)
6. Bank account information (if enrolled through direct deposit)

RECRUITMENT AND SELECTION PROGRAM

The employment process is impacted by various federal and state laws. For this reason, questions regarding the recruitment and selection process should be referred to Human Resources. Applicants seeking employment should be directed to the Village's website.

Vacancies will generally be posted in accordance with the Village's internal job posting procedures. Internal job postings and all job postings that are advertised externally are displayed on Village bulletin boards and are available on the Village's intranet site. External postings will also be advertised on the Village's Website, the intranet, and Channel 18. Interested employees are encouraged to apply for any posted position by completing an application prior to the closing date. In accordance with state law, the Village provides preference in employment and retention for covered positions to qualifying veterans and their spouses.

TRANSFERS/PROMOTIONS/RECLASSIFICATIONS/ TITLE CHANGES/DEMOTIONS

Transfers, promotions and reclassifications shall be used to help develop career opportunities for employees and may also be used to satisfy certain operational needs.

Transfers: allow employees to keep their title but move to a different physical location. Lateral moves may also recognize the employee for assuming similar levels of responsibility and accountability in a different kind of job, but typically within the same role and level. Transferred employees may be subject to a 90-day performance period and may be evaluated at the completion of 90 days and again at six months as determined by the Department Director. Employees who fail to meet the performance standards of the new position may be terminated, demoted, or transferred again, at the sole discretion of the Village.

Promotions: recognize the employee for assuming increased levels of responsibility and accountability for a position that is *significantly* higher in scope than the current position. Promoted employees are subject to a 90-day performance period and may be evaluated at the completion of 6 months, as determined by the Department Director. Employees who fail to meet the performance standards of the new position may be terminated, demoted, or transferred, at the sole discretion of the Village.

Reclassifications: recognize the position (or employee) has a different degree of responsibility, and may also occur when a vacant position must accommodate different departmental or divisional needs than the current vacancy supports.

Title Changes: occur when an employee's current title does not effectively describe the work he or she is performing.

Employees must satisfactorily complete their introductory period in order to be eligible for a promotion or transfer unless approved by the Village Manager or a member of Executive Management.

Depending on the nature of the change, transfers, promotions, reclassifications, and title changes may or may not be advertised.

Demotions: occur when the Village reassigns an employee from one job classification to another classification with a lower pay grade or a lower role and/or level. An employee reassigned voluntarily or involuntarily, regardless of the reason, may receive a reduction in pay commensurate with the nature of the demotion. The Village reserves the right to choose the best method to decrease the incumbent's pay.

An employee shall not be demoted to a position for which he or she does not possess the minimum qualifications or for which he or she is unable to perform the essential functions with or without a reasonable accommodation.

Demoted employees shall be subject to a 90-day performance period and may be evaluated again at six months as determined by the Department Director. Failure to meet the performance standards of the new position may result in termination or transfer, at the sole discretion of the Village.

SECTION III: EMPLOYMENT POLICIES

EQUAL EMPLOYMENT OPPORTUNITY

The Village of Wellington seeks to preserve an employment environment free from unlawful discrimination. All applicants are extended equal opportunity to gain employment and all employees are extended equal opportunity to progress in their field of endeavor.



The Village of Wellington is an Equal Employment Opportunity Employer (EEOE) and is committed to equal opportunity in the areas of recruitment, employment, training, development, transfer, and promotion. The Village's employment practices are without regard to race, color, creed, religion, gender, gender identity or expression, sexual orientation, national origin, ancestry, disability, pregnancy, medical condition, genetic information, age, marital status, familial status, or any other characteristic protected under federal, state, or local law in all personnel and employment actions and in all terms and conditions of employment.

The Village shall make the following reasonable accommodations:

Disability Accommodation: If an applicant or an employee can perform the essential job functions, and has a qualified disability, and is not a direct threat to employees or others, the Village will make reasonable accommodations as long as the accommodation does not cause the Village undue hardship. The individual may contact either his or her supervisor, or in the case of an applicant, the hiring supervisor or Human Resources. The request shall then be evaluated and an appropriate reasonable accommodation (if any) shall be facilitated.

Religious Accommodation: The Village shall allow time off (with or without pay) to observe religious holidays that are not Village observed holidays. Employees requesting religious observance accommodation must notify their supervisor of the requested time off at least two (2) weeks before the date of the planned absence. If paid time off (PTO) time is available, employees must use accrued PTO for the time taken.

Employees or applicants who want to report what they believe is an incident of unlawful employment discrimination must immediately report the matter to their supervisor or Department Director, even if they have discussed the situation with the individual(s) engaged in the behavior perceived to be discriminatory. If the supervisor is unavailable, or the employee believes it inappropriate to contact the supervisor, the employee must immediately contact

Human Resources. Employees or applicants may raise concerns and make reports without fear of reprisal.

Supervisors or managers who become aware of an alleged incident involving unlawful employment discrimination shall promptly advise their Department Director or Human Resources. The Human Resources Department shall conduct a confidential investigation surrounding the circumstances. Failure to report an incident may result in disciplinary action, up to and including termination.

The Village is committed to investigating and correcting any form of discrimination, and accordingly, employees are required to immediately report suspected discrimination. Employees who report acts of suspected unlawful discrimination are protected by law from discrimination or retaliation. Supervisors or managers who unlawfully discriminate or retaliate against an employee who has complained of discrimination, or who support another employee's complaint, are subject to disciplinary action, up to and including termination of employment. All complaints shall be investigated promptly, and the results of the investigation shall be reported to the complaining party. The complaint investigation shall be conducted by the Human Resources Director or a designee. Investigation of a complaint may include, but is not limited to, interviewing the complaining party as well as other employees and/or customers to obtain sufficient information upon which to make an assessment of the situation. While the Village shall make every effort to be sensitive to privacy issues, in the course of investigation relevant information shall be discussed with appropriate parties on a need-to-know basis.

NO-HARASSMENT



The law and the Village do not, and will not, tolerate any type of unlawful harassment of employees, or by employees, by customers, or by vendors. Likewise, the Village will not tolerate unlawful harassment of an employee, customer or vendor by any employee of the Village.

The term "harassment" includes, but is not limited to, slurs, jokes, epithets, and other verbal, graphic, or physical conduct relating to race, color, creed, religion, gender, gender identity or expression, sexual orientation, national origin, ancestry, disability, pregnancy, medical condition, genetic information, age, marital status, familial status, or any other characteristic protected under federal, state, or local law. "Harassment" also includes sexual advances, requests for sexual favors, offensive touching, and any other verbal, graphic, physical conduct, or electronic communications (e.g., e-mail) of a sexual nature involving either members of the opposite or the same sex.

Supervisors and Managers are expected to monitor the work environment to ensure that the workplace remains harassment-free. If employees, visitors, or vendors are observed engaging in

conduct that may be considered unlawful harassment, supervisors and managers must immediately address the situation to stop the conduct and prevent a recurrence, whether or not they have direct supervisory responsibility over the party(s) involved.

Supervisors and managers are responsible for enforcing this policy and ensuring that the workplace remains harassment-free. Employees who engage in or tolerate unlawful harassment are subject to disciplinary action, up to and including termination. Behavior that violates this policy but that does not rise to an “unlawful” level may also subject the employee to disciplinary action up to, and including, termination. Further, no supervisor or other member of management has the authority to suggest to any employee or applicant that the individual’s employment, continued employment, or future advancement shall be affected in any way by the individual's entering into, or refusing to enter into, any form of personal relationship with the supervisor or member of management. Such conduct is a direct violation of this policy.

Employees who want to report what they believe is unlawful harassment must immediately report the matter to their supervisor. If an employee believes that a supervisor or member of management has acted inconsistently with this policy, or is not comfortable bringing a complaint regarding unlawful harassment to an immediate supervisor, or if it is believed that the complaint concerning a coworker has not been handled satisfactorily, the employee must immediately contact the Department Director, the Human Resources Director, or the Village Manager.

INVESTIGATING HARASSMENT COMPLAINTS

Complaints of harassment shall be investigated promptly, and confidentiality will be maintained within the parameters of the investigation. Results of the investigation shall be reported to appropriate parties as needed. Investigation of a harassment complaint shall be conducted by the Human Resources Director or his/her designee and may include, but is not limited to: interviewing the complaining and accused parties as well as other employees and/or customers to obtain sufficient information upon which to make an assessment of the situation. While the Village shall make every effort to be sensitive to privacy issues, in the course of an investigation, the Village shall discuss relevant information with appropriate parties as required to obtain needed information. Supervisors and managers are expected to maintain confidentiality on such information.

ANTI-BULLYING

The Village of Wellington is committed to providing a safe, secure, civil, and respectful environment free from bullying and harassment. The Village of Wellington will not tolerate bullying or harassment.

DEFINITIONS

Bullying is defined as systematically and chronically inflicting physical hurt or psychological distress on one or more people. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting or dehumanizing gestures that are severe or pervasive enough to create an intimidating, hostile, or offensive environment; cause discomfort or humiliation; or unreasonably interfere with the individual's work environment or program participation. Bullying may involve, but is not limited to:

1. Teasing
2. Social exclusion
3. Threat
4. Intimidation
5. Stalking
6. Physical violence
7. Theft
8. Sexual, religious, racial, ethnic, lifestyle, medical, or disability harassment
9. Public humiliation
10. Damaging or destruction of property
11. Placing someone in reasonable fear of harm to himself or herself or to his or her property

Harassment is defined as any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against someone else that:

1. Places a person in reasonable fear of harm to his or her person or damage to his or her property;
2. Has the effect of substantially interfering with a person's performance, opportunities, or benefits; or
3. Has the effect of substantially disrupting the orderly operation of Village departments, operations, programs.

Bullying and harassment also encompass:

1. Retaliation for asserting or alleging an act of bullying or harassment.
2. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
3. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to another person by:
 - a. Incitement or coercion.
 - b. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

- c. Unwanted harm towards another person in regard to his/her actual or perceived traits or characteristics, including but not limited to race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship or any other characteristic protected by law.

EXPECTATIONS

The Village of Wellington expects its employees, vendors, and program participants to conduct themselves appropriately with regard for the rights and welfare of others. It also expects regard of, and respect for, the care of Village facilities, operations, and equipment.

All Village employees, program participants, and vendors are required to:

1. Conform to reasonable standards of socially acceptable behavior;
2. Respect the person, property, and rights of others;
3. Obey constituted authority; and
4. Respond to those who hold that authority.

Bullying of any Village employee, program participant, or vendor is strictly prohibited:

1. During any Village-sponsored program;
2. While on Village of Wellington property;
3. While on a bus or other Village-sponsored transportation; and
4. While on any Village-sponsored field trips.

PROCEDURES FOR REPORTING ACTS OF BULLYING OR HARASSMENT

The assigned Department Manager or designee shall be responsible for receiving complaints of bullying or harassment. Employees, program participants, parents, legal guardians, volunteers, and visitors are encouraged to report any act of bullying or harassment to the assigned Department Manager. Such complaints may be made anonymously, in-person or in writing. However, formal disciplinary action may not be based solely on the basis of an anonymous report.

INVESTIGATION OF COMPLAINTS

The investigation of a reported act of bullying or harassment begins with the Department Manager or designee; the department manager or designee will determine if the bullying or harassment involves a Village employee(s). If it involves a Village employee, the Department Manager or designee will transfer the investigation to the Human Resources Director or designee. Once transferred to the Human Resources Director (or designee), an investigation into the reported facts and surrounding circumstances will be considered to determine whether an act of bullying or harassment, and/or a violation to this policy occurred. Should the act be determined to be outside the scope of Village of Wellington employment, there may be no action taken by the Village.

Investigations must include interviews of the victim(s), alleged perpetrator(s), and witnesses. Each individual must be interviewed separately; at no time will the alleged perpetrator and victim be interviewed together.

CONSEQUENCES FOR VIOLATORS OF THIS POLICY

Where the facts and surrounding circumstances yield a conclusion that one has engaged in bullying and/or harassment, the following consequences are deemed appropriate:

1. Consequences and appropriate remedial action shall be determined in accordance with Village of Wellington Policies for Village employees.
2. Consequences may also be imposed upon those who are found to have wrongfully and intentionally accused another of bullying or harassment.
3. Retaliation against any person who makes a good faith report of bullying or harassment is strictly prohibited. Likewise, retaliation against any person who testifies, assists, or participates in a proceeding or hearing related to bullying or harassment shall not be tolerated.

CODE OF ETHICS

Employment with the Village of Wellington requires all employees to conduct themselves with integrity at all times; keeping in mind they are responsible to the citizens of the Village. Employment with the Village is subject to Chapter 112, Florida Statutes, and The Palm Beach County Code of Ethics, and Chapter 2 “Administration,” Division 2 “Code of Ethics” of the Village of Wellington’s Code of Ordinances. These statutes and ordinances set forth general standards of conduct for public employees.

To avoid a violation of the Code of Ethics, all employees must consider how an outside observer would view the situation. Employees must not misuse their public position in a manner which they know or should know will result in a financial benefit or special privilege not shared with similarly situated members of the general public. Financial benefit or gifts include any money, service, license, permit, contract, authorization, loan, travel, entertainment, hospitality, gratuity, or any promise of any of those items or anything of value. If it appears that a Village employee, or his/her friend or relative received special treatment from the Village as a result of the relationship with the Village, such perceptions may indicate the need to evaluate whether a violation of the Code of Ethics exists.

REQUIRED TRAINING

According to the Palm Beach County Code of Ethics §2-446(a), Officials and employees shall be informed of their ethical responsibilities at the start of their public service, and shall receive updates and training materials on ethics issues throughout the span of their public service.

1. All Village employees and elected officials will receive Ethics training within 90 days of hire, and will be required to submit a signed acknowledgement form at that time.

This training requirement may consist of live training by COE (Commission on Ethics) staff, on-line training through use of the training video available on the COE website, or electronic presentation upon request.

2. As part of the required training, all public employees, elected and appointed officials must read the Palm Beach County Code of Ethics. The code is available on the COE website as well as in the Ethics Pocket Guide, published by the Commission on Ethics.
3. After initial training, periodic mandatory follow-up training is required of all employees and officials every two (2) years. This training requirement may consist of live training by COE (Commission on Ethics) staff, on-line training through use of the training video available on the COE website, or electronic presentation upon request.
4. After elected and appointed officials and employees have completed training and read the Code of Ethics, they shall complete an approved acknowledgment form, available on the Commission on Ethics website:
<http://www.palmbeachcountyethics.com/forms.htm>.

The training acknowledgment form must be signed by the elected or appointed official or employee and submitted to Human Resources for inclusion in their personnel file.

5. Board and committee members are appointed for 2-year terms and will receive an electronic copy of the Ethics Training upon their appointment. All board and committee members are required to submit a signed acknowledgement form available on the Commission on Ethics website, <http://www.palmbeachcountyethics.com/forms.htm>, prior to their first scheduled meeting. Upon any subsequent reappointment, board and committee members are required to fulfill their Ethics training requirement again before attending the first scheduled meeting following their reappointment. Members who are not reappointed have no further training obligation. Board and committee members must submit their signed training acknowledgement form to the Village Clerk's Office.

Employees may contact a member of Executive Management or a member of the Human Resources staff if they have any questions concerning the requirements for fulfilling Palm Beach County Code of Ethics training.

GIFTS

1. Village employees and members of their immediate household are not permitted to accept gifts from any person or business entity that the employee knows is subject to the Village's regulations or has a business relationship with the Village; is a lobbyist, or is a principal of a lobbyist having an issue before the Village. Gifts include anything that may be considered of economic value including money, travel, service, loans, entertainment, hospitality, items, or promises.
2. Gifts do not include de minimis items with little to no value and do not include items offered at training or conferences if included with the cost of such an event; discounts available to all Village employees; promotional items sent through the mail; samples; informational books or periodicals; gifts or food between employees; admission to Village sponsored employee events (along with associated activities, meals and

giveaways); or expenditures made in connection with an event for public purpose and on behalf of the Village.

3. Gifts for public use or sponsorships for projects and programs are allowable when solicited or accepted by public employees for public purpose and on behalf of the Village, so long as the gift/sponsorship is adequately documented and an acknowledgment is sent to the donor/sponsor describing same. Samples or equipment trials may also be accepted, if for public purpose, so long as the acceptance of such items, along with its intended use is adequately documented.

PROHIBITED EMPLOYMENT AND BUSINESS RELATIONSHIPS

Village employees are prohibited from purchasing, renting, or leasing any goods, services, or real estate for the Village from a business entity in which they or another Village employee owns more than five percent interest.

Exemptions: The prohibitions against doing business with the Village and having conflicting employment shall not apply when:

1. When the business is rotated among all qualified suppliers in the Village of Wellington.
2. When the business is awarded by sealed, competitive bidding and neither a Village official or Village employee, or relative of a Village official or Village employee has attempted to persuade Village personnel to enter into the contract.

