



CITY OF COCOA

EMPLOYEE HANDBOOK
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SECTION 1 – WELCOME & PURPOSE

Congratulations and welcome as an employee for the City of Cocoa. We wish you every success in your job and sincerely hope that you make your employment with the City of Cocoa a long and rewarding career. The future of all our jobs depends upon the skill, care, and effort each of us puts into our work every day. We are counting on you to do your very best!

1.1 Purpose of this Handbook

This employee handbook is intended to help you get acquainted with being employed by the City. It describes, in general terms, some of the guidelines applicable to your employment. It is not a rule book containing all of the City's policies applicable to employees. This employee handbook is not intended to be and does not constitute a contract, either expressed or implied, between the City and any of its employees for any purpose. Please read this employee handbook thoroughly and keep it for future reference.

The City reserves the right to change, discontinue or adopt any policy, benefit or practice at any time, with or without notice. All changes or exceptions to the policies contained in this manual will be in writing, and no changes or exceptions will be effective unless approved in writing and signed by the City Manager and approved by the City Council. In addition, benefits, pay increases, and so forth are subject to budget availability.

While the City hires its employees with the hope that its employment relationships will be long and mutually satisfying, all employees are employed at will, and either the City or the employee is free to terminate the employment relationship at any time, with or without cause and with or without notice. No employee, agent or representative of the City may enter into an agreement with any applicant or employee guaranteeing employment for a specific period unless approved in writing and signed by the City Manager and approved by the City Council. Nothing in this employee handbook alters the at will relationship of the City and its employees.

The City Manager has the authority to approve technical, grammatical and administrative amendments to the policies and procedures provided said amendments update the Employee Handbook and are consistent with the authority vested in the City Manager by the City Charter. Further, the City Manager shall not have the authority to amend or supplement the Employee Handbook in a manner conflicting with State Statutes, the City Charter or Ordinances, Resolutions, and directives adopted by the City Council.

Once you have reviewed this employee handbook, please execute the form at the back of this handbook acknowledging that you have received it and reviewed and acknowledged its contents. Once you have executed the acknowledgement, please return it to Human Resources.

1.2 Collective Bargaining Agreements

The terms and conditions of employment for employees covered by collective bargaining agreements are controlled by such agreements. This employee handbook is applicable only to the extent that the relevant collective bargaining agreement is silent.

SECTION 2 - YOUR EMPLOYMENT

2.1 Employee Classifications

Regular, full-time employees are those who work at least 40 hours per week and are not hired to fulfill a temporary or seasonal need.

Regular, part-time employees are those who work less than 40 hours per week and are not hired to fulfill a temporary or seasonal need.

Temporary, full-time employees are those who work at least 40 hours per week and are hired to fulfill a temporary or seasonal need.

Temporary, part-time employees are those who work less than 40 hours per week and are hired to fulfill a temporary or seasonal need.

Probationary employees are those employees who have not yet successfully completed their six month probationary period.

Exempt employees are those employees who are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act.

Hourly employees are those employees who are not exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act.

The benefits of regular, part-time employees are different from those described in this handbook. Insurances are only available to regular employees who are regularly scheduled and budgeted to work 32 or more hours a week. Temporary employees (full or part-time) are not eligible for any benefits offered by the City. Regular, part-time employees should contact Human Resources for the details concerning their benefits.

2.2 Probationary Period

The City places value on the development of a successful relationship with each of its employees. To that purpose, each newly hired employee is subject to a six-month probationary period. Public Safety employees are subject to a probationary period as outlined in the employees' respective collective bargaining agreement. This period provides the employee with an opportunity to see if he or she likes the work and can adjust to the environment. Similarly, this period provides the City with an opportunity to evaluate whether an employee meets its expectations. Early in the probationary period, the employee's immediate supervisor should outline the objectives of the job, discuss positive approaches for meeting objectives, encourage and recognize the employee's strengths, and if applicable, develop an improvement plan to identify and correct the employee's areas of weakness. Prior to the end of the probationary period, the employee's immediate supervisor should complete a performance evaluation and recommend the employee's continued employment or termination to his or her Division Manager or Department Director. Your probationary period may be extended an additional six months if, in the discretion of your Division Manager or Department Director, such extension is warranted. Employees terminated within their probationary period have no right to appeal.

Employees may be placed on an extended probationary period for failure to complete the initial probationary period, failure to complete an extended initial probationary period, or due to disciplinary actions that may require a special performance probationary period to provide the employee ample time to make improvements in performance.

Vacation days and sick days will accrue during the initial employment period, but vacation time may not be used until the successful completion of the probationary period. If employment is terminated within the probationary period, all accruals will be forfeited. Employees are eligible to receive paid holidays during their probationary period. Eligible employees are not entitled to health insurance, dental insurance or term life insurance until the first of the month following sixty (60) days of employment.

2.3 Performance Evaluation

Once you successfully complete your initial probation period, you will receive an evaluation of your job performance annually. The purpose of the evaluation is to document your work behavior as outlined in your job description that you were given when you were offered employment by the City. The evaluation is prepared by your supervisor and reviewed by your Division Manager and/or Department Director. Your evaluation will be presented to you by your direct supervisor. You have the right to attach one sheet of paper to your evaluation, which will be permanently attached, if you disagree with any statements or want to clarify anything stated on your evaluation. If your evaluation is unsatisfactory, you may be placed on probation and a corrective action plan set up to help you achieve a satisfactory work performance evaluation. Unsatisfactory performance can also result in placement on a performance probationary period or termination of employment.

2.4 Changing Jobs

You may want to move to a higher-level position because it pays more or you may want a certain position because it is an entry to a desired career path. Whatever your reason, planning and preparation are needed to secure a different position.