OUTSIDE EMPLOYMENT

Employees may hold outside employment as long as they meet the performance standards of their Village position and they receive advanced, written approval through their chain of command. Employees who have outside employment are required to complete a Village of Wellington "Outside Employment Authorization" form; in some instances, employees may also be required to submit a "Commission on Ethics Employee Conflict of Interest Waiver."

Neither the Village's Outside Employment Policy nor the signed acknowledgment in any way alters the "at-will" nature of employment with the Village of Wellington.

DISCLOSURE OF OUTSIDE EMPLOYMENT

All employees must request Outside Employment using the Outside Employment Request Form *prior* to engaging in Outside Employment, and must advise the Village using the Outside Employment Request form any time their outside employment status changes.

It is the employee's responsibility to disclose outside employment, and accurately provide answers to the questions on the Village of Wellington's Outside Employment Request form. Completing the Outside Employment Request form may require the employee to obtain information from an outside employer, the Village of Wellington's Purchasing Department, or other sources as needed. Employees may also be required to submit a Palm Beach County "Conflict of Interest Waiver" if a conflict of interest, or potential

conflict of interest exists. Each outside employment request requires that a new form is completed. Incomplete forms will be denied.

Changes in outside employment may include, but are not limited to: contracts with the Village subsequent to approval, changes in work schedules (for the outside employer), termination from the outside employer, or changes to the ownership interests in the outside employer. Any change must be disclosed to the Village on a new Outside Employment Request form within 30 calendar days of the change.

CONFLICT OR POTENTIAL CONFLICT OF INTEREST

Outside employment that constitutes a conflict or could potentially be perceived to conflict with the Code of Ethics Policy, state or local ethics laws and ordinances, or that could impact, or potentially impact negatively on the Village or its reputation is prohibited. Employees may hold outside jobs as long as no conflict exists, the outside employment has been approved in writing before beginning outside employment, the employee's performance standards of their official duties with the Village of Wellington are met, the employee is not performing outside employment-related work during scheduled work hours for the Village, and unless approved, the employee is not engaging in outside employment while on sick leave, or when receiving Worker's Compensation.

It is the employee's responsibility to notify Human Resources of any changes in outside employment status using the Outside Employment Request form. Restrictions to outside employment include the following:

1. The outside employment will not interfere or otherwise impair the employee's independent judgment or the employee's performance of public duties for the Village;
2. Neither the employee nor any relative who works in a Village department enforces, oversees, or administers any contract or transaction with his or her outside employer;
3. Neither the employee nor any relative participated in determining the requirements or awarding of any contract to the employee's outside employer.
4. The employee's public job responsibilities and job description will not require him/her to be involved in any contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance with the outside employer.
5. The employee is not responsible for, or involved in, purchasing, renting, or leasing any goods, services, or real estate for the Village from a business entity in which he or another Village employee owns more than five percent interest.
6. The employee does not use Village equipment, tools, supplies or other resources for an outside employer.

PROHIBITED EMPLOYMENT AND BUSINESS RELATIONSHIPS

Employees are prohibited from engaging in outside employment where the outside employer provides goods or services to the Village and where:

1. The employee has an ownership interest in the outside employer; or
2. The employee's relatives, household members, or domestic partners, or any combination of them, have an ownership interest in the outside employer; or
3. The employee works for a department at the Village that has any oversight, enforcement or administrative responsibilities regarding the contract with the outside employer, or the goods and services provided; or
4. The employee participated in any way in determining any of the outside employer's contract requirements, bid specifications or in the award of the contract to provide goods or services to the Village; or
5. The employee's job responsibility or job description at the Village requires or allows the employee to be involved in the contract in any way (e.g. oversight, enforcement, administration, amendment, extension, or termination).

CONSEQUENCES OF VIOLATIONS

Failure to obtain approval prior to beginning outside employment or failure to submit a completed form when the outside employment status changes in any way, may result in disciplinary action up to, and including, termination of employment.

Failure to follow the review and authorization process may result in disciplinary action up to, and including, immediate termination. Other violations of this policy or procedure may result in disciplinary action up to, and including, termination of employment.

NEPOTISM

Nepotism can be defined as favoritism shown to relatives in the appointment of positions within a business organization. Village public officers and employees shall not offer aid in the selection or appointment of relatives of current Village employees. The Village retains the right to refuse to appoint a relative wherein his/her relationship to the employee has the potential for creating adverse impact on supervision, safety, security or morale, or involves a potential conflict of interest. The Department Director shall have the authority and responsibility for determining if there is a potential for adverse impact.

The Village generally permits the employment of qualified relatives of employees as long as such employment does not, in the opinion of the Village, create actual conflicts of interest. For purposes of this policy, "relative" is defined as a spouse, child, foster child, parent, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, first cousin, corresponding in-law, "step" relation, domestic partner, or the child(ren), parents, or foster child(ren), of the domestic partner; or any member of the employee's household. The Village of Wellington will use sound judgment in the placement of related employees.

Generally, it is Village practice that individuals who are related by blood, marriage, or reside in the same household are not permitted to work in the same department. Additionally, no employee is permitted to work within "the chain of command" when a relative's work responsibilities, salary, hours, career progression, benefits or other terms and conditions of employment could be influenced by the other relative.

Exemption: Employees hired as camp counselors, volunteers, interns, or otherwise provide temporary and/or seasonal part time help, provided there is no direct supervisory relationship with a relative. Any exceptions to this policy must be approved by the Village Manager or his designee.

COWORKER RELATIONSHIPS

Due to the potential for a conflict of interest, sexual harassment, and/or other serious concerns, the Village strongly discourages employees from dating or entering into a consensual and/or romantic relationship with other co-workers, members of management, or elected officials. In an effort to avoid such issues from arising, the Village prohibits members of management (including, but not limited to supervisors, managers, and directors) from dating any subordinate within their department. Such relationships can be disruptive to the work environment, create a conflict or appearance of a conflict of interest, and lead to charges of favoritism, discrimination, and claims of sexual harassment. While the Village has no desire to interfere with the private lives of its employees or their off-duty conduct, where such conduct impacts the Village and/or the Village's work environment in a negative manner, the Village reserves the right to take whatever action is appropriate, in its discretion, to protect the Village's interests.

The Village recognizes that at times, employees may develop relationships that turn into "close friends," "domestic partners," or "significant others" during their employment. If employees become involved in a consensual and/or romantic relationship (except as prohibited amongst supervisors/managers and departmental subordinates) as referenced above, the employees have a mandatory obligation to notify Human Resources.

If employees change their relationship by marriage or other means while working within the same department, both employees may not continue their employment in the same respective department, regardless of whether one supervises or evaluates the other. If employees within the same department or reporting chain have a relationship, one employee shall request a transfer to another division or department, if such a position is available as determined by the Village Manager, or voluntarily separate from employment.

POLITICAL ACTIVITIES

All Village employees are citizens and as such are afforded all the rights and privileges with respect to this nation's democratic process. Those rights and privileges include such activities as attendance at any public forum for personal representation regarding matters of public concern, contributions of funds or efforts in support of the campaign of a candidate for public office, or the display of advertising material in support of a candidate on personal or private property of such employee.

Employees may not engage in any political activities during normal work hours or while wearing Village uniforms, nor shall any of the Village's property, equipment, vehicles or funds be utilized to conduct such activities.

Prohibited political activities include (but are not limited to) the following:

1. Distributing campaign literature on Village property, while on work time or in work areas, or using Village equipment to transport campaign literature or materials.
2. Use of an employee's official authority or influence for the purpose of interfering with an election, or nomination of office or coercing, or influencing another person's vote, or affecting the result thereof.
3. Directly or indirectly coercing, or attempting to coerce, command or advise any other officer or employee to pay, lend or contribute any part of their salary, or any money or any other thing of value to any party, committee, cause or person for political purposes.

This policy does not prohibit an employee from suggesting to another employee (in a non-coercive manner) to voluntarily contribute to a fund which is administered by a party, committee, organization or person for political purposes (so long as these actions are not during working hours or in work areas).

Nothing in this policy shall prohibit employees from expressing their opinion about a candidate or issue, or from participating in any political campaign during their off-duty time in non-work areas.

PURCHASING CARD PROGRAM

The Village's Purchasing Card Program ("P" Card) was designed to improve the Village's purchasing efficiency. To achieve this goal, purchasing card users are advised to coordinate most purchases through the purchasing card system instead of using the purchase order system. The "P" card shall be used by approved users for purchases of supplies or services used by the Village. Personal use of the purchasing card, use by a non-approved individual, or any other violation of the purchasing card policy is strictly prohibited and may result in disciplinary action, up to and including termination of purchasing card privileges or termination of employment. Prior to initial use of the purchasing card, employees shall be required to sign an acknowledgment indicating that they have read and understand the purchasing manual as it relates to guidelines for general

procurement and use of the “P” card. Please refer to the Purchasing Manual for additional information.

PERSONAL USE OF COMMUNICATIONS DEVICES AND VILLAGE BUSINESS COMMUNICATIONS

PERSONAL USAGE

When using personal communications devices, employees are expected to communicate in a professional manner. Use of personal communications devices may distract from job duties and can reduce overall productivity, particularly in departments where service delivery or performance may be directly impacted when used during working hours. Using communications devices (including smart phones, tablets, cell phones, etc.) during working hours should be avoided if doing so could pose a potential risk, reduce individual or overall productivity, and/or interfere with the regular operations of the department. Employees are prohibited from using communications devices while driving a Village vehicle or while operating Village equipment, unless they are using a hands free device in compliance with applicable laws. Texting or using a mobile device while operating Village equipment is prohibited.



EMAIL

Any and all Village email correspondence must be sent through a Village email account. Emails for Village business should not be sent from a personal email account, and employees may not respond to business-related emails if they are sent to a personal account.

TEXTING

In order to comply with Public Information Record laws, Village employees are not authorized to use text messaging as a means to conduct Village business. Acceptable uses of text messaging include limited communication such as “call me please,” “the meeting is starting,” or “let’s have lunch.” Business conversations or customer/project related conversations shall not take place through text messaging.

All Village files must be stored on Village devices. No Village-related business files are to be stored outside of Village owned or provided equipment.

CELLULAR AND SMART PHONE ALLOWANCE

Department Directors shall approve the assignment of a standard service plans to designated employees as necessary for their job function and assignment. Generally, the Village provides designated employees with a taxable equipment allowance towards the initial purchase of a new smart/cell phone and for the replacement of a smart/cell phone (where the replacement may occur no more frequently than once every 2 years). All contracts for

service must be taken out in the name of the employee receiving the allowance and may not be taken out in the name of the Village of Wellington. Service based on the allowance being paid must remain active while the allowance is being provided. No additional reimbursement will be provided to those receiving a monthly allowance even if the monthly charges to the employee exceed the allowance amount. However, allowances can be changed at any time should circumstances or needs change. When contracting for services, the employee should inquire as to the availability of any discounts that may be available to Village employees.

COMPUTER AND OTHER ELECTRONIC COMMUNICATIONS

Use of Village computers, internet and electronic communications, including, but not limited to: cell phones, smart phones, tablets, voice mail, E-mail, radios, pagers, text messaging, and internet postings, shall be used in accordance with the Village's Technology policies. All Village employees and elected officials will be governed by these policies.

Employees are responsible for protecting the Village's Information Technology resources from physical and environmental damage, as well as ensuring the correct operation, security, and maintenance of appropriate systems.

Employees are prohibited from using Village-issued computers or electronic devices for inappropriate activities including but not limited to the following:

1. Viewing or accessing sexually explicit websites, blogs, videos, etc.
2. Viewing or accessing any written or graphic materials that include jokes or slurs related to an individual's race, color, religion, sex or sexual orientation or other protected category through email or on websites, blogs, videos, etc.

The Village's policy prohibiting unlawful discrimination and harassment applies to the use of all systems. Violators of this policy may be subject to disciplinary action, up to and including termination of employment.

EMPLOYER MONITORING

Employees are cautioned that they should have no expectation of privacy while using Village electronic equipment and technology resources. The Village of Wellington may also monitor various social media, and employee postings can be reviewed by anyone, including the Village of Wellington.

The Village reserves the right to monitor all publicly posted information and it reserves the right to use content management tools to monitor and review content that may violate any Village policies, or blogging rules and guidelines.

SOCIAL NETWORKING, SOCIAL MEDIA, AND BLOGGING

The Village takes no position on an employee's decision to engage in social networking or blogging, and the Village may use Facebook, Twitter, and other forms of social media as part of its efforts to enhance customer service and outreach, and increase citizen involvement.

SOCIAL NETWORKING/SOCIAL MEDIA

Social media sites are primarily for use by the Village of Wellington departments as a way to provide information and interact with the public to provide the best service possible. Typical uses for social media sites include promoting events or programs, issuing public notices, alerting the public to field closures or program cancellations, and encouraging feedback from the public.



Unless specifically instructed, employees are not authorized to speak on behalf of the Village of Wellington or officially represent the Village on any position.

Bloggers and users of social media and networking sites are personally responsible for their commentary and can be held personally liable for commentary, media, or photography that is considered defamatory, obscene, proprietary or libelous by any offended party. Employees may be held responsible for violations of the Village's EEO and No-Harassment policies in social media communications.

Only social media administrators, as assigned by Department Directors and approved by the Information Technology ("IT") department, are permitted to post communications on the Village's social media sites and must follow strict guidelines regarding posting of images, comments and removal of posts.

RECORDS RETENTION

The Village of Wellington's social media pages are subject to Florida's public records law, which is broadly construed. Florida's public records law extends to websites, blogs, and social media sites, including personal messaging.

PRIVACY

All users of the Village of Wellington social media sites are subject to the site's own privacy policy. The Village of Wellington has no control over third parties' privacy policies or modifications to such policies.

MEDIA REQUESTS

The media or press may contact employees about a post or matter that relates to Village business. It is imperative that one person speaks for the Village to deliver an appropriate message and to avoid giving misinformation in response to a media inquiry. Employees are required to respond to media inquiries by stating, "I am not authorized to speak on behalf of the Village, please submit your inquiry to the Village Manager's office."

WEAPONS

The Village prohibits the possession of a weapon, firearm, explosive or destructive device on your person, while engaged in Village business or activities, on Village equipment, in a Village vehicle, or when wearing a Village uniform.

It is each employee's responsibility to assure compliance with this policy. If an employee is unsure about whether a tool or instrument they are using for work qualifies as a weapon, or if they may otherwise be in violation of this policy, they are required to ask their Department Director, a member of Human Resources, or a member of Executive Management.

VEHICLE USAGE POLICY

No unauthorized persons shall be permitted to ride in Village vehicles. Authorized passengers include:

1. Village employees, elected officials, board or committee members and any other government employee who is involved in an activity which furthers the business of the Village of Wellington.
2. Employees or independent contractors, business professionals, professional service providers, and any other persons while involved in an activity which furthers the business of the Village of Wellington.



Passengers may not ride in a Village vehicle for personal business. Spouses, children, relatives, and friends of employees are prohibited from riding in a Village vehicle, unless prior approval is received. Note: Members of an employee's family participating in a Village business function are authorized to ride in a Village vehicle with supervisor approval. Requests for exceptions to this policy may be made to the Village Manager or designee.

VEHICLE USE

Use of a Village vehicle for personal business is prohibited except for reasonable personal use during official Village travel.

1. Transporting pets, personal landscaping, or hazardous materials which are not used in the scope of duties is strictly prohibited. Service dogs for individuals with disabilities are excluded from this provision.
2. The transportation of firearms in a Village vehicle is prohibited.
3. Personal recreational equipment must be secured within the vehicle if transported in a sedan or SUV and within the truck bed if transported in a pickup. The transportation of personal recreational equipment by affixing to the roof or outside of the vehicle is prohibited.

DRIVER RESPONSIBILITY

Anyone driving or operating large pieces of equipment while conducting Village business shall ensure that they drive in a safe and appropriate manner. Each driver is responsible for ensuring the following:

1. Compliance with all laws and regulations relating to the operation of a motor vehicle.
2. Maintaining a valid driver license.
3. In the event of suspension, revocation, points in excess of three (3), arrest for driving under the influence (D.U.I), driving while intoxicated (D.W.I), or any change in driver status, the employee must immediately notify his/her direct supervisor and the Human Resources Director in writing. Any employee whose license is suspended shall not operate Village vehicles for the duration of the suspension.
4. Maintaining at least the state minimum level of liability insurance on any non-Village vehicle driven on Village business.
5. Completion of all Preventative Maintenance Services (PMS) required by Fleet Maintenance Department in a timely manner as prescribed by the Public Works Procedure Manual. A Vehicle Maintenance Request Form should be submitted for all maintenance services outside of routine maintenance.
6. Reporting of citations and arrests which occur while driving on Village business.
7. Keeping vehicles clean and presentable, both internally and externally, at all times
8. Ensuring all occupants wear safety belts while the vehicle is operated.
9. Not leaving vehicles unattended.
10. Removing keys from the ignition when the vehicle is unattended.
11. Backing into parking spaces where allowable by law.
12. Not assuming the right of way.
13. Keeping a safe distance behind other vehicles, avoiding tailgating.

14. Not allowing others to tailgate; slowing down, pulling over to the side and letting tailgaters pass.
15. Proper signaling, including lane changes, must be followed.
16. Avoidance of sudden braking.
17. Turning on low beam headlights during dark periods of the day, such as rain storms and fog.
18. Never driving with only the parking lights on at night.

SMOKING

Smoking, use of tobacco products, and/or “vaping” (using vapor or e-cigarettes) is prohibited in Village-owned vehicles and equipment. Employees in violation of this provision will be subject to disciplinary action and a cleaning/detailing fee determined by the Village Fleet Maintenance Department.

DRUG OR ALCOHOL USE

1. Employees are prohibited from operating a Village vehicle while under the influence of drugs or alcohol.
2. Employees shall refrain from knowingly operating a Village vehicle after taking prescription drugs or over-the-counter medications which may cause drowsiness or affect the employee’s alertness and/or driving ability.
3. Employees shall not transport open containers of alcohol in any Village vehicle.

AUTO ALLOWANCE

The Village Manager or a designee may provide a monthly auto allowance to employees for the use of personal vehicles for official Village business, generally within the tri-county area (Palm Beach, Broward, and Martin Counties). Any monthly auto allowance will be included as income and processed through payroll as taxable wages. Employees that receive a monthly auto allowance and travel outside of the tri-county area overnight are eligible for mileage reimbursement pursuant to travel policy guidelines.

TAKE HOME VEHICLES

Village vehicles may be assigned to employees to expedite the completion of official Village business on a 24-hour day/7 day per week basis. Travel associated with Village-approved seminars and training is considered official business. Commuting to and from work and other reasonable and incidental personal uses, are the only regular non-business uses permitted under the IRS commuting rule Reg. 1.61-21(f).

The employee will be charged the current daily rate for usage of the Village vehicle in accordance with IRS regulations. When the Village vehicle is used for travel outside of Palm

Beach County, the Personal Use/Mileage Reimbursement Request Form is used to compensate the employee for mileage. The employee will be charged the current daily rate for usage of the Village vehicle in accordance with IRS regulations for expenses such as gas and toll fees. All approved forms must be submitted to payroll for processing by the end of the first week of the following month.

AUTHORIZED USE OF PERSONAL VEHICLE

Employees are encouraged to drive a Village vehicle while on Village business whenever possible. Employees may use personal owned/leased vehicles for Village business upon the approval of their immediate supervisor. Blanket authorization for regular business may be in writing, kept with the employee's supervisor, and updated annually. The Village of Wellington will provide automobile liability coverage in excess of the employees' personal automobile coverage, but will not provide automobile physical damage coverage for employees who drive their personal vehicles on Village business. Employees are reimbursed mileage to cover any expenses associated with using their personal vehicles. Employees are encouraged to verify insurance coverage for business use with their personal automobile insurance carrier to protect their interests prior to travel. A current vehicle registration and proof of insurance must be kept in their personal vehicle while conducting business for the Village. Mileage used in personally owned/leased vehicles for transit between home and work and between work and lunch does not qualify for reimbursement. Employees who are involved in an accident in their personal vehicle while conducting Village business must report the incident to their supervisor immediately.

AUTHORIZED USE OF RENTAL VEHICLES

Use of a rental vehicle may be authorized by the Department Director when it is essential to conduct Village business and a Village of Wellington vehicle is not available or practical to use. Rented/Leased vehicles or equipment must be from licensed agencies that meet all Florida State registration and Village safety requirements, and liability insurance coverage shall always be purchased when renting a vehicle out of state.

Collision damage waiver insurance shall be purchased when renting a vehicle unless this coverage is available through a corporate charge card. If using a Village purchasing card, the collision damage waiver insurance shall not be purchased. Employees should check the terms and conditions of their corporate charge cards prior to renting a vehicle to determine what coverage is available.

Employees who are involved in an accident involving a rental or leased vehicle while on Village business must report the incident to their supervisor immediately.

TRAVEL & TRAINING REIMBURSEMENT

Employees must complete a Personal Use/Mileage Reimbursement Request Form (found on the intranet) for daily commuting and for travel outside Palm Beach County. The Personal Use/Mileage Reimbursement Request Form must be approved by the supervisor of the employee requesting reimbursement. For employees who are traveling for business purposes (including training), a Travel & Training Request form must be completed, which includes a section for mileage and tolls; forms must be submitted within 30 days after travel is concluded. All travel and training must be approved by the supervisor in advance of any such travel, and funds for the requested travel and/or training must be available in the associated department. Proper documentation for reimbursement and payment is required upon submission of request.

HIPAA PRIVACY AND SECURITY

The Village of Wellington is committed to fully complying with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). All personnel who have access to protected health information (“PHI”) in order to perform the Plan’s administrative functions must comply with the Village’s HIPAA Privacy Policy.



Designated staff members perform certain administrative functions in cooperation with Health Plan Administrators and may have access to the individually identifiable health information of individuals in connection with the Plan either: (1) on behalf of the Plan itself, or (2) on behalf of the Village of Wellington.

The Human Resources Director is designated as Privacy Officer and the Technology Services Director is designated to act as the Security Officer for the Plan. The Privacy Officer and Security Officer serve as contacts for individuals who have questions, concerns, or complaints about the privacy or security of their protected health information or their rights under HIPAA with respect to health information.

Only designated staff members are permitted access to protected health information (PHI). These people include, but are not limited to the Privacy Officer, Security Officer, and assigned staff in the Human Resources Department and the Office of Financial Management and Budget, to the extent they come into contact with PHI. Staff from the Information Technology Department may be granted access to PHI for the sole purpose of assisting in servicing the electronic versions and transmission of the PHI on the Village’s network servers. Staff members may use and disclose the Plan’s PHI for plan administrative functions. The amount of PHI disclosed must be limited to the minimum amount necessary to perform the relevant task. Generally, assigned staff members may not disclose PHI to employees other than those classified.

Individuals have the right to report complaints of a potential violation of their privacy rights under HIPAA. All complaints must be immediately reported to the Privacy Officer. The Privacy Officer will determine if a complaint requires investigation and, if so, will investigate, either personally or through a designee. Further, if the Privacy Officer deems necessary, the Privacy Officer will take appropriate corrective action.

PERMITTED DISCLOSURES OF PHI

PHI may be disclosed in the following situations without an individual's authorization, when specific requirements are satisfied. These disclosures presuppose the prior approval of the Plan's Privacy Officer, so that the Privacy Officer may determine if the specific applicable requirements and limits on such disclosures are satisfied:

1. Disclosures to the individual's family and friends where the individual provided informal permission to disclose PHI directly relevant to that person's involvement in the individual's care or payment for care in accordance with 45 C.F.R. 164.510(6)
2. Disclosures required by law (in addition to the disclosures to HHS referenced above)
3. Disclosures about victims of abuse, neglect, or domestic violence
4. Disclosures for judicial and administrative proceedings
5. Disclosures for law enforcement purposes
6. Disclosures to avert a serious threat to health or safety
7. Disclosures for specialized government functions
8. Disclosures that relate to workers' compensation programs

DISCLOSURES OF PHI PURSUANT TO AN AUTHORIZATION

PHI may be disclosed for any purpose designated by the individual subject of the information, if the individual signs an authorization form that satisfies all of the requirements under HIPAA for a valid authorization. All uses and disclosures made by the Plan pursuant to a valid authorization must be consistent with the terms and conditions of that authorization. Authorizations may be revoked by delivering written notice to the Privacy Officer, except to the extent that the disclosing party has already relied upon such authorization by releasing PHI.

COMPLYING WITH THE "MINIMUM NECESSARY" STANDARD

When PHI is used or disclosed, the amount disclosed generally must be limited to the "minimum necessary" to accomplish the purpose of the use or disclosure. This includes disclosures to and by Administrators. The "minimum necessary" standard does not apply to any of the following:

1. Uses or disclosures made to the individual;
2. Uses or disclosures made with the individual subject's permission, pursuant to a valid authorization;
3. Disclosures made to the Department of Health and Human Services;
4. Uses or disclosures required by law; and
5. Uses or disclosures required to comply with HIPAA.

All other requests for PHI must be reviewed on an individual basis with the Privacy Officer to ensure that the amount of information requested is the minimum necessary to accomplish the purpose of the disclosure. The Privacy Officer shall have the discretion to issue general guidance (rather than on an individual basis) as to the minimum necessary amount of PHI that should be disclosed in connection with all routine disclosures.

NOTIFICATION TO PARTICIPANTS

If notification to participants is legally required, the Privacy Officer, or designee, will notify each participant whose unsecured PHI has been, or is reasonably believed to have been, accessed, acquired, used or disclosed, as soon as possible after the discovery of such breach (but not more than 60 days after the discovery of the breach or, to the extent feasible). In the event of a breach by a Business Associate (an employee who works with a third party vendor), the Privacy Officer may, if the Business Associate or the Business Associate Agreement allows, work with the Business Associate to ensure that the Business Associate undertakes notification on behalf of the Plan in the manner required by 45 CFR Part 164, Subpart D, at the expense of the Business Associate.

DRUG FREE WORKPLACE FOR ALL EMPLOYEES

The Village of Wellington is committed to providing a safe environment for all employees and that commitment is jeopardized when any employee illegally uses drugs or alcohol on the job; reports to work under the influence of drugs or alcohol; illegally possesses, distributes or sells drugs; or abuses drugs or alcohol while on the job. The Village has implemented this policy in accordance with the program requirements outlined in Florida Statute Section 440.102. The following constitute violations to the Village of Wellington's Drug Free Workplace policy for all employees:

1. It is a violation of this policy for any employee to use, possess, sell, trade, offer for

- sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on the job;
2. It is a violation of this policy for anyone to report to work under the influence of illegal drugs or alcohol;
 3. It is a violation of this policy for anyone to use prescription drugs illegally; (however, nothing in this policy precludes the appropriate use of legally prescribed medications);
 4. It is a violation of this policy to unlawfully manufacture, distribute, dispense, possess, or use controlled substances in the workplace;
 5. It is a condition of employment to abide by the Drug-Free Workplace Policy;
 6. Violations of this policy subject all employees to disciplinary action up to and including immediate termination.

DRUG FREE WORK POLICY DEFINITIONS

Drug: Alcohol, including a distilled spirit, wine, a malt beverage, or an intoxicating liquor; an amphetamine; a cannabinoid; cocaine; phencyclidine (PCP); a hallucinogen; methaqualone; an opiate; a barbiturate; a benzodiazepine; a synthetic narcotic; a designer drug; or a metabolite of any of the substances listed in this paragraph.

Drug Test or Test: Any chemical, biological, or physical instrumental analysis administered, by a laboratory certified by the United States Department of Health and Human Services or licensed by the Agency for Health Care Administration, for the purpose of determining the presence or absence of a drug or its metabolites.

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

Medical Review Officer or MRO: A licensed physician, employed with or contracted with the Village, who has knowledge of substance abuse disorders, laboratory testing procedures, and chain of custody collection procedures; who verifies positive, confirmed test results; and who has the necessary medical training to interpret and evaluate an employee's positive test result in relation to the employee's medical history or any other relevant biomedical information.

Prescription or Nonprescription Medication: A drug or medication obtained pursuant to a prescription as defined by Florida Statute Section 893.02 or a medication that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.

TYPES OF TESTING

1. **Job Applicant Drug Testing**: Job applicants for mandatory testing positions are required to submit to pre-employment drug testing. Refusal to submit to a drug test shall be used as a basis for declining to offer employment to the applicant; a positive confirmed drug test shall be used as a basis for declining to offer employment to the applicant.
2. **Reasonable Suspicion Drug Testing**: Employees will be tested following any observed behavior creating “reasonable suspicion”. These behaviors may include the following:
 - a. Direct observation of drug/alcohol use, or the symptoms of being under the influence of a drug or alcohol;
 - b. Abnormal behavior while at work or a significant deterioration in work performance;
 - c. A report of drug use, provided by a reliable and credible source;
 - d. Evidence that an individual has tampered with a drug test while working for the Village;
 - e. Information that an employee has caused, contributed to, or been involved in an accident while at work;
 - f. Evidence that an employee has used, possessed, sold, or solicited drugs while working or while on the Village’s premises or while operating the Village’s vehicles, machinery or equipment.
3. **Follow-Up Testing**: If the Village requires an employee to enter an employee assistance program or a drug rehabilitation program as a condition of continued employment after a confirmed, positive drug test, the employee is required to submit to a random drug test, at least once per year for a two year period after completion of the program. Advance notice of the testing date will not be given to the employee being tested. If the employee voluntarily enters the program, the Village is not required by law to conduct follow-up testing, but may do so at its discretion.
4. **Random Testing of Mandatory Testing Positions**: Employees with job assignments designated for mandatory testing are subject to testing through the use of an unbiased computer-generated selection procedure.

CONFIDENTIALITY

All information, interviews, reports, statements, memoranda, drug test results, written or otherwise, received or produced as a result of a drug-testing program are confidential and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with Florida’s Drug Free Workplace Act or in determining compensability under the workers’ compensation or unemployment benefits laws.

The Village and its agents (including the Third-Party Administrators, laboratories, medical review officers, employee assistance programs, drug rehabilitation programs, etc.) shall not release any information concerning drug test results obtained under this policy without first obtaining a release from the affected individual in accordance with Florida's Drug Free Workplace Act and other applicable laws or regulations.

DRUGS TO BE TESTED

The Village tests for the following drugs: ALCOHOL, AMPHETAMINES, CANNABINOIDS (MARIJUANA), COCAINE, OPIATES, PHENCYCLIDINE (PCP), METHAQUALONE, BARBITURATES, BENZODIAZEPINES, METHADONE AND PROPOXYPHENE.

TESTING PROCEDURES

Employees or job applicants may confidentially report the legitimate use of prescription or non-prescription medications both before and after being tested to the testing laboratory and the Medical Review Officer (MRO). Employees and job applicants have the right to consult the testing laboratory for technical information regarding prescription and non-prescription medication.

Within 5 working days after receiving notice of a positive confirmed test result, an employee or job applicant may submit information to the Village explaining or contesting the test result, explaining why the result should not constitute a violation of this policy. If the Village considers the employee's explanation or challenge unsatisfactory, the employee will be subject to discipline under this policy, up to and including termination of employment. If the Village considers a job applicant's explanation or challenge unsatisfactory, the job applicant may not be considered for the position.

CONSEQUENCES OF POSITIVE CONFIRMED TEST RESULT

Any employee or job applicant may contest the drug test result pursuant to law or to rules adopted by the Agency for Health Care Administration. Those contesting the results must notify the laboratory of any administrative or civil action brought pursuant Florida's Drug Free Workplace Act.

Any employee receiving a positive confirmed test result may be subject to immediate termination. Additionally, the employee may lose his or her right to workers' compensation, unemployment compensation benefits, medical, and indemnity benefits.

An employee or job applicant has 180 days after receiving written notification of a positive confirmed test result to have the sample retested at his or her own expense at another licensed or certified laboratory chosen by the employee or job applicant.

CONSEQUENCES OF REFUSING TO SUBMIT TO DRUG TESTING

An employee who refuses to submit to drug testing may be subject to immediate termination. Additionally, the employee may lose his or her right to workers' compensation,

unemployment compensation, medical, and indemnity benefits. A job applicant who refuses to submit to drug testing will not be hired.

Examples of refusal to submit to alcohol or controlled substances testing include:

1. Failure to appear for any test within two hours of being directed to report by the Village. (this includes the failure of an employee to appear for a test when called by a consortium or third-party administrator);
2. Failure to remain at the testing site until the testing process is complete;
3. Failure to provide a urine specimen for any drug or alcohol test, or failure to submit to a Breathalyzer test for alcohol testing;
4. Failure to permit the observation or monitoring of the employee's provision of a specimen in the case of a directly observed or monitored collection in a drug test;
5. Failure to provide a sufficient amount of urine when directed (if determined through a required medical evaluation, that there was no adequate medical explanation for the failure);
6. Failure or decline to take a second test that the Village or collector has directed the employee to take;
7. Failure to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the Village of Wellington;
8. Refusal of an employee to allow collection of specimens for drug and/or alcohol testing by a treating medical facility during the course of treatment following an "accident", or refusal to allow the Village access to medical records containing the results of such tests, or any attempt by an employee to block the release of such specimens or medical records;
9. Failure to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process);
10. Submission or attempted submission of a verified adulterated, diluted, or otherwise altered or substituted specimen as reported by the MRO.