It is important to know that you can only be selected to fill a position that is vacant. This means that even if your supervisor agrees that you are able to do higher level work, he or she does not have the authority to assign you the position title and the pay that goes with the higher level work. You must formally apply for, and be selected to fill a vacant position. Newly hired employees must complete six months of service before being considered for a promotional opportunity.

You may apply for any position for which you have the necessary background and experience. Copies of position announcements are available in Human Resources or on the City's webpage.

If a position is an internal promotion (within each department or citywide), announcements will only be "in-house" and will list eligibility requirements such as qualifications and experience, type of work, and hours of work. Selection may be made by a variety of examining devices including but not necessarily limited to: assessment of training, education and work experience; written, oral or performance tests; and/or oral interviews, singularly or in any combination. Internal promotional examinations shall be open to any employee off initial probation who meets the qualification requirements for the position.

If a position is to be filled on an open competitive basis, it will be announced on at least the City web page and a city job posting. Human Resources may also notify the Florida State Employment Service,

advertise in one or more newspapers, and may e-mail/mail announcements to industry-specific newsletters and web sites.

2.5 Demotion

An employee may be downgraded to an available position in a lower pay grade for which the employee is qualified for any of the following reasons:

- As a disciplinary measure for violation of City or departmental rules;
- Inability to satisfactorily perform the required duties and responsibilities that the employee was hired or promoted to fill;
- In lieu of layoff during a reduction in force or reorganization;
- When the employee voluntarily requests such demotion;
- In the interest of the City.

An employee who is demoted, whether voluntarily or involuntarily, will have his or her pay rate decreased by 5% or will be placed in the nearest (lower) step or as determined by the City Manager. An employee who is demoted involuntarily due to performance issues may be placed on a probationary period.

2.6 Code of Conduct and Discipline

Employees are expected to observe certain standards of job performance and conduct. When performance or conduct does not meet the City's standards, the City will endeavor, when it deems appropriate, to provide the employee a reasonable opportunity to correct the deficiency. If the employee fails to make the correction, he or she may be subject to discipline, up to and including termination.

The rules set forth below are intended to provide employees with fair notice of what is expected from them. Such rules cannot identify every type of unacceptable conduct or act. Therefore, conduct not specifically listed below, but which adversely impacts the City, other employees, citizens or other third parties may also result in disciplinary action.

Employees may be disciplined for poor job performance, including but not limited to the following:

- Failure to meet required standards of job performance;
- Below-average work, either quality or quantity;
- Poor attitude (for example, rudeness or lack of cooperation, negative demeanor, etc.);
- Excessive, unauthorized absenteeism, tardiness, or abuse of break and lunch privileges; or
- Failure to follow instructions or procedures.

Employees may be disciplined for misconduct, including but not limited to the following:

- Insubordination;
- Willful neglect of duties;
- Knowingly making false statements to employees, supervisors, officials or citizens regarding any issue or any other employee or official;
- Use of employment with the City to obtain favor or benefit from any employee, vendor, property owner, citizen or others;

- Dishonesty;
- Theft;
- Discourtesy;
- Misappropriation, misuse, tampering with or destruction of City property or the property of another on the City's premises;
- Violating conflict of interest rules;
- Violating rules pertaining to workplace relationships;
- Disclosing, taking or using confidential or proprietary information without written authorization from the City Manager;
- Falsifying or altering City records of any kind, including, without limitation, applications for employment and timecards;
- Failure to report a pay or deduction discrepancy on your pay check that is to the employees' benefit;
- Interfering with the work performance of others;
- Threats, acts of intimidation, fights, altercations or any other inappropriate conduct;
- Harassing, including sexually harassing, employees or others;
- Being under the influence of, manufacturing, dispensing, distributing, using, or possessing alcohol or illegal drugs on City property, during working hours or while operating a City vehicle ("Illegal Drugs" refers to any drugs or controlled substances which are not prescribed by a licensed medical doctor (other than over-the-counter drugs) and prescription or over-the-counter drugs that are used in a manner inconsistent with stated dosages, usages and/or medical procedures;
- Gambling on City premises or during working hours;
- Sleeping on the job (unless authorized i.e. shift employees);
- Leaving the job without authorization;
- Violation of any City policy, practice, or procedure;
- Knowingly clocking in, punching in, or swiping the time card or ID badge of another employee;
- During and in the course of the employee's official duties, possessing a firearm or other dangerous weapon in a City building or in a City vehicle, or at City-sponsored event except as provided in Section 790.251, F.S.S is prohibited. This includes visible and concealed weapons, even those for which the owner has obtained the necessary permits. While not all inclusive, this list of weapons includes firearms, explosive materials, or other objects that could be used to harass, intimidate, or injure another individual. This policy will be enforced in accordance with the requirements of Florida Statute § 790.251. Further, this policy does not apply to law enforcement officers possessing a firearm in accordance with the Officer's official duties;
- Being convicted of or pleading "no contest" or guilty to a crime that, in the sole discretion of the City Manager, indicates or suggests that the employee is unfit for the job or may be a threat to the safety or well-being of the City, its employees, citizens, or property;
- Failing to report by written notice to the City's Human Resources Manager, within five calendar days, any arrest, conviction, plea of nolo contendere (no contest) or entry into a pre-trial diversion program;
- Abandonment of position by being absent from duty for three consecutive work days without notification and/or proper authorization;
- Refusing to submit to testing for drugs or alcohol; or
- Any conduct, on or off duty, which, in the City's sole discretion, constitutes conduct unbecoming an employee of the City.