MEDICATIONS THAT MAY ALTER OR AFFECT THE DRUG TEST

Some common medications may alter or affect a test result and are listed below for your information. The following substances, listed by brand name and common name, are among those that could affect the results of a drug test. This list is not comprehensive. All questions concerning substances which could result in a positive test should be directed to the Medical Review Officer. Due to the large number of obscure brand names and the marketing of new products, this list is not all-inclusive.

| | |
|------------------------|--|
| ALCOHOL | All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick’s Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof). |
| AMPHETAMINES | Obetrol, Biphetamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastin. |
| CANNABINOIDS | Marinol (Dronabinol, THC). |
| COCAINE | Cocaine HCl topical solution (Roxanne). |
| PHENCYCLIDINE | Not legal by prescription. |
| METHAQUALONE | Not legal by prescription. |
| OPIATES | Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin. |
| BARBITURATES | Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad. |
| BENZODIAZEPINES | Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax. |
| METHADONE | Dolophine, Metadose. |
| PROPOXYPHENE | Darvocet, Darvon N, Dolene. |

DEPARTMENT OF TRANSPORTATION (DOT) DRUG/ALCOHOL TESTING POLICY FOR COMMERCIAL DRIVERS

The Village of Wellington’s DOT Drug/Alcohol Testing Policy For Commercial Drivers was developed in compliance with the Omnibus Transportation Employee Testing Act of 1991 (OTETA). The Village will not tolerate the illegal use of drugs and abuse of alcohol or prescription drugs by any employees; this policy was developed specifically for commercial drivers.

As employees of the Village, commercial drivers covered by this policy are also separately subject to the Village of Wellington’s Drug-Free Workplace Policy which covers all employees. The Village may terminate any employee whose conduct violates these policies.

This policy applies to every employee who operates a commercial motor vehicle and maintains a commercial driver license, referred to as “CDL.” This policy also includes employees who inspect,

service or condition a commercial motor vehicle, and to the employees who supervise the commercial drivers and other covered employees.

Participation in the DOT Drug/Alcohol Testing program as set forth in this policy is a requirement for all commercial drivers and is a condition of employment.

PROHIBITIONS

Substance abuse, while at work or otherwise, seriously endangers the safety of employees, as well as the general public, and creates a variety of workplace problems including increased injuries on the job, increased absenteeism, increased health care and benefit costs, increased theft, decreased morale, decreased productivity, and a decline in the quality of products and services provided. The Village prohibits any of the following behaviors by its employees who drive commercial motor vehicles:

1. Reporting for duty or remaining on duty while having an alcohol concentration of 0.04 or greater;
2. Use of alcohol while performing safety-sensitive functions;
3. Use of alcohol within four (4) hours of performing safety-sensitive functions;
4. Use of alcohol within eight (8) hours following an accident that requires a post-accident alcohol test, or until the employee undergoes a post-accident alcohol test, whichever occurs first;
5. Refusal to submit to a post-accident alcohol or controlled substance test, a random alcohol or controlled substance test, a reasonable suspicion alcohol or controlled substance test, or a follow-up alcohol or controlled substance test;
6. Reporting for duty or remaining on duty when driver uses any controlled substance, unless use is pursuant to instruction of a licensed medical practitioner who has advised that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle;
7. Reporting for duty or remaining on duty if the driver has tested positive or has an adulterated or substituted a test specimen for controlled substances.

DEPARTMENT OF TRANSPORTATION REGULATIONS

All employees covered by this policy must submit to alcohol and controlled substance testing in conformance with the DOT regulations and with the provisions of this policy. With regard to those covered employees, the DOT regulations shall be considered as preempting any inconsistent state or local laws or regulations.

TESTING PROCEDURES

All alcohol or controlled substance testing under this Policy shall be conducted in conformity with the provisions and procedures set forth in the Department of Transportation Workplace Drug and Alcohol Testing Programs (49 C.F.R. Part 40 and 49 C.F.R. Part 382). The testing procedures adopted by this Policy are as follows:

1. Alcohol Testing

All alcohol testing will be conducted using either evidential breath testing (EBT) devices or saliva alcohol screening devices (ASD) approved by the National Highway Traffic Safety Administration (NHTSA). Any result less than 0.02 alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02 or greater, a second confirmation test is conducted.

Once alcohol testing is completed, the confirmation test results determine any actions taken. Under certain circumstances, post-accident tests conducted by law enforcement personnel will be acceptable.

Employees found to have an alcohol concentration of .02 or greater, but less than .04, will not be permitted to perform or continue to perform safety sensitive functions, until the start of the next regularly scheduled duty period, but not less than 24 hours following administration of the test.

2. Controlled Substance Testing

Commercial Drivers are prohibited from reporting to, or remaining on duty when using any controlled substance, unless the use is at the direction of a physician who advised that the substance does not adversely affect driver's ability to safely operate a commercial motor vehicle.

Controlled substance testing is conducted by analyzing an employee's urine specimen. The analysis is performed at laboratories certified and monitored by the Department of Health and Human Services (DHHS).

All drug test results are reviewed and interpreted by a Medical Review Officer (MRO) before they are reported to the Village. If the laboratory reports a positive result to the MRO, the MRO contacts the employee (in person or by telephone) and conducts an interview to determine if there is an alternative medical explanation for the drugs found in the specimen. If the employee provides appropriate documentation and the MRO determines that the positive result was due to legitimate medical use of the prohibited drug, the drug test result is reported as negative to the Village.

PRE-EMPLOYMENT TESTING AND DRUG AND ALCOHOL TESTING RECORD

All job applicants for commercial driver or other covered positions are required to undergo testing for controlled substances as a condition of employment. Transferred employees or employees assuming DOT regulated duties shall undergo testing for controlled substances prior to the first time they perform DOT safety-sensitive functions for the Village. The Village reserves the right to invoke any and all exceptions to the pre-employment testing requirement as set forth in the DOT regulations (49 CFR §382.301(b)).

RANDOM TESTING

Commercial drivers are subject to DOT testing regulations, which include placement in a separate random testing pool containing only DOT-covered employees for the purpose of DOT compliance. With regard to those employees covered by the DOT regulations, the federal regulations, as amended from time to time, shall govern any conflicts with this Policy. Every DOT covered employee shall submit to unannounced random alcohol and controlled substance testing to be spread reasonably throughout the calendar year. After notification, it is the responsibility of the employee to provide the urine specimen within the allotted time. The selection of employees for random alcohol and controlled substances testing shall be made by a scientifically valid method, and each employee selected for random alcohol and controlled substances testing under the selection process used, shall have an equal chance of being tested each time selections are made. Each employee selected for testing shall be tested during the selection period. Random testing for covered employees will be conducted according to the applicable rates mandated by the DOT and its applicable agencies, but may exceed those rates at the Village's discretion.

REASONABLE SUSPICION TESTING

Employees who, based on specific observations of a member of management concerning the appearance, behavior, speech or body odor, may be reasonably suspected of using or being under the influence of alcohol or controlled substances or tampering with a drug screen test, shall undergo alcohol and controlled substance testing. In the case of controlled substances, the observations may include indications of the chronic and withdrawal effect of controlled substances.

An alcohol test pursuant to reasonable suspicion testing shall occur within eight (8) hours. If the alcohol testing is done after two (2) hours from the time the observations occurred, the Village must document the reasons the test was not promptly administered.

Notwithstanding the absence of a reasonable suspicion alcohol test under this section, no driver shall report for duty or remain on duty under the influence of or impaired by alcohol, as shown by the behavioral, speech, and performance indicators of alcohol misuse, nor shall the Village of Wellington permit the employee to perform or continue to perform his/her work duties, including any safety-sensitive functions, until:

1. An alcohol test is administered and the employee's alcohol concentration measures less than 0.02; or
2. Twenty four hours have elapsed following the determination that there is reasonable suspicion to believe that the employee has violated the prohibitions in this part concerning the use of alcohol.

On the basis of circumstances requiring a reasonable suspicion test, an employee will immediately be removed from safety-sensitive functions pending the outcome of the required drug/alcohol test.

An employee who has a positive urinalysis, or a blood or breath alcohol of .04 percent or higher, may be referred to the Employee Assistance Program (EAP) for treatment and, if so, will sign the EAP Release of Information Form. The determination to send an employee to the EAP rests solely in the discretion of the Village.

1. Any employee who refuses the EAP treatment as directed by the Village, refuses to sign the Release of Information Form, or refuses to keep scheduled EAP appointments may be terminated with or without notice.
2. The sole purpose of the EAP Release of Information Form is to enable the Village to monitor participation, compliance, and completion of the program. Urinalysis test results, blood and breath alcohol test results, and EAP participation information will be maintained in a file separate from the Employee file.
3. An employee who has a positive urinalysis, or a blood or breath alcohol level of .04 percent or higher, and who is retained by the Village at their discretion, may be placed on a probationary period during which time he/she will be carefully monitored for reasonable suspicion and will submit to unannounced follow-up testing.
4. The determination to place an employee on a probationary status will rest solely in the discretion of the Village.
5. The employee may be responsible for all costs associated with periodic follow-up testing, and all such tests shall be conducted at the lab/facility of the Village's choosing.

None of the foregoing modifies the employee's responsibility to comply with the return-to-duty process including evaluation by a DOT-approved Substance Abuse Professional and completion of any recommended education or treatment.

RETURN TO DUTY AND FOLLOW-UP TESTING

If the Village allows a driver to return to a DOT safety-sensitive function following a violation, the Village shall require an evaluation by a Substance Abuse Professional (SAP) and compliance with the Substance Abuse Professional (SAP's) recommendations prior to returning to duty. The Village Wellington is not required to provide drivers who violate this

Policy with an evaluation by a Substance Abuse Professional (SAP) or any subsequent recommended education or treatment. Any such evaluation and treatment may be at the employee's sole expense.

If an employee is removed from a safety sensitive position after a positive, adulterated or substituted test, and referred to a Substance Abuse Professional at the Village's discretion, and has successfully complied with the prescribed education and/or treatment, that covered employee is required to undergo a return to duty test for controlled substances and/or alcohol before returning to work. Follow-up tests are unannounced and at least 6 tests must be conducted in the first 12 months after an employee returns to duty as provided by the Substance Abuse Professional (SAP)'s follow-up testing plan. Follow-up testing may extend for up to 60 months following return to duty, and additional testing may also be conducted as required by applicable state or federal laws, rules, or regulations, in accordance with the Village of Wellington's Drug-Free Workplace Policy For All Employees or as otherwise deemed necessary by the Village.

MEDICATIONS

The Village recognizes that employees may need to take medications to combat various illnesses. An employee could potentially test positive for a drug when taking medications prescribed by a doctor or purchased over-the-counter.

To avoid the potential problems created by a false test result, an employee may report the use of medications on the back of his/her copy of the chain of custody form after the specimen is collected and discuss the use only with the Medical Review Officer.

SUBSTANCES WHICH COULD ALTER OR AFFECT THE OUTCOME OF A DRUG TEST

Some common medications may alter or affect a test result and are listed in the "Drug Free Workplace for All Employees" section. Please note that the list provided is not comprehensive. All questions concerning substances which could result in a positive test should be directed to the Medical Review Officer.

Employees who refuse to submit to an alcohol or drug test to be conducted under this policy will be presumed to be positive for the presence of alcohol or a controlled substance for the purpose of all workers' compensation medical and indemnity benefits claims arising from the incidents or accidents leading to said testing.

CONFIDENTIALITY

All written reports and related information received by the Village, laboratories, employee leasing programs, drug and/or alcohol rehabilitation programs and their agents will be held in strict confidence and will not be disclosed except in accordance with the applicable

federal, state, and/or local laws and regulations. Any other release of this information will be allowed only with the tested individual's consent. If an employee initiates a grievance, hearing, lawsuit or other action as a result of a violation of these rules, the Village may release relevant information to its legal counsel and the decision maker in said action.

POST-ACCIDENT PROCEDURES AND TESTING

If an employee is injured and requires immediate medical attention, contact 9-1-1. It is the supervisor's responsibility to complete an "Incident Report" form following any accident and a police report should be filed if appropriate. Supervisors are further required to arrange post-accident testing by contacting the Risk Specialist. On weekends and after hours, the supervisor will ensure the employee submits to testing and will notify the Risk Specialist on the first business day after the accident. If the approved testing facility is closed, the employee must submit to testing as soon as the approved testing facility reopens for business. Employees who refuse treatment must sign a statement acknowledging their refusal for treatment following an accident.

If post-accident testing is not administered within two (2) hours following the accident or in accordance with this policy, the applicable supervisor will submit in writing, the reasons why the required tests were not promptly administered. The Village will not attempt to administer an alcohol test after eight (8) hours or a controlled substance test after thirty-two (32) hours, following the accident.

After testing, the employee will not be permitted to operate a Village vehicle or heavy equipment until favorable results are received, and the employee may be placed on paid Administrative Leave. If unfavorable results are returned, disciplinary action may be taken, up to and including termination.

When reporting the accident on the "Incident Report" form, the employee is required to report any bodily injury, property damage, moving violation, or towing from the accident scene. Drivers who are subject to this post-accident testing shall remain readily available for the test or may be deemed to have refused the test; such unavailability as a refusal to submit to testing may subject the employee to immediate termination. Drivers shall not be prohibited from leaving the scene of the accident for the period of time necessary to obtain assistance or to obtain the necessary emergency medical care.

All vehicle accidents are subject to review by the Safety Committee. An employee may be required to attend additional training by recommendation of the Safety Committee or Department Director at any time; or if on the first offense:

1. The accident resulted in a "moving violation"; or
2. The accident resulted in bodily injury.

An employee may be required to attend additional training by recommendation of the Safety Committee or Department Director at any time; or if on the second offense:

1. The employee was listed as primary “at fault”; or
2. The accident resulted in a “moving violation”; or
3. The accident resulted in bodily injury; or
4. The accident resulted in damage in excess of \$500.

Failure to use appropriate personal protective equipment in accordance with Village policy may result in a reduction of eligible wages. Employees who are in violation of the Village’s Vehicle and Equipment policy or who misuse Village vehicles may be subject to disciplinary action up to and including termination. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care. Employees who refuse medical treatment following an accident must sign a statement acknowledging their refusal of treatment.

CONTAGIOUS TEMPORARY ILLNESS AND INFLUENZA

The Village realizes that employees with contagious temporary illnesses such as influenza, colds and other viruses may desire to continue with daily life activities, including working.

Employees exhibiting symptoms of temporary contagious illnesses such as influenza, colds and other viruses are urged to stay home and notify their immediate Supervisor. Employees exhibiting symptoms of influenza while at work may be required to go home and may not return to work until at least 24 hours after a fever breaks.

In deciding whether an employee with an apparently short-term contagious illness such as influenza may continue to work, the Village considers several factors.

1. The employee must be able to perform normal job duties and meet regular performance standards.
2. The employee’s continued presence must pose no risk to the health of the employee, other employees, or customers.

The Village recommends employees follow the following guidelines when determining if it is appropriate to come to work:

1. Employees presenting mild cold symptoms are expected to come to work, avoid unnecessary contact, and use prevention techniques.
2. Employees presenting significant Influenza-like illness are expected to stay home and return to work once symptoms resolve or become mild and fever is gone for 24 hours without the aid of medication.

3. The Village may modify its analysis based on local information from local and state public health authorities that may include key indicators such as:
 - a. Disease severity in the community;
 - b. Extent of disease spread the community;
 - c. Amount of worker absenteeism;
 - d. Impact of disease on workforce populations that are vulnerable and at higher risk; and
 - e. Other factors that may affect the employee's ability to get to work such as school dismissals or closures due to high levels of illness in children.

Upon return to work, employees will need to submit a statement from the attending health care provider releasing them back to work if they are still exhibiting symptoms of influenza, if they have been absent for more than three days due to their own illness, or if they were absent for more than three days due to the illness of an immediate family member. Family Medical Leave Act rules apply to eligible employees for any covered, extended illness.

The Village does not discriminate against any job applicant or employee based on the individual exhibiting signs of short-term contagious illness or influenza. Additionally, the Village does not discriminate against any job applicant or employee who has a communicable disease. The Village complies with all applicable laws and regulations governing the fair and equitable treatment of its employees and complies with all applicable statutes and regulations that protect the privacy of its employees' personal health information.

SECTION IV: EMPLOYEE PERFORMANCE AND CONDUCT

EMPLOYEE STANDARDS OF CONDUCT

Making the Village a great place to live and work requires that employees maintain proper standards of conduct at all times. Employee actions and behavior directly affect the Village's reputation, and employees must be constantly aware of the image they project to the public.



The Village has established policies and procedures to guide employee performance. These do not cover all of the work that an employee is required to do, and do not replace the need to use sound judgment and common sense. Employees who fail to maintain proper standards of conduct or exhibit substandard performance may be subject to appropriate corrective action, up to and including termination. Employment with the Village is at-will. The Village reserves the right to terminate employment at any time, for any reason, with or without cause, with or without prior notice or with or without prior disciplinary action.

A *partial* list of unacceptable behavior has been developed as a guideline of employee standards of conduct for employees to follow while employed by the Village. Any and all violations may be subject to disciplinary action, up to and including termination. The behaviors for which an employee may become subject to immediate termination on the first offense include, but are not limited to, the following:

1. Pleading guilty or "no contest," (nolo contendere) to a crime, conviction of a crime, having adjudication withheld, prosecution deferred or imprisonment for any felony or other serious criminal activity related to the employee's job or as further identified in the Qualifying Events mentioned in relation to Background Screening.
2. Possession, unlawful sale, use, or having in one's system any illegal drugs, including improper use of prescription drugs and alcohol while on duty, in uniform, or while operating a Village vehicle.
3. Any comments or behavior that could be perceived by a reasonable person as threatening or indicating the possibility of violence. This may include but is not limited to verbal threats or gestures, abusive language, harassment, intimidation, bullying, and physical altercation.

4. Falsifying Village records of any kind, refusal to cooperate fully with investigations related to Village employment, and concealing, misrepresenting, or omitting information during employment screening and processing.
5. Theft of any materials, supplies, equipment or property belonging to the Village, an employee of the Village, a vendor, or a citizen.
6. Careless or negligent acts that cause damage, or could cause damage to Village property or the property of an employee, a vendor, or a citizen.
7. Sleeping during work hours.
8. Knowingly punching or swiping the time card or identification (ID) badge of another employee, having one's time card or ID badge punched or swiped by another person, or any unauthorized altering or falsification of a time card or record.
9. Offensive or abusive conduct or language toward other employees or to the public.
10. Making false accusations against co-workers or supervisors.
11. Insubordination including, but not limited to: refusal to perform, or violation of any lawful and reasonable regulation, order or directive made or given by a direct supervisor or higher authority.
12. Dishonesty, or other conduct, on or off duty which could affect performance or impact negatively on the Village or the Village's reputation.
13. Failure to cooperate fully in any lawful investigation initiated by, or conducted by, the Village.
14. Operation/use of Village vehicles or equipment without proper authorization or training, or in violation of the laws of the State of Florida, the County and/or the policies of the Village.
15. Failure to notify their supervisor or to respond to standby notifications.
16. Failure to report receipt of a subpoena pertaining to Village business.
17. Unauthorized use of Village property, including the Village's computer and telecommunication systems.
18. Failure to meet required standards of performance.
19. Excessive and/or chronic absenteeism or tardiness; excessive and/or chronic absenteeism without proper notification or approval.
21. Failure to report medical conditions which may hamper an employee's performance of duties.
22. Failure to inform Human Resources immediately and within 30 days of any change of employee information as required (see Updating Records).
23. Inability to work effectively and cooperatively with coworkers.

24. Excessive use of Village phones, computers, the internet, or any other Village property for personal use.
25. Failure to reimburse the Village for any personal long-distance charges incurred by the employee.
26. Failure to be clean and properly dressed in a manner suitable for employee's position and to reflect a favorable image for the Village.
27. Smoking, vaping or using tobacco products where prohibited.
28. Violations of, or disregard for, established safety measures.
29. Failure to report Human Resources a pay or deduction discrepancy on their pay check within five (5) business days.
30. Violation of any of the Village's policies, practices, or procedures.

The above listings are not all-inclusive as it is impossible to list all actions and behaviors that would be considered unacceptable. All employees are required to follow Village policies, practices and procedures, use sound judgment and common sense, and to ask their supervisor if they need assistance to guide their actions.

DISCIPLINARY ACTIONS

The best performance management measures are those that do not have to be enforced and come from employee self-discipline, good leadership and fair supervision. When employee performance issues occur, it is the responsibility of all supervisors, managers and directors to administer disciplinary action in a fair and consistent manner. For purposes of fairness and organizational consistency, supervisors and managers are asked to partner with Human Resources prior to delivery of any disciplinary actions. When administering disciplinary actions involving suspension, demotion, or termination, supervisors, managers and directors must partner with Human Resources prior to delivery.

An employee whose work, actions, or conduct falls below standards may be subject to disciplinary action up to and including termination. Disciplinary action is unique to each situation, and requires individual attention. Disciplinary actions may take a variety of forms, including warning (oral or written), administrative leave, suspension, demotion and/or termination; employees may also be placed on an Employee Development Plan (EDP). The severity of the discipline and the number of steps in the process will depend on the circumstances of each case as determined at the sole discretion of the Village. In appropriate circumstances, an employee may be placed on administrative leave with pay while a review of the facts is conducted. The best performance management measures are those that do not have to be enforced and come from employee self-discipline, good leadership and fair supervision. When employee performance issues occur, it is the responsibility of all supervisors, managers and directors to administer disciplinary action in a fair and consistent manner. For purposes of fairness and organizational

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DISPUTE RESOLUTION

The Village is committed to working with employees to maintain conditions which foster a positive work experience and work environment. Part of this commitment is to encourage an open and frank atmosphere in which questions, problems, and concerns receive appropriate and timely responses from the Village. Employees who have a work-related issue or concern are encouraged to speak with their supervisor. Most problems will resolve themselves through an open and honest discussion among those involved.

Employees who use the chain of command and fail to receive an appropriate and/or timely response may go to the Human Resources Department. Issues that are directed to Human Resources will be directed back to the employee's chain of command if the employee has not made any attempt to resolve the issue within his chain. In all cases, the Dispute Resolution Form is required to be used to track issues or concerns that go beyond the employee's direct supervisor for resolution. Employees who wish to appeal a decision made within their chain of command must do so in writing using the Dispute Resolution Form within ten (10) calendar days from receipt of the decision. The appropriate manager must meet with the employee within ten (10) calendar days of receiving the appeal. The dispute resolution process is only available to active employees.

Any retaliation taken as a result of an employee using the Dispute Resolution Policy is strictly prohibited and is subject to appropriate disciplinary action.

TERMINATIONS

In the event of a termination determination, employees are provided a Disciplinary Action Form outlining the reasons for termination and are provided the opportunity to provide a personal statement and/or attend a post termination meeting, if they feel the reasons for the termination

are untrue or may stigmatize their reputation. The post termination meeting is not an appeal or an opportunity to gain reinstatement.

The purpose of submitting a personal statement and/or attending a post termination meeting is to allow the employee to respond to the reasons for termination of employment (an employee can submit a personal statement without attending a post termination meeting). Personal statements are placed in the employee's personnel file and made part of the record open to the public under Florida's public records laws.

To request the opportunity to provide a personal statement and/or attend a post termination meeting, employees must submit the request in writing within 10 days of the date of their termination. A meeting will be provided by the Village within 10 days of receipt of the employee's request for such a meeting. No such meeting will be held if a written request is received within 10 days of termination.

Disciplinary action procedures may be adjusted or modified at the discretion of the Village. Employment at the Village of Wellington is at-will, and nothing in this section alters the Village's employment-at-will relationship, nor does it create an expressed or implied contract between employees and the Village for a specified period of employment. Just as employees have the right to resign at any time for any reason, likewise, the Village also reserves its right to terminate employment at any time for any reason, with or without cause, with or without prior notice or with or without prior disciplinary action.

ATTENDANCE, ABSENCES AND TARDINESS

Attendance: Employees are required to report to work on the days scheduled, at their scheduled start time and to remain at work until the end of their scheduled workday. Prior supervisor approval is required for all exceptions. In all cases, employees are required to make contact and speak directly with their supervisor or designee to receive approval for an absence or to provide notice they will be late.

- 1. Unauthorized Absence:** Employees absent from their work assignment for three (3) or more consecutive workdays (as scheduled) without approval from their supervisors are deemed absent without authorized leave. Unauthorized leave for three (3) consecutive workdays (as scheduled) is considered job abandonment and employees who have abandoned their jobs shall be automatically terminated. Employees will not be paid for this time.
- 2. Unexcused/Unapproved Absence:** Employees who fail to call their supervisor prior to their start time or within the designated time may be deemed absent without excuse and be considered an unexcused absence. Employees may not be paid for this time.
- 3. Chronic and/or Excessive Absence:** Chronic and/or excessive or other absences that negatively impact operations may be subject to disciplinary action; chronic, unscheduled

PTO may be grounds for termination; two (2) occurrences of unscheduled PTO is considered excessive within a six (6) month period. Chronic and/or excessive absence includes situations where employees:

- a. Could have notified their supervisor of an absence within the designated time as required by their supervisor but failed to do so;
 - b. Did not provide adequate notice when scheduling PTO;
 - c. Exhibit a pattern of absence in conjunction with holidays, vacation days, or scheduled days off;
 - d. Exhaust their PTO for non-medical reasons, undocumented medical reasons, or reasons not approved and covered under the Family Medical Leave Act (FMLA), especially when the absences have not been previously scheduled and approved by a supervisor.
4. **Tardiness:** Employees are tardy when they are not at their appointed workplace and working at the appointed time, or when they leave early. Excessive tardiness may be grounds for disciplinary action.

At the Village's discretion, supervisors may require certification from a medical provider at the employee's expense, for all absences due to illness or injury, or for employees who have either shown a pattern of excessive unexcused absences, or who have abused time off privileges.

PERFORMANCE EVALUATION PROGRAM

The Village provides performance evaluations to support a high performance organization, achieve organizational goals, enhance employee performance and development, and increase communications between employees and their supervisors. Supervisors and employees are encouraged to discuss performance on a frequent basis. The Performance Evaluation process provides supervisors with a tool that allows them to discuss expectations for conduct and performance in a positive, purposeful manner.

The Human Resources Department oversees the administration of the Performance Evaluation Program. Performance Evaluations may be administered at intervals throughout the year. Employees who receive performance evaluation ratings in the unacceptable range may be offered an Employee Development Plan (EDP), a development tool prepared by the supervisor. Employees may appeal their evaluation through the Dispute Resolution Policy.

SECTION V: COMPENSATION

Pay structure

The Village of Wellington's pay structure ensures our employees are fairly compensated based on the market value of their respective positions and their overall performance and contribution to the organization. The Village's pay structure is less complicated and more competitive than the traditional government formula of years of service, and serves as a mechanism to accurately identify pay ranges for positions and fairly reward performance.



Positions are organized using a Role Classification system built on the level of complexity of “like” jobs. The Role Classification system is the framework to organize groups of jobs and streamline titles to view relationships between and among jobs.

ROLES IN PAY CLASSIFICATION

The Village’s Pay Plan is designed around Roles and Levels. Roles define what employees do and are defined as follows:

General Roles: generally focus on support work, including both customer and non-customer facing positions.

Technical Roles: generally require some kind of specialized knowledge or certification that is obtained through formal course work, but not at the university level.

Professional Roles: focus on higher level, technical or specialized individual contributor work, requiring specialized knowledge obtained through formal education or equivalent on-the-job experience.

Leader Roles: include technician or professional requirements, and focus primarily on people management. Higher level Leaders have strategic focus with organizational impact.

Executive Roles: include technician or professional requirements, and focus primarily on people management. Higher level Leader and Executive Roles also have strategic focus with organizational impact.

LEVELS IN PAY CLASSIFICATION

Levels represent a major step in an individual's career progression resulting from a significant increase in work responsibilities (typically shown through greater complexity of problems and situations addressed and greater impact and value to the organization) reflecting increased education and training.

PAY RANGES

New employees are hired at no less than the minimum of the pay range to which they are assigned. Regular employees shall not be paid below the minimum. Pay range adjustments (as part of the overall pay plan) are not regularly instituted unless as a result of a classification and compensation study, as a result of a Fair Labor Standards Act (FLSA) audit, or as a result of a market adjustment.

EMPLOYMENT CLASSIFICATIONS

Employment classifications for Village employees are first determined by criteria set forth in the Fair Labor Standards Act (FLSA). Positions are classified as either exempt or non-exempt:

1. Exempt (salaried) employees are paid on a salary basis and generally work 80 or more hours within any given pay period. Exempt positions shall not receive additional compensation for hours worked above forty (40) hours in a workweek.
2. Non-exempt (hourly) positions are paid on an hourly basis, and are eligible for overtime pay for hours worked in excess of forty (40) hours per week. Overtime must be approved by the supervisor in advance, and shall be paid at one and one-half (1½) times an employee's regular hourly rate for hours worked, except as otherwise noted. Overtime is only paid on hours actually worked in excess of forty (40) hours per week. Paid time off away from work including but not limited to, holidays, MIL and PTO does not count as hours worked for the purpose of calculating overtime. Non-exempt employees are not permitted to work "off the clock" at any time or for any reason.

POSITION CLASSIFICATIONS

The Village of Wellington funds several position categories which are defined and budgeted as follows:

Full Time: Full-time positions are budgeted, regularly scheduled for 40 hours per week, and eligible for all benefits.

Supplemental: Supplemental positions are generally full-time and added for the term required to complete a particular program or project. Supplemental positions receive benefits and may be requested as permanent through budget requests for the coming fiscal year if they are determined essential to long-term operations and needed to enhance internal and external customer service.

Seasonal: Seasonal positions are open for a short term, typically for recreation and aquatic facilities in the summer months. They are either with or without regularly scheduled hours, are not permanent, and receive no fringe benefits or paid time off. Seasonal employees serve a part-time need for a short term, six months or less.

Temporary: Temporary positions serve a short term of six months or less. These positions are not permanent, receive no fringe benefits or paid time off, and the hours worked are based on the area of need. Temporary employees shall be scheduled no more than 30 hours per week.

Other Personnel Services (OPS): Budgeted OPS positions are permanent positions that are regularly scheduled, assigned less than 30 hours per week, and receive retirement benefits, but no other benefits or paid time off.

Part-Time: Part-time positions are permanent with intermittent schedules, are scheduled less than 30 hours per week, and receive no fringe benefits or paid time off.

Interns: Intern positions are not permanent, receive no fringe benefits or paid time off, and the hours worked are based on the area of need. Interns shall be scheduled no more than 30 hours per week.

COMPENSATION CHANGES

With recommendation by the Department Director and/or Village Manager, employees may be considered for salary adjustments during the year. These adjustments may include (but are not limited to) position reclassification adjustments, market or equity adjustments, promotions, or demotions.

All pay adjustments are subject to the availability of funds, must be in compliance with the budget and Village policy, and require appropriate approval.

PAY PERIOD

The pay period covers a two (2) week cycle and the normal workweek is forty (40) hours.

TIMEKEEPING

The Village uses an automated time clock system to account for time worked for non-exempt employees. Non-exempt employees are required to “clock” in and out each work day, and should monitor timesheets and report any errors immediately to their supervisor. Any exceptions to an employee’s regular work schedule should be noted in the automated timekeeping system and approved by the supervisor or designated timecard approver.

Supervisors and non-exempt employees are required to ensure the accuracy of the timesheet each pay period. Employees shall report pay discrepancies to their supervisor immediately; every effort shall be made to correct any discrepancies immediately.



All full time employees are required to work forty (40) regular hours in a workweek and non-exempt employees are required to work forty (40) hours before overtime begins. All non-exempt employees are provided a schedule. These employees, unless otherwise authorized by their supervisor, are required to work during specified hours. Employees should not clock in or out early or late unless authorized by their supervisor. Employees are not permitted to perform any work prior to clocking in or after clocking out. Employees who fail to comply with timesheet procedures may be subject to disciplinary action, up to and including termination. Employees are not required to clock in or clock out for authorized rest periods of less than 20 minutes.

SAFE HARBOR

The Village of Wellington accurately compensates employees in compliance with all applicable state and federal laws and IRS rules. A “Safe Harbor” policy is put in place to ensure that employees are paid properly for all time worked and no improper deductions are made; it also requires employees to correctly record all time worked and review their paychecks upon receipt. Employees must report any errors regarding pay (including but not limited to overtime, hours worked, deductions, vacation or holiday pay, etc.), so that they are corrected. Under the Fair Labor Standards Act (FLSA), employees who are exempt from overtime compensation generally may not have their pay reduced for variations in the quantity or quality of work performed. This salary is established at the time of hire, and subject to change at any time during the term of employment.

OVERTIME PAY

All overtime must be approved in advance by a member of management. Only non-exempt employees may receive overtime. Hours are calculated independently from one week to another and therefore cannot be carried over.

Only those hours considered to be *worked* hours are eligible to qualify toward overtime calculation. Hours paid but not worked are not eligible to qualify towards overtime calculation (i.e. Paid Time Off, Major Illness, Jury Duty, Holiday Pay, Bereavement Leave, etc).

STANDBY PAY

Hourly employees who maintain their availability during their off-duty hours shall be provided compensation at a flat rate per hour. This is called Standby Pay. The following criteria must be met to qualify for standby pay:

1. The Department Director has established the job title as eligible;
2. The employee has been designated by the supervisor as standby;
3. The employee responds to the call immediately, or not more than five (5) minutes after receiving the call;

4. The employee should be able to be on location within thirty (30) minutes of being notified;
5. The employee has not consumed alcohol or illegal drugs and is fit for duty;
6. The employee is not receiving additional pay other than Holiday Pay for the hours he/she is on standby; and
7. The standby status is designated during non-working hours.

The Village reserves the right to validate the availability of an employee receiving standby pay. Two attempts shall be made to contact an employee. Employees who do not meet the above criteria/validation requirements may forfeit their opportunity to be placed on standby in the future. An employee shall immediately notify a supervisor if unable to meet the criteria. Employees who are unable to fulfill assigned standby pay obligations at any time or for any reason must notify their immediate supervisor to transfer standby responsibilities to another employee. At the Supervisor's discretion, an "alternate" employee may fulfill standby obligations if requested. The "alternate" employee will assume all responsibilities and requirements as previously outlined in this standby pay policy.