2.7 Discipline Procedure

The types of discipline that may be imposed by the City generally fall into the following categories: (1) oral reprimand; (2) written reprimand; (3) suspension without pay; and (4) termination. The City reserves the right to invoke other types of discipline in its sole discretion. While the City acknowledges the benefits of a system of progressive discipline, the City reserves the right, in its sole discretion, to apply any form of discipline it sees fit to impose without applying progressive discipline. For example, the City reserves the right, in its sole discretion, to terminate an employee for a first offense. The City will follow progressive discipline except in unusual circumstances.

All Supervisors, Division Managers, and Department Directors must receive approval from the Human Resources Manager before imposing any form of discipline other than an oral reprimand.

In the event that a disciplinary decision results in termination of employment, the terminated employee may request a due process hearing before the City Manager within five (5) business days of his or her termination. Employees subject to termination are entitled to receive written notice of the charges against them and to present evidence at the hearing within the time allotted, to cross-examine witnesses, and to provide oral and/or written explanations for the actions or omissions alleged to have violated the City's policies or standards of conduct or other oral or written comments pertaining to the decision to terminate their employment. Employees are not entitled to representation by an attorney during due process hearings. Witnesses are not permitted in the hearing room until he / she are called to testify. All testimony will be given under oath.

Employees placed on notice of proposed termination will be placed on paid administrative leave for a maximum of forty hours. If the hearing before the City Manager does not occur within those forty hours, the remainder of the employee's leave, pending the meeting with the City Manager, will be without pay. While on administrative leave, (paid or unpaid), an employee is not permitted on City property unless his or her Department Director has given written approval. All benefits will continue while the employee is on administrative leave, but the employee must continue to pay his or her regular contribution for the maintenance of the benefits.

In the event that a disciplinary decision results in suspension without pay in excess of two days, the suspended employee may request a due process hearing before the City Manager within five (5) business days of his or her suspension. Due process hearings relative to suspensions will be conducted in the same manner as due process hearings on termination decisions. While on suspension without pay, the suspended employee is not permitted on City property unless his or her Department Director has given written approval. All benefits will continue while the employee is suspended without pay, but the employee must continue to pay his or her regular contribution for the maintenance of the benefits.

2.8 Complaints

A complaint is a statement of employee dissatisfaction about some employment action. Complaints are usually made to the immediate supervisor and dealt with informally.

A grievance is an unresolved complaint about your working conditions and is a more formal procedure. The main purpose of the grievance procedure is to determine what is right, rather than who is right.

2.9 Grievances

The City's grievance procedure can be utilized by employees to appeal complaints about their working conditions. This grievance procedure is inapplicable to complaints of discrimination and harassment. As stated in the City's Equal Employment Opportunity Policy and Policy Against Discrimination and Harassment, employees should take complaints of discrimination and/or harassment to their Department Director and to the City's Human Resources Manager. Disciplinary actions, reductions in force, and separations during the new hire probationary period are not grievable.

- Step 1: You should first discuss your grievance with your immediate supervisor within seven (7) calendar days of its occurrence. He or she should give you a written answer within seven (7) calendar days after the grievance is received.
- Step 2: If your grievance is not resolved to your satisfaction within seven (7) calendar days after meeting with your supervisor, you may submit the matter, in writing, to your Division Manager/Superintendent. He or she should provide you an answer, in writing, within seven (7) calendar days.
- Step 3: If you are not satisfied with the answer you receive from your Division Manager/Superintendent, you should submit the grievance, in writing, to your Department Director within seven (7) calendar days. The Department Director will, within seven (7) calendar days, produce a written decision which will state the problem, the applicable policy and the decision. Copies of the Department Director's decision are forwarded to you, as well as to your Division Manager/Superintendent, your supervisor, and Human Resources.
- Step 4: If you are still unsatisfied with the decision, you have recourse to one more action. You may submit the grievance, within seven (7) calendar days, in writing to the City Manager. The City Manager or designee shall issue a written decision within seven (7) calendar days of the receipt of the grievance. The decision by the City Manager is final and binding and there is no further appeal.

The grievance form is found at the back of this Employee Handbook in Appendix A.

2.10 Anti-Retaliation Policy

No City employee shall be discharged, disciplined, demoted, transferred, reassigned, denied promotion, or be subject to any personnel action which might otherwise be considered a punitive measure, or otherwise discriminated against in regard to his or her employment or appointment, or be threatened by any such treatment by reason of his or her exercise of rights under City or Departmental policies or by State or Federal laws.

Any employee, who believes that he/she have been a victim of retaliation for exercising any or all of their rights, should immediately report such activity through use of the Grievance Procedure or to Human Resources.

2.11 Reduction In Force (Layoff)

Although the City does its best to provide steady, secure employment, there may be times when it becomes necessary to eliminate jobs due to a shortage of funds, loss of federal or state grants, lack of work, changes in organization, or other appropriate reasons.

Layoffs are determined by Department and by job classification. When it becomes necessary to have a reduction in force, employees who are in the DROP (Deferred Retirement Option Plan) Program shall be laid off first, then employees by seniority. The City shall, however, retain the right to lay off in a

different manner than seniority when it is necessary, in the City's determination, to retain an employee with special knowledge, skills, or ability.

Employees being laid off shall be given two weeks' notice or, if not possible, two weeks' severance pay. The employee has the ability during this time to apply for other vacant positions within the City for which the individual is qualified. If covered under a collective bargaining agreement, the employee receives the severance pay as outlined in their contract, if different from what is stated above.

2.12 Employee Identification Cards

City of Cocoa Identification (ID) Cards are to be used by City employees to show proof of employment when performing work-related duties or attending City functions. The identification card is not intended to be used in lieu of proper ID cards (i.e., Florida ID card, Florida Driver's License, etc.).

The replacement fee for a lost/stolen City ID card is eleven dollars (\$11) may be paid by payroll deduction or at the time of badge replacement.

Employees should contact Human Resources immediately to report/replace lost or stolen cards. Employees are required to surrender their employee identification card when he or she leaves employment with the City.

SECTION 3 – YOUR PAY

3.1 Time and Attendance

The City records hours worked by employees on a time and attendance software system. All hourly employees are responsible for accurately reporting their hours worked, including any sick or vacation hours taken each pay period. All hourly employees should clock in at the beginning of their work day and clock out at the end of their work day. Hourly employees should not clock out for their 15 minute rest breaks. Hourly employees should ask their immediate supervisor for further instructions on how to record work hours.

Exempt employees will have a total of 40 hours recorded for the work week in the attendance software system. Full day absences and absences of greater than half a day for vacation leave, sick leave, personal leave, or administrative leave must be reported in the weekly schedule.

3.2 Rest and Meal Periods

Employees may take two 15 minute rest breaks a day - one in the morning and one in the afternoon. Employees are not entitled to add their rest breaks and take a longer lunch. Rest breaks are not cumulative or transferable. You are required to get your immediate supervisor's approval on what time you may take your rest break.

Every hourly employee is required to take at least a 30 minute lunch period, with the exception of public safety personnel. Depending on where you work, you may be scheduled for a one hour lunch period. You are not allowed to work through your lunch and leave early, except in rare and unusual circumstances that are approved by your Department Director or Division Manager.

3.3 Overtime Pay and Compensatory Time

Hourly employees who work in excess of forty hours in a workweek may be eligible to receive overtime pay. Overtime pay is paid at one and one-half times the regular rate of pay of the hourly employee per

hour of overtime worked. Hourly employees must have the prior written consent of their Department Director or Division Manager to work in excess of forty hours in a workweek (except in emergency situations).

The City allows hourly employees to accept compensatory time off in lieu of being paid overtime wages, if agreed upon, in writing, by both you and your Department Director or Division Manager. Compensatory time is earned at the rate of one and one-half hours of compensatory time for every hour worked in excess of forty hours in a workweek. Hourly employees are allowed to accrue no more than forty (40) hours of compensatory time in a fiscal year. Hourly employees must receive prior written consent to work in excess of their regularly scheduled workweek and/or regularly scheduled working hours, even if they have agreed to accept compensatory time in lieu of overtime pay. Any unused accrued compensatory time will be paid as overtime wages on September 30 of each year. For pay purposes, compensatory time taken is not considered as hours worked. If you take compensatory time in the same workweek that it is earned, it is considered flex time (see Section 3.5) and is not earned at the overtime rate.

3.4 Working Out of Classification

When employees are designated by their Director to work in a higher job classification which requires a greater level of difficulty / responsibility this is called “working out of classification”. Employees, who are assigned to work out of classification for forty consecutive hours or more, may have their salary increased by five percent, or the minimum rate of pay for the higher job classification, whichever is greater. If the City Manager designates an employee to work as a Department Director for extended periods of time, the designated employee’s salary may be increased up to ten percent, or the minimum rate of the pay grade of the higher classification, as determined in writing by the City Manager.

Deputy Directors are not eligible to receive “working out of classification” pay due to Director absences (i.e. scheduled vacations, conferences, etc.). However, Deputy Directors may be eligible for “working out of classification pay” at the discretion of the City Manager when a Director’s position is vacated or other extenuating circumstances and the Deputy Director is named as Acting Director.

Temporary duty and acting/interim assignments will not result in a change in position title, change in FLSA status, or a change in benefit status. Generally, temporary duty or working out of classification assignments will not exceed three months, unless extended by the City Manager.

3.5 Flex Time

The City reserves the right to modify the work hours of employees in order to provide better service to our citizens. For example, the City may require an hourly employee to work 12 hours on a Monday, whereas the employee normally works five 8-hour shifts a week for a total of 40 hours. To avoid the necessity of the employee working in excess of 40 hours, the City may direct the employee to leave 4 hours early on Friday. This is known as “flex time.”

Flex time is accrued on an hour for hour basis. Flex time can only be taken during the same work week that it is accrued; otherwise the additional hours will be paid as overtime pay or as compensatory time off. Hourly employees must receive the consent of their Department Director or Division Manager before using flex time. For pay purposes, flex time is not considered to be hours worked.

3.6 Emergency Situations

The City Manager, as head of the administrative branch of city government or his or her designee(s) shall have the authority to order any and all employees to work assignments as needed during hazardous weather or a local emergency, or to excuse employees from work assignments. The responsibility of the City to serve its citizens dictates that some essential Departments must remain staffed during hazardous weather or state of local emergency. Unless otherwise excused from work, all employees are subject to redeployment from their regular job assignment, according to administratively determined service needs and demands.

The Employee Emergency Response Manual provides specific details of the City's program, as well as provides for the mandatory training requirements for all City of Cocoa Employees. This training is in compliance with the National Incident Management System (NIMS). The Department Directors and Managers, as designees of the City Manager, shall identify employees whose services are essential during hazardous weather or a state of local emergency and notify the employees of their respective job responsibilities, which may include reassignment to another job function and/or Department or Division. All efforts will be made to assign individuals to duties according to their respective knowledge, skills, abilities and physical capabilities. Employees who are required to work during hazardous weather or a state of local emergency shall report to the worksite and, if necessary, be prepared to stay for an extended period of time. The City may provide meals during these events. Employees who fail to comply or report to work when scheduled or summoned, may be subject to discipline, up to and including dismissal.

The City recognizes that employees have personal and family responsibilities that may conflict with the obligation to fulfill their job requirements during hazardous weather or state of local emergency. When evacuation of personal residences is required, employees will be permitted and expected to make arrangements for their families like any other citizen, including the use of authorized shelters. See your immediate supervisor for more information on your Department's Emergency call-in requirements for specific details.