Standby pay shall be offered in a fair and equitable manner on a voluntary rotating schedule or as determined by the Village, on a mandatory rotating schedule. The option to use volunteers shall be used first. Employees and supervisors are required to report standby hours daily on the Payroll Exception Form. The supervisor is required to make manual edits to the timesheet for standby pay. Employees shall be considered in "Call Back" status once they respond to a Standby call.

CALL BACK PAY

Eligible hourly employees who are "called back" to duty unexpectedly (during non-scheduled times) shall receive "call back" pay at a minimum of two (2) hours at one and one half (1½) times their regular hourly rate for hours worked. Call-back pay is utilized when an employee is required to return to work outside his or her scheduled work hours and without prearrangement (e.g., scheduled meetings), thereby necessitating additional travel to and from work. The call-back pay shall not apply to work that immediately follows or precedes the employee's work schedule, or to any scheduled work, meeting, or assignment.

Call back pay may only be paid once within any two (2) hour period regardless of the number of events or call backs that occurred during that two hour period. Employees receiving "call back" pay shall not receive standby pay for identical hours worked. The following criteria must be met to qualify for "call back" pay:

1. The Department Director has established the employee called back is responding to an emergency or unscheduled event;

2. "Call back" has been authorized by the director;
3. The employee was not previously scheduled to work on that day or for those hours;
4. The employee is on location within thirty (30) minutes of being notified;
5. The employee has not consumed alcohol or illegal drugs and is fit for duty;
6. The employee is not receiving additional pay other than Holiday Pay for the hours he/she is receiving "call back" pay;
7. "Call back" status is designated during non-working hours.

SHIFT DIFFERENTIAL PAY

Various departments require operations that extend beyond twelve (12) hours, therefore requiring shift operations (second and third shifts). Shift differential pay is available only for employees who work in designated departments where operations require regular shifts of two or more.

EMERGENCY PAY

Some of the most important functions of the Village occur during emergency or bad weather conditions. Employees may be called in to operate pump stations, maintain canal and drainage systems, and clear debris caused by such weather. The water and wastewater plants and field services also must continue to function during such weather or during power outages.

All employees shall be available to work and/or assist in emergency situations. Managers and supervisors shall make a reasonable effort to provide employees with as much notice as possible, to prepare for duty or schedule changes due to an emergency situation and bad weather conditions. Supervisors may cancel leave time arranged prior to the emergency or bad weather condition. Employees are responsible for providing Human Resources and their supervisors with current address and telephone number(s), including any alternate phone numbers where they can be contacted should an emergency situation or bad weather condition arise.

The Village Manager may declare a state of emergency for all Village personnel at any time. Once an emergency has been declared, the Emergency Operations Center (EOC) will be activated. All employees who work during a "state of emergency" must sign in on an "Incident Check-In List" and punch in and out of the timekeeping system for each day assigned during the state of emergency. The "Incident Check-In List" (ICL) will be used as a resource and for employee management and assignments only. The timekeeping system will be used for tracking compensable hours during the emergency event.

During a state of emergency, regular pay rules apply and any changes will be approved at the Village Manager's discretion. Regular and supplemental full time employees who are sent home during an emergency event will be paid for their regularly scheduled hours based on their standard work week and Other Personnel Services (OPS) employees will be paid based on their

standard weekly schedule. Seasonal and temporary employees, as well as interns will only be paid for the hours worked. Hours paid but not worked (including holidays occurring during a declared emergency) will not be included in calculations for purposes of overtime. The Director of Operations or a designee must approve all regular and overtime hours once the state of emergency has been declared.

During Hurricane Season (June 1-November 30), all "Paid Time Off" (PTO) time and vacations may be cancelled upon declaration of a state of emergency. If a PTO or vacation request was submitted and approved prior to the state of emergency, it may be re-evaluated by the Director of Operations or designee pending or during a state of emergency. It is the responsibility of the employee requesting PTO or vacation to obtain written approval from the Director of Operations or a designee prior to utilizing PTO during an emergency event. If the employee is already on vacation or using PTO when the emergency is declared, the employee must make every effort to check in with his or her supervisor for further instructions and may be required to report back to work. The Village will make every effort not to call back employees while on PTO or vacation during a state of emergency but should there be a need to call back an employee, the employee will be responsible to pay the costs associated with returning to work, and those costs are not reimbursable by the Village.

TEMPORARILY WORKING OUT OF PAY GRADE

Any employee who assumes the duties normally performed by an employee of a higher pay grade may receive additional, temporary compensation so long as the performance of the duties shall be for a period of time in excess of twenty one (21) consecutive calendar days. Employees may receive an increase to the minimum of the pay grade they are assigned, if appropriate.

Pay, including any applicable overtime, shall be retroactive to the first day the employee was temporarily placed in the position of a higher pay grade if it could not reasonably be determined at the time of placement that the need would last for more than twenty one (21) consecutive calendar days. When the temporary assignment is completed, the employee's pay shall be returned to its previous level, subject to any pay grade or merit adjustments that occurred in the interim period.

TRAVEL PAY

Approved travel is generally defined as transportation for Village business in excess of an employee's regular commute to his or her work location. Village approved travel includes travel for official Village business from home or regular location of employment to another destination, and return to home or regular location of employment. Village approved travel does not include commuting between home and the regular location of employment.

Travel must be authorized in advance by the employee's supervisor and may require additional approvals. Employees must receive proper authorization for travel, food costs, and related

activities prior to commencement of any travel, and provide appropriate documentation upon conclusion of travel.

DIRECT DEPOSIT OPTION

The Village requires all new employees to enroll in direct deposit so that wages and salaries, including applicable deductions, are electronically transmitted to the bank or other financial institution of their choosing. To complete this process, a written authorization by the employee is required.

An alternative payment type may be provided in lieu of direct deposit only:

1. When the employee has not authorized direct deposit.
2. When an issue arises where funds cannot be directly deposited.

Employees with direct deposit will receive a direct deposit payroll stub with payroll information for the corresponding pay period, or a paycheck if the employee has not authorized direct deposit. The direct deposit payroll stub or the paycheck stub shall reflect the number of hours worked, the wage or salary being paid, and will list deductions, net pay and year-to-date information. Employees shall notify their supervisors of any discrepancies and the supervisors shall review the hours worked and notify payroll if adjustments are required.

It is also important that the payroll department be notified immediately of any problems with an employee's deposit. Employees with direct deposit are responsible for providing notice of changes in their bank account information to the payroll department.

PAYROLL DEDUCTIONS

The following deductions may be taken from employee paychecks in accordance with the Fair Labor Standards Act (FLSA):

1. **Mandatory:** federal income and social security taxes must be deducted from all employees' wages as required by law. These are deducted according to the rates specified by the federal government and subject to any mandated changes.
2. **Court-Ordered Payments to Third Parties:** Periodically, the Village receives notification for child support, Internal Revenue Service tax levies, or other court-ordered garnishments. The Village is required to take these deductions according to the guidelines specified in the order. When the order is received, the Human Resources Department shall notify the employee of the type and amount of the deduction and the effective pay date.
3. **Employee Assignment Directing Payments to Third Parties:** This category of deduction is defined as deductions made pursuant to a signed employee assignment directing the Village to pay specified sums to a third party approved by the Village.
4. **Other Deductions:** Periodically there are special events or items that the Village agrees to allow the employee to pay through payroll deductions. These deductions can only be

deducted from earnings with the employee's written authorization. They may not reduce an employee's net pay below minimum wage for either regular or overtime hours according to federal regulations.

According to the Fair Labor Standards Act (FLSA), deductions defined as mandatory, such as court-ordered payments to third parties, and employee assignments directing payments to third parties, are exempt from minimum wage requirements. This means that the deductions can be implemented even if they reduce the employee's net pay below the federally required minimum wage.

SECTION VI: BENEFITS

The Village provides a comprehensive insurance and benefits program for eligible employees. Specific details governing coverage and payment and are set forth in the official policy or plan description, and employees can refer to the “Employee Benefits Highlights Book” for additional information. Other employee benefits are outlined in this section.



WORKER’S COMPENSATION

The workers’ compensation insurance program is provided at no cost to all employees. This program covers injuries or illnesses sustained in the course of employment that require medical, surgical, or hospital treatment. The program also provides certain financial benefits in the event of personal injury or death by accident, arising out of or in the course or scope of employment. Employees who suffer an on-the-job injury must report the injury to their immediate supervisor.

DOMESTIC PARTNERSHIP

The Village of Wellington recognizes Domestic Partnerships and provides employees with Registered Domestic Partners certain benefits. A “Domestic Partner” is defined as a person of the same or opposite sex with whom the employee has established a Domestic Partnership. In order to qualify as a Registered Domestic Partner, a certified copy of a Certificate of Domestic Partnership issued by the Palm Beach County Clerk and Comptroller pursuant to Palm Beach County Ordinance, Chapter 2, Article I, Section 2-6, as amended from time to time is required. In general, the Palm Beach County Clerk and Comptroller’s office requires a Domestic Partnership to meet all of the following eligibility requirements:

1. Both are at least eighteen (18) years old and competent to contract;
2. Are not married; nor a partner to another domestic partnership relationship;
3. Are the sole domestic partner of the other person;
4. Are not related to each other by blood;
5. Consent to the domestic partnership relationship without force, duress or fraud;
6. Agree to be jointly responsible for each other’s basic food, shelter, common necessities of life and welfare;
7. Have not been a member of another domestic partnership for the past year;
8. Share primary residence with each other;
9. Consider each other to be a member of the immediate of family of the other;
10. Share financial responsibility as domestic partners.

If an employee is not a resident of Palm Beach County but has registered or otherwise legally established a partnership in another jurisdiction, the Village may recognize the partnership, upon receipt of appropriate documentation and extend the same benefits to an employee as if they had registered in Palm Beach County, provided that all of the Palm Beach County registration requirements are met.

ELIGIBLE DOMESTIC PARTNER BENEFITS

Domestic Partner benefits include the following:

- Health
- Dental
- Vision
- Supplemental Dependent Life
- Entitled Domestic Partner Leave Policy (leave similar to FMLA)
- Bereavement
- Domestic Violence Leave
- Major Illness Leave

Dependent child(ren) of a Domestic Partner may enroll in Wellington's extended benefits plan(s) if the Domestic Partner is also enrolled in the benefit plan and the child(ren) meet the certain requirements. The child(ren) will be eligible for coverage under Wellington's extended benefits plan(s) if he or she qualifies as a "dependent" of either the employee or the registered and enrolled Domestic Partner under the Internal Revenue Code.

To be a "dependent," a child must generally receive over one-half of his or her support during the calendar year from either the employee or the enrolled Domestic Partner. Wellington, in its discretion, may require proof (such as copies of federal tax returns or birth certificates) to establish that a child is eligible to be enrolled in Wellington's extended benefits plan(s) and the employee must furnish such proof as a condition of the child's eligibility for enrollment.

COST OF COVERAGE

The employee shall be responsible for ensuring payment of all premiums on behalf of the Domestic Partner and his or her child(ren) if enrolled. Wellington does not provide any subsidy to the employee for the cost of such coverage.

REGULAR AND SUPPLEMENTAL PAID TIME OFF (PTO)

The Village provides regular and supplemental full time employees with paid time off (PTO) benefits that combine annual or vacation leave, personal leave, and sick leave benefits into a paid time off benefit. The PTO program helps employees preserve sick leave under a major illness

leave accumulation to provide income in the event they experience an extended absence due to illness.

Employees may carry forward a maximum of 400 hours of PTO into a new fiscal year. Regular and supplemental full-time employees accumulate PTO according to the schedule shown below. PTO is calculated based upon an eighty (80) hour pay period. The employee’s bi-weekly pay stub will reflect their current PTO status.

All regular full-time employees begin to accumulate paid time off upon employment; however they are not eligible to take paid time off until they have completed ninety (90) days of employment.

| EFFECTIVE DATE | LEAVE HOURS PER YEAR | FULL-TIME HOURS EARNED PER PAY PERIOD | MAXIMUM BUY BACK (CASH IN) HOURS |
|--|---------------------------------|--|---|
| Hire Date | 156 | 6.00 | 120 |
| On 5th anniversary | 180 | 6.92 | 120 |
| On 9th anniversary | 204 | 7.85 | 140 |
| On 13th anniversary | 228 | 8.77 | 140 |
| On 17th anniversary and beyond | 252 | 9.69 | 160 |

Employees must use available PTO when they need time off and may not be in an unpaid status if PTO is available (or MIL, if applicable). Additionally, employees shall not be paid for time off when no PTO or other applicable leave time is available. PTO may be used for vacations, illnesses, or personal leave. All PTO that can be scheduled in advance shall be requested in writing and approved by the supervisor at least fourteen (14) consecutive calendar days in advance of the requested leave days.

Leave requests that extend beyond two (2) consecutive weeks, or that conflict with Village operations, may be rejected by the supervisor.

Employees shall notify their supervisor at least fifteen (15) minutes before their regular start time when they experience an unexpected personal emergency or sudden illness that requires them to be absent from their job. All other leave requests shall be scheduled as far in advance as possible.

The first (3) days of an absence occasioned by sickness shall be charged against an employee’s PTO. If an employee is absent due to the same conditions (occurrences) for more than (3) days during a fiscal year, additional days off may be charged against an employee's major illness accrual, if available.

Note that PTO / Major Illness Leave (MIL) must be used to supplement an employee's disability insurance benefits or income so that the sum of disability payments, PTO, and/or MIL income is equivalent to 80 hours of pay per pay period.

LEAVE BUY BACK

Eligible full time employees who have successfully completed their introductory period as of September 30th and who have taken at least eighty (80) hours of PTO during the fiscal year (unless otherwise approved by the Village Manager or his designee), may cash in accumulated leave time. Full time employees may buy back accumulated PTO hours based on years of service as noted in the table above. Leave buy back is subject to budget approval and can be discontinued at any time, for any length of time (including permanently) and for any reason without prior notice.

MAJOR ILLNESS LEAVE (MIL)

The Village of Wellington posts four (4) hours of major illness leave (MIL) per month to the account of each regular full-time employee. MIL may be accumulated to a maximum of twelve (12) weeks or 480 hours and must be used concurrently with Family Medical Leave or Domestic Partner Leave when applicable. MIL is a benefit granted to employees and is not payable at separation; however it may be eligible for rollover into the Retirement Health Savings plan or available to cash out for eligible employees with 10 or more years of service.

Employees may use MIL for absence due to the same condition or occurrence that extends more than (3) work days when documentation is provided from the treating physician. Employees must provide proper documentation from the treating medical provider for absences lasting (3) work days or more when the illness or injury is related to the same occurrence (condition), and is either continuous or sporadic. The documentation should include the employee's need for those absences (such as the employee's inability to work or the employee's need to be with his/her family member(s) during a time of illness or need for care). Family Medical Leave or Domestic Partner Leave may be available to employees if applicable.

MIL may also be used if an employee is absent due to the same condition or occurrence for more than (3) work days due to the illness of an immediate family member when supporting documentation is provided by the treating physician. Immediate family members include: mother, father, legal guardian, mother-in-law, father-in-law, sister, brother, sister-in-law, brother-in-law, child, son-in-law, daughter-in-law, grandparents, grandparents-in-law, grandchildren, stepmother, stepfather, stepbrother, stepsister, half-brother, half-sister, stepchild, spouse, foster child, Registered Domestic Partner or his or her child(ren), or foster child(ren) living in the home. Employees must use PTO for the first (3) work days prior to requesting MIL, and must provide supporting documentation from the treating physician in order to qualify for MIL. MIL may be denied if proper documentation from the treating physician is not

provided. Absences not covered under the FMLA, or absences that occur without supporting medical documentation will be charged to the employee's accumulated PTO, if available and approved.

Depending on the nature or severity of the condition, the employee may be required to obtain a release to return to duty from the treating medical provider prior to returning from an absence of three (3) or more days if the absence was due to personal illness. The release shall state whether the employee is able to return to full or light duty and detail any applicable work restrictions.

The employee is responsible for providing the return to duty information and details deemed acceptable by the Village of Wellington. A request for additional information from the treating physician may be required at the employee's expense. A second or third medical opinion may also be required at the Village of Wellington's expense.

EXTENDED MEDICAL LEAVE

Requests for extended medical leave (including unpaid medical leave) beyond what is provided under the Family Medical Leave Act *may* be considered by the Village Manager or his designee. The decision to allow extended medical leave is not guaranteed, but is based on the specific situation, the hardship it may place on the department, and recommendations from the Department Director. The maximum amount of time that an extended medical leave shall be approved is an additional twelve (12) weeks beyond approved Family Medical Leave, unless approved by the Village Manager or designee. Upon conclusion of the 12 weeks of Extended Medical Leave, the employee must be able to return to full duty without restrictions that would cause undue hardship to the operations of the assigned department. Medical documentation is required for consideration of any Extended Medical Leave request.