3.7 Emergency Pay

You may be required to come into work due to an emergency. Generally, an emergency is declared by the President, Governor or Mayor due to inclement weather or terrorism. All employees will receive emergency pay for their regularly scheduled work days if the city is closed for business due to a declared emergency or other event. If an employee is required to report to work during the event, he/she will receive additional pay as follows:

- Hourly employees who are required to report to work will be paid for the hours worked and will receive emergency pay for their regularly scheduled work day.
- Exempt employees who are required to report to work will be paid an additional amount up to 12 hours per day and will receive emergency pay for their regularly scheduled work day.

With prior authorization from Department Directors, any employee who is unable to report to work may use personal leave, vacation leave, or sick leave (supported by a physician's statement). Requests by employees to be excused from work must be arranged in advance of the emergency or, in the case of unforeseen circumstances, reported to the appropriate authority as soon as possible prior to the beginning of the employee's work shift.

If you are sent home early due to an emergency situation, you will receive pay for your regularly scheduled hours of work. If you choose to go home, and the building is re-opened, you will be charged vacation time for any hours you took off.

3.8 Payday

Employees will be paid weekly, every Friday afternoon, for the prior week's work. Employees who are enrolled in 100% direct deposit will receive pay on Thursday for the prior week's work. Employees who are not fully enrolled in direct deposit will receive pay for the prior week's work on Friday, after 3 p.m. If the City decides to change to a bi-weekly pay period, employees will be given a 30-day notice. All employees are eligible to be paid by direct deposit into their financial institution of choice (checking account, savings account, money market account, etc.). Direct deposit is mandatory for all newly hired employees.

3.9 Payroll Deductions

The Federal Government requires that amounts be deducted from each employee's paycheck for payment toward social security benefits and federal income/withholding tax. In addition, the City may receive a court order to garnish wages or withhold money for child support. The City will inform you of any orders received to take additional money out of your paycheck. The City cannot disregard a child support or garnishment order.

Additional deductions may be withheld from your pay at your written request for such items as supplemental insurance coverage, dependent health coverage, savings bonds, credit union, deferred compensation and other optional payroll deductions offered by the City.

3.10 Pay Increases

There are five (5) different ways for non-union employees to get pay increases:

- Cost of Living Increase (C.O.L.A.) – customarily this is given across the board to all employees (generally given on October 1);
- Step Increase – employees with satisfactory or above performance are eligible for a one step increase, as long as he / she are within the pay range of their position (generally given on anniversary date of hire or date of promotion);
- Special Merit Increase - increases within the pay range to recognize individual job performance that consistently exceeds expectations or that goes beyond what is normally required of employees in that job classification; and/or
- Equity/Market adjustment – increases for specific classification due to market conditions or due to hiring a new employee above the current rate of an existing employee with similar work and educational experience.
- Position Reclassification – change in position classification due to assignment of additional duties, or other reasons (certification requirements, etc.).

No pay increase is automatic. All pay increases are subject to City Manager and City Council approval.

SECTION 4 – YOUR TIME OFF

4.1 Vacation Leave

The purpose of vacation leave is to guarantee you a full day's pay when you need to take a day off. Vacation is important to give you a break from work and pay you at the same time.

Vacation leave is "time off with pay" for relaxation or other personal needs. You must work at least six (6) months before you may use vacation leave. Prior written approval from your supervisor must be obtained before taking vacation leave. Vacation leave may not be used prior to the time it is earned and credited.

The number of hours earned toward vacation leave is based on the number of years of employment with the City - the more years of continuous service, the more leave you earn. Vacation leave shall not accrue if an employee is in a non-pay status for over thirty (30) days.

Continuous Service	Monthly	Annually
1 to 3 years	6.67 hours	80 hours
4 to 10 years	8.00 hours	96 hours
11 to 15 years	10.0 hours	120 hours
16 and over	14.67 hours	176 hours

Part-time employees accrue pro-rated vacation leave according to their regularly scheduled and budgeted hours a month. Temporary employees are not eligible for vacation leave.

A total of two year's accrual of vacation leave is the maximum number of hours that may be carried over from one (1) calendar year to the next. On the first day of January, the vacation leave balance of any employee that exceeds two year's accrual will be reduced to the number of hours for two years. If you fail to take vacation time within the calendar year, you will lose any leave over the two year accrual, except in extenuating circumstances as approved by the City Manager.

4.2 Vacation Leave Incentive

The City of Cocoa may provide a vacation leave incentive program to allow employees the opportunity to sell back unused vacation leave. The vacation leave incentive program is subject to budget availability.

The criteria used to determine the pay-out will be determined annually by the City Manager.

4.3 Sick Leave

The purpose of sick leave is to guarantee you a full day's pay when you have to be out due to an illness, family medical matter or doctor's appointment. It is not to guarantee you an additional day off a month.

All eligible full-time employees will accumulate sick leave at the rate of 8.0 hours per month. Regular, part-time employees are entitled to accumulate sick leave in proportion to the number of hours regularly scheduled and budgeted. Sick leave shall not accrue while an employee is in a non-pay status for over thirty (30) days, nor may it be used prior to the time it is earned and credited.

Your supervisor must approve the use of sick leave. When sick leave is to be used for a non-emergency doctor or dentist appointment, you must receive prior approval from your supervisor. If you are absent due to your own illness/injury or illness/injury within your family, you are required to notify your supervisor prior to the time you were expected to report to work, or, as soon as practical. Check with your Supervisor for reporting requirements (i.e., within an hour of your start time).