During an extended medical leave, the employee shall be responsible for paying all insurance benefits he or she has elected. Payment shall be made to the Village in a manner specified by the Finance department. The employee's failure to pay insurance premiums as specified shall result in cancellation of insurance coverage without notice. During such leave there shall be no PTO, MIL, holiday leave, other accrued leave, or other special pay.

Upon return from an approved extended medical leave, the employee may be reinstated to his or her prior position or an alternate position for which the employee is presently qualified, provided the prior position or an alternate position is available. The Village does not guarantee that a position shall be available upon return from an extended medical leave. If the position remains open and if the employee is certified as medically capable of performing the essential functions of the job, the Village may provide the employee an opportunity to return to the

position. The Village may require medical status reports at the employee's expense during any extended medical leave.

If the employee has not returned to work, is unable to return to work, or if a position is not available upon completion of the approved extended medical leave period, the employee shall be considered to have voluntarily resigned or separated from the position. The resignation shall be effective the next regular workday following exhaustion of the approved extended medical leave period.

CELEBRATION PAID TIME OFF (CELEBRATION PTO)

Regular and supplemental full time employees who have successfully completed 90 days of employment will receive one day of Paid Time Off (PTO), to celebrate their date of hire or birthday. The policy runs concurrent with the fiscal year and may not be carried forward from one fiscal year to the next; unused Celebration PTO days will be forfeited at the end of the fiscal year. Unused Celebration PTO days are not eligible to be paid out at time of separation. Celebration PTO Days are subject to budget approval and can be discontinued at any time, for any length of time (including permanently), and for any reason without prior notice.

LONGEVITY PAY

To reward long time employees, the Village offers a longevity incentive program to all regular and supplemental full time employees. Eligible employees with 5 or more years of service will earn annual longevity incentive pay of forty hours each fiscal year. Longevity pay is subject to budget approval and can be discontinued at any time, for any length of time (including permanently), and for any reason without prior notice.

HARDSHIP PROVISION

The Village offers a Hardship Provision for eligible employees who have accrued PTO past their introductory period and have experienced a severe financial hardship resulting from serious illness, disability or accidental property loss or imminent foreclosure of, or eviction from their primary residence. If approved, the employee may convert all available PTO into cash for the maximum of hours available. This benefit may only be used one time per year unless waived by the Village Manager or designee due to extenuating circumstances.

In order to qualify for a Hardship Provision:

1. The financial hardship must be severe and beyond the control of the employee; and/or
2. Emergency circumstances must be unforeseen and unexpected;
3. Written, verifiable proof of cause and hardship must be submitted to Human Resources for Executive Management review (including bank statements, foreclosure notification, eviction notices, medical bills, as well as any other related, relevant information); and

4. Employee must be a regularly budgeted year-round employee, have worked at least 12 months and 1,250 hours for the Village of Wellington over the preceding 12 months and have over 40 hours of PTO available.

Any payment previously made for hardship and any made under this provision will reduce future payouts as applicable.

LEAVE DONATION

The Leave Donation program is voluntary and is designed to extend benefits to employees who have worked for the Village for at least 1 year (with a minimum of 1,250 hours worked) and whose leave accounts have been exhausted due to a documented serious health condition, including catastrophic, non-work related extended medical problems. The Leave Donation program is intended to offset wage losses of an employee on Family Medical Leave due to a documented serious health condition (including catastrophic illness, injury, or medical prognosis) and must miss time from work in an unpaid status. An unpaid status may include the elimination period prior to Short Term Disability as well as the difference between Short Term Disability or Long Term Disability and regular earnings if applicable. Employees may only qualify for Leave Donations concurrent with Family Medical Leave.

This policy is also intended to offset wage losses of the employee who is on Military Leave under the Family Medical Leave Act, or for an employee on Family Medical Leave who must care for an immediate family member (spouse, domestic partner, child, foster child, domestic partner's child or foster child, or dependent) who, due to a serious health condition (including documented catastrophic illness, injury, or medical prognosis) must miss time from work in an unpaid status. Catastrophic medical problems are not job-related or self-inflicted. Catastrophic illness or injury does not include short-term ailments such as flu, colds, virus, etc. or doctor/dentist appointments.

Leave Donation Recipient Criteria: Employees requesting donated time must meet the following criteria

1. Present a letter or medical certification to Human Resources from a licensed healthcare professional and include documentation of the illness or injury of the employee or immediate family member (FMLA Certification of Healthcare provider may serve as documentation)
2. The employee cannot be receiving Workers Compensation, or other disability benefits (if combined, they equal to or greater than regular earnings)
3. An employee may only request and receive donations for one qualifying event within one fiscal year period, to run concurrently with approved FMLA (once Family Medical Leave is exhausted, the employee is not eligible to receive Leave Donations)

4. All Personal Time Off (PTO) and Major Illness Leave must be exhausted in order to receive donated leave
5. Employees must have one (1) year of continuous service and worked at least 1,250 hours in the preceding twelve (12) months as a full-time Village of Wellington employee to be eligible
6. Leave time may not be utilized in excess of hours normally scheduled within a workweek
7. Employees may no longer receive donated leave time once FMLA is exhausted, they reach permanent disability, or upon separation from employment (whichever comes first)
8. Donated hours may not be counted as hours worked for purposes of overtime
9. If more than one employee is approved to receive donation, the donation shall be distributed by percentage of need (based on all donated hours available per pay period)
10. Employees requesting leave donations must submit an application to the Human Resources Director

Donated hours will be reported as income for the recipient. Requests and/or approvals for Leave Donations in any amount are not guaranteed and are subject to employee participation; participation is not required or expected.

Employees interested in participating in the Leave Donation program (either as a recipient or as a donor) should contact a member of Human Resources.

HOLIDAY PAY

Eligible regular and supplemental full-time employees receive seven (7) designated paid holidays each year and three (3) floating holidays each year and are eligible to receive holiday pay and floating holidays upon employment.

The Village recognizes the following seven (7) holidays as paid holidays:

| | |
|------------------------|--------------------------------------|
| New Year's Day | January 1 st |
| Martin Luther King Day | 3 rd Monday in January |
| Memorial Day | Last Monday in May |
| Independence Day | July 4 th |
| Labor Day | 1 st Monday in September |
| Thanksgiving | 4 th Thursday in November |
| Christmas | December 25 th |

The Village recognizes the following three (3) holidays as floating holidays:

| | |
|-----------------|------------------------------------|
| President's Day | 3 rd Monday in February |
| Columbus Day | 2 nd Monday in October |
| Veterans Day | November 11 th |

Paid holidays occurring during normal operating hours will be observed on the actual holiday (and paid in accordance with the number of hours per day regularly scheduled). Paid holidays occurring on Sunday will be observed the following Monday.

For holidays occurring on days the department or facility is otherwise closed for business (i.e. Friday or Saturday), the employee will earn a floating holiday. The employee must use the floating holiday before September 30th (the end of the fiscal year), in accordance with the operational needs of his/her respective department and with prior approval from his/her direct supervisor.

1. Only hours worked on a paid holiday are used towards overtime calculation. Full time non-exempt (hourly) employees required to work on the day the Village observes a paid holiday can choose from one of the following options:
 - a. Work on the observed holiday **and** receive one and one half (1 ½) times the normal hourly rate for hours worked on the holiday **and** be paid holiday pay for their normal shift; or
 - b. Work on the observed holiday and receive regular time for hours worked and earn a floating holiday. The employee must use the floating holiday before the end of the fiscal year, in accordance with the operational needs of his/her respective department and with prior written approval from his/her direct supervisor.
2. A floating holiday may not be used prior to the pay period the holiday is observed in, but can be used in the same pay period in accordance with the operational needs of his/her respective department and with prior written approval from his/her direct supervisor.
3. In order to avoid forfeiture of floating holidays at the end of the year, employees shall request floating holidays be used prior to PTO when requesting time off from work. Floating holiday time must be taken in full day increments.

FAMILY AND MEDICAL LEAVE ACT (with domestic partnership provisions)

Eligible employees may take up to twelve (12) workweeks (480 hours) of unpaid, job-protected leave under the Family Medical Leave Act (FMLA) in a "rolling" 12-month period measured from the first day Family Medical Leave is taken for specified family and medical reasons.

BASIC LEAVE ENTITLEMENT

1. Employee Eligibility: To be eligible for FMLA, employees must
 - a. Have worked at least twelve (12) months for the Village;
 - b. Have worked at least 1,250 hours for the Village over the preceding twelve (12) consecutive months.
2. Conditions Triggering Leave: FMLA may be taken for the following reasons:
 - a. For a serious health condition that makes the employee unable to perform his/her job; or
 - b. For incapacity due to pregnancy, prenatal medical care or child birth; or
 - c. To care for the employee's child after birth, or placement of a child with the employee for adoption or foster care;
 - d. To care for the employee's Registered Domestic Partner's child after birth, or placement of the child with the Domestic Partner for adoption or foster care; or
 - e. To care for an immediate family member (spouse, son, daughter, parent, registered domestic partner, or the child(ren) of the registered domestic partner) with a serious health condition.
3. Use of Accrued Paid Leave: Depending on the purpose of the employee's leave request, the Village requires that the employee use accrued MIL and PTO, if available, concurrently with FMLA. Once available accrued PTO and/or MIL has been exhausted, the remainder of the approved leave may be taken in an unpaid status until the (12) work weeks or 480 hours within a "rolling" 12-month period has been satisfied.
4. Maintenance of Health Benefits: If an employee or his dependent participates in the Village's group health plan, the Village will maintain coverage under the plan during Family Medical Leave on the same terms as if the employee had continued to work. If applicable, the employee must make arrangements to pay his/her share of the health plan premiums while on leave. In some instances, the Village may recover premiums it paid to maintain health coverage or other benefits for an employee and family.
5. Job Restoration: Upon returning from FMLA, the employee will normally be restored to his or her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions after providing a certification that the employee is fit to return to duty.
6. Notice and Certification When Seeking FMLA:
 - a. Employees must provide fourteen (14) days advance notice of the need to take Family Medical Leave, if the need is foreseeable, or notice as soon as practicable in the case of unforeseeable leave.

- b. Medical certification supporting the need for leave due to a serious health condition affecting the employee or immediate family member must be returned before leave begins, or if not possible, within fifteen (15) days of the Village's request to provide the certification. If the employee fails to do so, the Village may delay the commencement of the employee's leave or withdraw any designation of Family Medical Leave, in which case the employee's leave of absence would be unauthorized, subjecting the employee to discipline up to and including termination. Second or third medical opinions and periodic re-certifications may also be required.
- c. Periodic reports as deemed appropriate during the leave regarding the employee's status and intent to return to work; and
- d. Medical certification of fitness for duty before returning to work, if the leave was due to the employee's serious health condition.
- e. Employees may take Family Medical Leave intermittently, or by reducing their normal weekly or daily work schedule when medically necessary for their own or immediate family member's serious health condition. Intermittent leave is not permitted for birth of a child, to care for a newly-born child or for placement of a child for adoption or foster care. Employees who require intermittent leave or reduced-schedule leave must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Village's operations.

Failure to comply with the foregoing requirements may result in delay or denial of leave.

FAILURE TO RETURN AFTER FAMILY MEDICAL LEAVE

Any employee who fails to return to work as scheduled after Family Medical Leave or exceeds the 12 or 26 weeks (if applicable) may be subject to termination of employment.

MILITARY FAMILY LEAVE ENTITLEMENTS (WITH DOMESTIC PARTNERSHIP PROVISIONS)

This policy is also intended to provide eligible employees unpaid, job-protected Family Medical Leave in a "rolling" 12-month period because the spouse, son, daughter, or parent of an employee; or the Registered Domestic Partner of an employee, or his or her son or daughter is on covered active military duty, or has been notified of an impending call or order to covered active military duty, and for care of a covered service member or covered veteran.

1. Employee Eligibility: To be eligible for Military Leave Entitlements, employees must:
 - a. Have worked at least twelve (12) months for the Village.
 - b. Have worked at least 1,250 hours for the Village over the preceding twelve (12) consecutive months.
2. Types of Military Leave under the Family Medical Leave Act:

- a. Exigency Leave - This type of leave is intended to provide eligible employees up to twelve (12) workweeks (480 hours) of unpaid, job-protected Family Medical Leave in a “rolling” 12-month period measure backward because the spouse, son, daughter, or parent of the employee; or the Registered Domestic Partner of the employee, or his or her son or daughter is on covered active military duty, or has been notified of an impending call or order to covered active military duty;
 - b. Covered Service Member Leave - Family Medical Leave also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave as the next of kin, or as the parent, spouse, Registered Domestic Partner, child, or Registered Domestic Partner’s child to care for a covered service member or covered veteran during a single 12-month period. The single 12-month period begins on the first day the employee takes Family Medical Leave to care for a covered service member and ends 12 months after that date, regardless of the method used by the Village to calculate the employee’s 12 workweeks of leave entitlement for other Family Medical Leave-qualifying reasons.
3. Conditions Triggering Leave
- a. Exigency Leave - Eligible employees with a spouse, son, daughter, parent or Registered Domestic Partner or his or her son or daughter on covered active duty or call to active duty service status in the Armed Forces, National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualified exigencies may include, but are not limited to:
 - i. Attending certain military events
 - ii. Arranging for alternative childcare
 - iii. Addressing certain financial and legal arrangements
 - iv. Attending certain counseling sessions
 - v. Attending post-deployment reintegration briefings
 - b. Covered Service Member and Covered Veteran Leave - A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred or aggravated in the line of duty on covered active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. A covered veteran is a former member of the Armed Forces, including the National Guard or Reserves, requiring care for a covered condition and who was discharged or released under conditions other than dishonorable at any time during the 5-year period prior to the first date of Family Medical Leave and such leave must commence within 5 years of the veteran’s active duty service.

4. Notice and Certification When Seeking Family Medical Leave

- a. Covered Service Member or Covered Veteran Leave: If the employee is the spouse, Registered Domestic Partner, son, daughter, Registered Domestic Partner's son or daughter, parent or next of kin (the nearest blood relative to the covered service member or covered veteran) and is requesting Family Medical Leave to care for a the covered service member or covered veteran, the employee must present medical certification along with proof of Military status/participation and any relevant supporting documentation. The employee must submit associated Family Medical Leave request paperwork.
- b. Exigency Leave: If the employee is requesting Family Medical Leave due to the spouse, son, daughter or parent; or due to Registered Domestic Partner or his or her son or daughter being notified of an impending call or order to covered active duty, or if the spouse, son, daughter or parent (or Registered Domestic Partner or his or her son or daughter) is already on covered active duty, the employee must provide Official Military Active Duty Orders and/or Deployment Documentation and must fill out associated Family Medical Leave request paperwork.

5. Employees may take any military-related Family Medical Leave intermittently, or by reducing their normal weekly or daily work schedule. Employees who require intermittent leave or reduced-schedule leave must make reasonable efforts to schedule leave so as not to unduly disrupt the employer's operations.

Failure to comply with the foregoing requirements may result in delay or denial of leave.

FAILURE TO RETURN AFTER MILITARY FAMILY LEAVE

Any employee who fails to return to work as scheduled after Family Medical Leave or exceeds the 12 or 26 week (if applicable) may be subject to termination of employment.

DOMESTIC VIOLENCE LEAVE

The Village of Wellington established the Domestic Violence Leave Policy in accordance with s.741.313, F.S. requiring that certain employers permit an employee to take leave from work to undertake activities resulting from an act of domestic violence. Eligible employees are permitted up to 3 days of PTO (or may take unpaid leave if PTO is not available) in any 12 month period if the employee or a family or household member of an employee is the victim of domestic violence.

EMPLOYEE ELIGIBILITY

Employees who have successfully completed three (3) three months of employment with the Village may be granted up to 3 days of PTO (or may take unpaid leave if PTO is not available) in any 12 month period if the employee or a family or household member of an employee is the victim of domestic violence.

DEFINITIONS

Family or Household Member: Include spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit. This definition includes Registered Domestic Partners.

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

CONDITIONS TRIGGERING LEAVE

Domestic Violence Leave may be taken for an employee to:

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

NOTICE AND CERTIFICATION WHEN SEEKING DOMESTIC VIOLENCE LEAVE

Except in cases of imminent danger to the health or safety of the employee or employee's family or household member, the employee must provide to Human Resources appropriate notice of the need for leave along with sufficient documentation of the act of domestic violence. This documentation may include copies of restraining orders, police reports, orders to appear in court, etc.

USE OF ACCRUED PAID LEAVE

Depending on the purpose of the employee's leave request, the Village requires that the employee use available accrued PTO and MIL concurrently with Domestic Violence Leave in accordance with the Village's Major Illness Leave (MIL) policy as outlined in this Employee Manual.

The Village recognizes that confidentiality in matters relating to this type of leave is of utmost importance and every measure possible will be taken to maintain confidentiality.