Your Department Director, Division Manager or supervisor has the right to require a physician's statement or doctor's note regarding your family member's illness.

Misuse of sick leave can result in discipline, up to and including termination of employment. The employee may be required to provide proof of absence for sick leave use (i.e. doctor's note).

The maximum annual sick leave balance is 720 hours. Temporary employees are not eligible for sick leave benefits.

4.4 Sick Leave Incentive

The City of Cocoa may provide a sick leave incentive program to allow employees the opportunity to sell back unused sick leave. The sick leave incentive program is subject to budget availability.

The criteria used to determine the pay-out will be determined annually by the City Manager.

4.5 Personal Leave

Non-union, full-time employees are allowed to use sixteen (16) hours of accrued sick leave each fiscal year for personal reasons. Part-time employees are not entitled to Personal Leave. Requests for personal leave must receive prior written approval by your immediate supervisor, the same as vacation leave however it can be used within the first six months, but personal leave cannot be carried over from one fiscal year to another.

Temporary employees are not eligible for personal leave benefits.

4.6 Bereavement Leave

In the event of the death of a member of an employee's immediate family (spouse, child, parent, brother, sister, mother, father, grandparent, grandchild, including in-laws and step relationships), employees may be eligible for up to twenty-four (24) hours of paid bereavement leave. This time off is not deducted from an employee's personal leave, vacation leave or sick leave account. Up to sixteen (16) additional hours paid bereavement leave may be granted if an employee has to travel to an out-of-state funeral. A death certificate may be required by your Department Director.

If more time is required than granted, the additional time may be charged to personal leave, accrued compensation time, vacation leave, sick leave (if appropriate) or leave without pay with the approval of the Division Manager or Department Director.

The City has a bereavement acknowledgment program to provide flowers, a gift card, or gift basket (not to exceed \$60) for the death of an active employee or hospital stay for a serious illness of an active employee. These funds shall be charged to the Division's operating account (52-00) if funds are available. City funds shall not be used to send flowers to employees' relatives for a funeral or serious illness. The money should be collected from the co-workers.

4.7 Military Leave

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Employees will continue to receive full pay while on leave for two-week training assignments and shorter absences, to a maximum of seventeen (17) days of paid military leave per year (one day equals 12 hours or less, as regularly scheduled). The portion of any military leaves of absence in excess of two weeks will be unpaid. However, employees may use any available vacation leave for the absence. Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible. Vacation leave and sick leave accruals and holiday pay will be suspended during the unpaid portion of the leave and will resume upon the employee's return to active employment.

Employees on military leave for up to thirty (30) days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Also see Employee Handbook Section 7.8 FMLA Procedure concerning FMLA and military leave.

Contact the Human Resources Division for more information or questions about military leave.

4.8 Jury Duty Leave

Whenever a regular, full-time employee is called for jury duty, he/she will be paid during the period of the jury duty that falls during normal working hours. To be eligible for this benefit, the employee must present written proof of jury service to his or her Department Director or Division Manager.

4.9 Voting

Employees wishing to vote in any primary election, general election or in relation to any public ballot are expected to do so prior to or subsequent to their normal working hours. Time off to vote may be done at the discretion of the Department Director if an employee's work schedule precludes him or her from voting.

4.10 Unauthorized Leave

An absence which is not authorized by your supervisor is subject to disciplinary action. An employee absent three (3) consecutive days without approved leave will be considered to have voluntarily resigned. This action may be changed by a subsequent grant of leave if conditions warrant. If the employee is in an initial probationary period, the employee will be terminated with no right to appeal. All other employees will be granted a due process hearing prior to termination.

4.11 Leave of Absence Without Pay

Employees who have completed their initial probationary period may be eligible for up to a three (3) month leave of absence without pay with permission of the Department Director and City Manager.

During a leave of absence without pay, an employee does not earn personal leave; accrue sick leave or vacation leave, holiday pay or seniority.

4.12 Administrative Leave

The City Manager has the ability to assign Administrative Leave to any employee for the purposes of time off with pay. There are three payroll codes for use; one for hourly employees, one for exempt employees, and one for employees for disciplinary purposes. Administrative Leave may be provided for employees at various times to include pay for time off during an investigation, pay for time off during the notice period prior to leaving employment, paid disciplinary leave, or time off for exempt administrative employees in lieu of hours worked within the normal work schedule, in increments of four (4) hours or more.

SECTION 5 - YOUR BENEFITS

5.1 Holidays

Temporary employees are not eligible for Holiday pay.

The following days shall be official holidays*:

New Year's Day	First day in January
Martin Luther King, Jr.'s Birthday	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	4th day in July
Labor Day	First Monday in September
Veteran's Day	11 th day of November
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving Day	Fourth Friday in November
Christmas Day	25th day in December
Day Before or Day After Christmas Day	Established Annually

*The City Council may authorize other holiday observances.

5.2 Eligibility for Holiday Pay

- A. All regular full-time and part-time employees (who are in pay status the day before and the day after) are eligible for holiday pay for each holiday if the observed holiday falls on a regularly scheduled work day. Fire and Police employees who receive a lump sum for holiday pay at the end of the fiscal year are not eligible for this holiday pay. Holiday pay is paid up to eight (8) hours per Holiday, and will not exceed eight (8) hours even in circumstances where an employee may be regularly scheduled to work more than eight (8) hours per day. The employee may opt to use vacation time or flex time during the same work week to cover any shortage in the regular work day hours schedule with prior supervisory approval.
- B. In order to receive pay for an observed holiday, an employee must not have been absent without approval on the work day before or after the holiday. Vacation taken the day before a holiday and the day after a holiday must be scheduled in advance. In the event an employee is absent due to illness the day before and/or the day after a holiday, the employee may be requested to furnish a statement from a physician to verify illness in order to receive holiday pay.
- C. Employees on Family and Medical Leave will receive holiday pay for a holiday that occurs within any paid portion of the leave.
- D. Employees on any unpaid leave of absence, before or after a holiday, or who have received workers' compensation pay for the day of a holiday, are not eligible for holiday pay for any holidays occurring while in such status.
- E. Employees terminating employment for any reason must work a regularly scheduled work day immediately following the holiday to be eligible for holiday pay.

5.3 Working on a Holiday

- A. Hourly employees who work on a holiday (actual day or observed) will receive straight pay for all hours worked unless he / she have worked over forty (40) hours.
- B. Exempt employees who are required to work, per the City Manager, on a holiday (actual day or observed) will receive administrative leave for all hours worked.

5.4 Holidays Falling On Weekends

Holidays falling on Saturday will normally be observed on the preceding Friday; holidays falling on Sunday will normally be observed on the following Monday, or as approved by the City Manager.

5.5 Holidays Occurring on Scheduled Days Off

If a holiday falls on a regularly scheduled day off, the employee will not receive holiday pay. If an observed holiday occurs during a scheduled vacation, the employee shall receive holiday pay and the holiday will not be charged to vacation leave.

5.6 Health Coverage

The City requires that all full time employees have health, dental and vision coverage through the City. Employees may voluntarily opt out of health insurance with proof of coverage from another source (e.g., spouse, retirement from another employer).

5.7 Life Insurance and Accidental Death and Dismemberment

The City provides term life insurance and accidental death and dismemberment coverage. Life Insurance amounts will be reduced once employees reach a certain age. This information is provided in the Certificate of Insurance provided by the Insurance Provider. You must complete the necessary enrollment forms to be covered. Life Insurance provided that exceeds \$50,000 in coverage will be taxed in accordance with IRS regulations. Life Insurance coverage amounts change only once per benefit year. For coverage that uses an employees' salary amount, the coverage will be adjusted during the open enrollment period, with the effective date of change October 1st.

5.8 Long Term Disability

The City provides Long Term Disability (LTD) Income Insurance Benefits to employees, excluding police and fire. Benefit proceeds are taxable and will be coordinated with other salary continuation plans. For full details, please refer to the Employee Benefits Handbook.

5.9 Workers' Compensation

As a City employee, you are covered by the Florida Worker's Compensation Law and are entitled to the benefits for job-related injuries. State law provides that an employee will be paid a portion of his or her wages during the temporary disability period, subject to certain exceptions. Payments are made for permanent disability or death in accordance with the provisions of Florida law.

In accordance with the Florida Statute, worker's compensation benefits begin on the 8th calendar day of disability. The City will compensate an injured employee for the first seven (7) calendar days of disability. After that time an employee may use available personal, sick or vacation leave to supplement the worker's compensation.

The City has a Managed Care Arrangement Packet that provides employees with his or her rights and responsibilities for Workers' Compensation activities.

5.10 Employee Assistance Program (EAP)

The Employee Assistance Program (EAP) is a City-sponsored confidential counseling service provided to employees and members of their immediate family. Eligible employees and/or their dependents receive counseling at no charge from EAP counselors. Extended treatments are subject to a nominal fee or referred to the employee's health plan. EAP offers a confidential, 24-hour hotline for drug and alcohol dependence, depression, anxiety, financial problems, marital and legal problems. The counselors at EAP will help identify the problem and help the employee find the answers or resources needed to address the problem. Employees should refer to the Employee Benefits Handbook for more information.

5.11 Tuition Reimbursement Program

The City encourages you to improve your job-related skills through enrollment in courses offered by accredited educational institutions.

If you have completed one year of full-time employment, you may be eligible to participate in the Tuition Refund Program. Simply submit an application through your supervisor to Human Resources requesting reimbursement for a portion of the course costs. Reimbursement will not be authorized until the application is approved by Human Resources.

Your application must be received in Human Resources at least two weeks (14 days) before the start of the course. If your Department Director attests that the course is job-related or a degree requirement and Human Resources concurs, and if budgeted funds are available, then your application will be approved for a specified reimbursement amount. A maximum of two courses per semester and 50% reimbursement (at the in State college per credit hour rate) upon successful completion may be approved for any one employee. If funding is available, employees may receive up to a maximum reimbursement limit of \$1,500 per fiscal year, for courses successfully completed in that fiscal year. A Master's Degree is the highest level of education that is eligible for the tuition reimbursement program. A Juris Doctorate Degree is not eligible under this program.

You will be reimbursed after you provide a copy of your grades, earning a grade of C or better, indicating satisfactory completion of the course and evidence of your payment. Under no circumstances may an employee receive reimbursement from another agency and the City for more than what he or she actually paid for tuition. Tuition reimbursement is not available for repeated courses. Applications, policies and procedures are available from Human Resources.

An employee who resigns his or her position with the City less than one year following the date of reimbursement for course(s), must repay the City the full amount received. If necessary, a deduction will be made from the employee's final paycheck.

The Tuition Reimbursement Program is subject to budgetary constraints.

5.12 Retirement Plan

For full-time employees, each payday the City sets aside additional money based on a percentage of your salary toward your retirement pension/plan. Certified Police and Fire employees are enrolled in a defined benefit plan. All other newly hired general employees are enrolled in the Florida Retirement System defined benefit plan.

City funds will not be used for retirement parties or retirement gifts.

5.13 Optional Benefits

The City offers full-time employees the option to elect additional benefits through payroll deduction, such as: Short-Term Disability, Legal Service Plan, Additional Term Life/AD & D; Dependent Health, Dental and Vision, and others.