JURY DUTY, WITNESS DUTY, BEREAVEMENT AND MILITARY OBLIGATIONS

JURY/WITNESS DUTY

The Village recognizes service on a jury to be an important civic duty. If an employee is absent because of jury duty, he/she is entitled to administrative leave with pay. In addition, employees are allowed to keep all juror fees received from the court. If jury duty does not take the entire workday, the employee is required to report to work immediately after release from jury duty. Time spent on jury duty shall be computed as hours worked for the purposes of computing vacation pay and other accruals, but is not considered hours worked for overtime purposes, unless the jury duty was related to Village business. When employees return to work they shall submit documentation providing proof of service signed by the jury duty coordinator to receive compensation and excused absence(s).

Hours will be paid and count as hours worked for overtime calculation if the employee must appear in court as a witness for Village-related business. (Employees who must appear in court as a witness for other reasons not related to Village business may be paid through the use of PTO, or may be unpaid if PTO has been exhausted. Such hours spent as a witness for reasons not related to Village business are not eligible to qualify toward overtime calculation).

BEREAVEMENT

All regular and supplemental full-time employees are eligible to receive time off for bereavement in the event of a death in the immediate family: mother, father, legal guardian, mother-in-law, father-in-law, sister, brother, half-brother, half-sister, sister-in-law, brother-in-law, child, son-in-law, daughter-in-law, grandparents, grandparents-in-law, grandchildren, stepmother, stepfather, stepbrother, stepsister, stepchild, spouse, foster child, or the Registered Domestic Partner or his or her child(ren), foster child(ren), parents, siblings or grandparents.

Employees who have completed ninety (90) days of employment are eligible to receive up to three (3) scheduled workdays off with pay to attend memorial services. To be eligible for time off for bereavement with pay, the employee may be required to furnish proof of the relationship of the deceased. Paid bereavement time shall not be deducted from the

employee's accumulated PTO. At the employees request an additional two (2) days of leave may be granted and charged to Major Illness Leave (MIL). In addition, an employee may request up to an additional thirty (30) days off and may take leave without pay if no other leave is available.

MILITARY LEAVE

This policy applies to all eligible Village employees who are members of the uniformed services who attend military training and/or who are mobilized for active duty. In the event employees enter active military service because of a draft or on a voluntary enlistment, the provisions of the Uniformed Services Employment and Reemployment Rights Act will be followed.

1. Military Training

- a. All commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard shall receive a leave of absence without loss of vacation leave, pay, time or efficiency rating, on all days during which they are engaged in training ordered under the provisions of the United States military or naval training regulations when assigned to active or inactive duty. In any one annual period, leaves of absence shall not exceed **240 working hours** provided that leaves of absence for additional or longer periods of time for assignment to duty functions of a military character shall be granted with (if leave is available) or without pay, and without loss of time or efficiency rating. Any additional leave for documented military training must be covered by paid time off (PTO) leave or leave without pay if PTO is not available.

2. Active Military Service

- a. Employees called to active military duty are entitled to leave of up to five years in the event their military unit has been mobilized by decree of the President of the United States. Such leave will commence on the date substantiated by official orders.
- b. An employee shall receive the first thirty (30) days of military leave, resulting from active mobilization, with full normal Village pay and benefits. Thereafter, an employee who continues on active military leave will be eligible to receive a pay supplement, up to 24 months, to make up the difference between the employee's normal Village pay and military pay as explained under Supplemental Pay.
- c. Under the Uniformed Services Employment and Reemployment Rights Act (USERRA), reemployment rights are based on the duration of military service. The time limits for returning to work are:

- i. Less than 31 days service: The employee must return to work no later than seven (7) days after completion of military service.
 - ii. 31 to 180 days: The employee must return to work no later than fourteen (14) days after completion of military service.
 - iii. 181 days or more: The employee must return to work no later than 90 days after completion of military service.
 - iv. Service-connected injury or illness: Employees who are hospitalized or convalescing due to a military service related injury or illness may request to extend their reemployment rights for up to two years and may receive job protection under the Family Medical Leave Act. Medical documentation must be provided. Employees must notify the Human Resources Department prior to the expiration of the time limits for returning to work.
 - v. Employees who fail to report to work under these provisions may forfeit their re-employment rights.
 - vi. Employees are eligible for continuation of applicable health, dental, and life insurance benefits while on active military leave. The Village and the employee will be required to continue making any applicable monthly premium contributions for the duration of the leave. Should any type of insurance not be available during active military leave, the Village will provide insurance coverage beginning the first day the employee returns to work following active duty.
 - vii. While on active military leave, employees will receive any salary increases for the position including pay classification adjustments upon return from active duty.
3. Supplemental Pay
- a. Employees mobilized to active military duty status exceeding thirty (30) days may apply to receive a military pay supplement.
 - b. Supplemental pay will not be processed without written confirmation of the "Military Leave and Earnings Statement".
 - c. To determine eligibility, the employee must submit a current copy of the "Military Leave and Earnings Statement" to the Village of Wellington.
 - d. Payroll checks and deposits will be processed in accordance with the employee's instructions on file with the Village.
 - e. If the employee's gross military pay including housing and family expense allowances per pay period is less than his or her normal Village pay for that same pay period, the Village shall pay the difference. If the employee's base military pay per pay period is greater than his or her normal Village pay for that same pay period, the employee shall not receive a supplement. The employee must inform the Village of any changes in military salary by providing an updated "Military Leave and Earnings Statement".

An employee's eligibility and/or supplemental pay may change based on pay changes enacted by the military or by the Village. Active military leave will be considered continuous service with the Village for retirement plan purposes, provided the employee returns to work under the provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA).

- f. The employee's years of service and seniority will continue during military leave as if the employee was actively at work.

4. Employee Responsibilities

- a. When requesting leave, the employee must provide advanced written notice of all military duty, unless notice is impossible, unreasonable, or precluded by military necessity. A Leave Request form with the dates of requested leave and a copy of the military orders (if available) must be given to the immediate supervisor.
 - b. To receive any military pay supplement, the employee must submit a current "Military Leave and Earnings Statement" to a member of Human Resources.
 - c. The employee, prior to departure if possible, must contact a member of Human Resources to discuss the status of health and other insurance benefits.
 - d. The employee must contact a member of Human Resources to make any changes regarding direct deposit of payroll checks and the mailing of the payroll check stub.
 - e. The employee must provide the name, address, and phone number of a family member or friend Human Resources can contact while the employee is on active duty military leave. The Village recommends the employee submit notarized documentation designating a representative to provide or obtain information and/or act on his or her behalf while the on active leave.
 - f. A copy of the military orders releasing the employee from active duty must be provided to the supervisor when the employee returns to work. The employee is required to contact his/her immediate supervisor at least five working days prior to the date of returning to work.
 - g. A copy of all active military orders received must be forwarded to the Human Resources Department.
5. Employees will be reinstated to the previous position held or to a position of equal status and pay without reduction of benefits or seniority or to the position for which the employee can become qualified and would have held had he/she been continuously employed upon return from active military leave based on the following USERRA provisions:

- a. The employee must give notice to the Village that he or she is leaving the job for military service, unless giving notice is precluded by military necessity or is otherwise impossible or unreasonable.
 - b. The cumulative period of service must not exceed five years.
 - c. The employee must not have been released from service under dishonorable or other punitive condition.
 - d. The employee must report back to work with the Village in a timely manner as described above.
 - e. Additionally, under Florida law, National Guard Members called to active state duty may not be discharged from employment for a period of one (1) year after the date he/she returns to work, except for cause.
6. An employer is not required to reemploy an employee returning from active military duty if:
- a. The employer's circumstances have so changed as to make such reemployment impossible or unreasonable.
 - b. The employment from which the employee leaves to serve in the uniformed services is for a brief, non-recurrent period and there is no reasonable expectation that such employment will continue indefinitely or for a significant period.
 - c. In the case of an employee entitled to reemployment under subsection (a)(3), (a)(4), or (b) (2)(B) of section 4313 of the Uniformed Services Employment and Reemployment Rights Act of 1994 or Florida Statute Section 250.482 regarding active state duty of members of the National Guard , such employment would impose an undue hardship on the employer.
 - d. Under Florida law, regarding active state duty for members of the National Guard, the employer had legally sufficient cause to terminate the employee at the time he/she left for active state duty.

The Village will assist employees requesting to continue benefits and insurance premium payments. A letter of confirmation will be issued to confirm the benefits and insurance premium payments to be continued while on active military duty.

SECTION VII: POST-EMPLOYMENT

RETIREE COVERAGE

The Village of Wellington offers continuation of group coverage (health, dental, and/or vision) for all employees that are separating employment and who are immediately, upon separation, entering a qualified retiree status per Sections 110.123 and 112.0801 of the Florida Statutes.



1. If the employee is participating in the Florida Retirement System (FRS) Pension Plan or is participating in the Florida Retirement System (FRS) Deferred Retirement Option Program (DROP), the employee must meet the following criteria to be eligible for retiree health coverage:
 - a. The employee must be employed by the Village of Wellington immediately preceding his/her retirement or separation date; and
 - b. Be eligible for retirement because the employee meets the FRS' "years of service" requirement of 30 years of creditable service if enrolled in FRS before July 1, 2011, or 33 years of creditable service if enrolled in FRS on or after July 1, 2011; or
 - c. The minimum vesting and age requirements of six (6) years of service and age 62 if enrolled in FRS before July 1, 2011, or eight (8) years of service and age 65 if enrolled in FRS on or after July 1, 2011; or
 - d. Is eligible for an early benefit under FRS early retirement or FRS disability retirement provisions.
 - e. The employee must submit appropriate written notice to the Village of Wellington, a minimum of two weeks in advance of the retirement date, stating that the employee is retiring under FRS with the effective date of separation.
 - f. The employee must apply for retirement and begin receiving monthly retirement payments under the Florida Retirement System (FRS) Pension Plan.
2. If the employee is participating in the FRS Investment Plan, the employee must meet the following criteria to be eligible for retiree health coverage:
 - a. The employee must take a distribution from their investment plan.
 - b. The employee must be employed by the Village of Wellington immediately preceding their retirement or separation date, and have six (6) years of creditable

- service and age 62 if enrolled in FRS before July 1, 2011, or eight (8) years of creditable service and age 65 if enrolled in FRS on or after July 1, 2011; or
- c. Completion of 30 years of creditable service if enrolled in FRS before July 1, 2011, or 33 years of creditable service if enrolled in FRS on or after July 1, 2011 regardless of age, or
 - d. Attain age 59½ (as specified by s. 72(t)(2)(A)(i) of the Internal Revenue Code) with six (6) years of creditable service if enrolled in FRS before July 1, 2011, or eight (8) years of creditable service if enrolled in FRS on or after July 1, 2011.
 - e. The employee must submit appropriate written notice to the Village of Wellington, a minimum of two weeks in advance of the retirement or separation date, stating that the employee is retiring with this office and the effective date of the separation.

ENROLLMENT PROCEDURES

1. Employees must decide if they wish to continue their participation in the Village of Wellington health plan, dental plan, and/or vision plan prior to the effective date of their separation. The enrollment rules are as follows:
 - a. The employee must continue in the current coverage plan.
 - b. The employee cannot add additional coverage.
 - c. If the employee already covers eligible dependents, coverage can continue as long as they each meet the dependent criteria requirements, as defined by the plan documents.
 - d. The employee cannot add dependents.
 - e. The employee can decrease dependents. (Dependents have option of coverage under COBRA)
2. Upon retirement, the retiree is offered the retiree health, dental and vision coverage as well as COBRA coverage, as required by the Consolidated Omnibus Budget Reconciliation Act (COBRA). If retiree coverage is selected, the retiree's COBRA eligibility will run concurrently with the retiree coverage. The Village of Wellington's Office will comply with all other rules and regulations as outlined in and required by COBRA.
3. Once enrolled in the retiree health, dental, or vision coverage plans, the retiree can add or remove covered dependents during the annual open enrollment period or within 31 calendar days of a qualified event (i.e., marriage, divorce, a dependent's loss of qualified coverage, etc.), as defined by the plan.
4. In the event the employee declines retiree coverage at the time of retirement, the retiree or dependent(s) will be notified of benefit continuation rights under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

PREMIUM PAYMENTS

1. Retirees pay the full premium for any plan(s) they choose. The retiree is responsible for paying the premium payment for retiree health coverage (health, dental, and vision). In the event the retiree fails to make timely payments, coverage will be cancelled retroactive to the beginning of the month for which the participant failed to make a payment. The retiree will be financially responsible for all payments made on the retiree's behalf by the health, dental, and vision plan(s) retroactive to the cancellation date.
2. There is a one-time request for reinstatement of coverage due to failure to make the monthly premium payment within the allowable grace period. Any further late payments outside of the allowable grace period will result in cancellation of coverage.

TERMINATION OF RETIREE COVERAGE

Retiree health, dental, and/or vision terminates in the event the retiree or dependent:

1. Declines retiree coverage upon retirement or separation, or
2. Death of retiree or dependent, or
3. Dependent no longer meets the plan's definition of dependent, or
4. Cancels retiree coverage any point after retirement, or
5. Fails to pay premiums in a timely manner.

Once the coverage ends, the retiree is not given an opportunity to re-join the retiree coverage program at a later date.

SURVIVING SPOUSE ELIGIBILITY

Death of a retiree after retirement: In the event a retiree dies after employment separation, and the spouse was a covered dependent in health, dental, and/or vision at the time of the retiree's death; the surviving spouse (and dependents) will be offered Consolidated Omnibus Reconciliation Act of 1985 (COBRA).

Death of active employee who was vested and dies prior to retirement: In the event an active employee dies, and the spouse (and dependents) were covered in health, dental, and/or vision at the time of the employee's death; The surviving spouse (and dependents) will be offered Consolidated Omnibus Reconciliation Act of 1985 (COBRA).

DISCLAIMER

The Village of Wellington reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein, including any health, dental or vision benefits that may be extended to retirees and their dependents. Further, the Village of Wellington reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

RESIGNATION

Prior to terminating employment, an employee should provide a minimum of two (2) weeks written notice to his supervisor. The written notification shall be retained in the employee file.

The Village will determine if an employee who has resigned will remain for the duration of the notice period. An employee who is asked to leave prior to the end of the notice period will generally be paid through the remainder of the notice period; however, the Village reserves the right to deny payment through the end of the notice period when an employee does not fulfill the requisite number of hours within it.

TERMINATION OF EMPLOYEE BENEFITS

All employee benefits terminate for employees and their dependents with separation of employment, as specified according to the terms and conditions of the individual benefit plan. An employee has the option to continue medical and dental benefits in accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA) regulations. (See COBRA).

FINAL PAY

Unless special arrangements are made and approved, the final pay for any employee separating employment shall be transmitted with the next normal payroll cycle following the employee's last day of work.

DEDUCTIONS FROM FINAL PAYCHECK

Final paychecks, or a portion thereof, may be withheld for, but not limited to, the following reasons in accordance with federal and state wage and hour laws:

1. Premiums owed for benefits coverage
2. Missing or damaged uniforms, tools, equipment or other Village property replacement cost
3. Failure to return Village keys and gas cards
4. Failure to return Employee ID Badge or Village Purchasing Card

REFERENCES/REFERENCE CHECKS/EMPLOYMENT VERIFICATIONS

Request for references, reference checks and employment verifications shall be limited to confirmation of the dates of employment and position held for active and former employees. The Village shall provide no additional information excluding what may be required under the Florida Public Records Act (FPRA).

All inquiries regarding references, reference checks or employment verification must be referred to the Human Resources Department. Village employees are prohibited from responding to reference and recommendation requests unless required by law.

RE-HIRES

If an employee has been involuntarily terminated from employment, he or she is generally not eligible for re-hire.

If an employee resigned employment from the Village, he or she may be eligible for re-hire. The Village has no obligation to rehire any individual. The Village may rehire individuals as follows:

Previous Position: If ten (10) days or less have elapsed since the employee resigned and the position is still available, the individual may be rehired for the same position at the same rate of pay. Benefits should be continued without lapse.

Previous or Other Positions: If more than ten (10) days have elapsed, individuals may be rehired subject to the Village's Recruitment and Selection Program. All benefits start over as if the individual is a new hire, or as provided in the applicable benefit plan (unless approved by the Village Manager or designee). Employees re-hired after a lapse of 10 days or more will be subject to an introductory period.

SECTION VIII: CONCLUSION

CLOSING STATEMENT

The purpose of this manual is to communicate Village policies and expectations to its employees. In this manual, the Village explains that employment is at-will. It is our intent to ensure our employees have an understanding of the Village's structure as well as an understanding of the policies that make up its foundation. We hope this Employee Manual has provided you with valuable information about general employment areas such as employment policies, compensation practices, benefits, and items addressed at the time of employment termination.

In closing, we hope this manual addressed any questions you have regarding your employment and we wish each and every one of our employees career success at the Village of Wellington. Please take some time to review this manual and do not hesitate to contact a supervisor or a member of Human Resources for additional information.

Please Note: The Village of Wellington's Employee Manual is an overview of Village Policies and Procedures; it is by no means all-inclusive. Departmental and/or other specific policies, manuals, Standard Operating Procedures (SOP's), etc. may be found within the assigned department and online. Please check with your supervisor for additional information.