5.14 Sick Leave Bank Program

The City offers a sick leave bank program for full-time city employees who enroll in the program. Specific program details are available in the Human Resources Division.

SECTION 6 - YOUR OBLIGATIONS

6.1 Reporting Absences from Work

Use of sick leave, vacation leave and personal leave must be authorized by your Department/Division Director or his/her designated representative. Whenever the situation permits, you should secure prior approval for the use of personal leave, vacation leave, sick leave benefits, or unpaid time off from your immediate supervisor. If prior approval is not possible, you should, barring any mitigating circumstances, notify your immediate supervisor, Division Manager or Department Director prior to the time established for your work day. Employees working in an office which operates on a 24-hour basis must notify their appropriate supervisor within the time limit established by their Department.

6.2 Reporting Arrests, Convictions, Pleas

Employees must provide written notice to the Human Resources Manager within five (5) calendar days of any and all arrests, notices to appear, convictions of any crime, pleas of nolo contendere (no contest) and/or entry into a pre-trial diversion program. Failure to provide written notice within the time allotted may result in disciplinary action, up to and including termination of employment.

6.3 City Information and Property

The protection of City business information, property and all other City asset protection are vital to the interests and success of the City. No City information or property, including without limitation, documents, files, records, computer files, equipment, office supplies, inventions on city time or similar materials, may be removed from City property. Employees are required to sign an Intellectual Property Agreement upon being hired with the City. Upon resignation or termination, employees are required to return all City information and property to his/her supervisor.

6.4 Use of City Information Systems

The City maintains an Information Security Policy on the use of its computers, the Internet, e-mail, cell phones, and other electronic systems. Employees may be allowed to take home City provided laptop computers for city business with the consent of the Department Director. Each employee is provided a copy of the policy upon hire. Any employee who has not received, reviewed and acknowledged his/her understanding of the policy is directed to contact Human Resources.

6.5 Disclosure of Confidential Information and Conflicts of Interest

Florida Statute 112 on Code of Conduct applies to City employees. No City of Cocoa employee shall disclose confidential information gained by reason of his or her official position, nor shall he/she use such information for personal gain or for the benefit of others.

The City recognizes and respects the individual employee's right to engage in activities outside of his/her employment which are private in nature and do not in any way conflict with or reflect poorly on the City. The City reserves the right, however, to determine whether an employee's activities represent a conflict with the City's interests and to take disciplinary action, up to and including termination of employment.

It is not possible in a general policy statement to define all of the various circumstances that would be considered a prohibited "conflict of interest". The following represents a partial list of such conflicts:

- No employee shall have or hold any employment or contractual relationship with any for-profit or non-profit business entity which is subject to the regulation of or doing business with the City of Cocoa (this excludes those organizations and their officers whom, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the City). Nor shall any employee have or hold any employment or contractual relationship that will create a conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.
- No City employee shall have personal investments in any enterprises which will create substantial conflict between their private interests and the public interest.

6.6 Gifts and Gratuities

As a City employee, you may not accept gifts, gratuities or loans from organizations, business concerns or individuals with whom you have official relationships or business concerning City government. It is particularly important that you guard against relationships which might be construed as evidence of favoritism, coercion, unfair advantage or collusion.

These limitations are not intended to prohibit your acceptance of articles of negligible value which are distributed generally, or to prohibit you from obtaining loans from regular lending institutions.

6.7 Other Employment (“Moonlighting”)

Accepting employment during your off-duty hours in addition to your City work is not encouraged, but is not prohibited. You are reminded, however, that your City job is primary and the outside job should not interfere or conflict with your City work and interests. Outside employment notification must be submitted to Human Resources annually in writing and approved by your Director. Disapproval may be appealed through the grievance procedure.

6.8 Anti-Nepotism Policy (Employment of Relatives)

Approval will not be granted for the employment, promotion, or transfer of an immediate family member, or other relative of the employee's household, to a position in the same Division, or to where a relative will be directly supervising or influencing the activities of that employee.

Immediate family members will be considered for employment on the basis of their qualifications. Immediate family members may not be hired if the employment would have the potential for creating an adverse impact on work performance or create either an actual conflict of interest or the appearance of a conflict of interest. Immediate family members are defined as spouse, child, parent, brother, sister, mother, father, grandparent, grandchild, including in-law, and step relationships.

6.9 Dating

The City of Cocoa discourages employees from dating other co-workers, supervisors or Council members, as the potential for a conflict of interest or sexual harassment issue may occur. To avoid such problems from arising, the City of Cocoa prohibits supervisors and managers from dating any subordinate in 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 indirect sexual harassment. While the City of Cocoa has no desire to interfere with the private lives of its employees, or their off-duty conduct, where such conduct impacts upon the work environment in a negative manner, such as noted above, the City of Cocoa reserves the right to take whatever action is appropriate, in its discretion, to protect the City's interests.

If employees become immediate family members, he / she have a mandatory obligation to notify Human Resources. If one employee is supervising the other, the employees shall make the decision which one is to resign. If the employees cannot make the decision, the City will decide in its sole discretion which one will remain employed.

6.10 No Solicitation

Employees, salespeople, canvassers, and other persons not employed by the City are not allowed to conduct business or solicit contributions or memberships during the employees' work time or in the work area.

6.11 Personal Use of City Property Prohibited

Employees are expected to handle City equipment and supplies with reasonable care and to observe proper safety precautions. Personal use of City vehicles, cell phones, telephones, tools, stationary, postage, equipment and the SUNCOM system for personal telephone calls is not permitted, except as specified in Section 6.16.

Further, personal use or display of the City's seal, logos and any photographs or images depicting City employees while on duty or any City officials is prohibited. Violation of this policy may result in disciplinary action, up to and including termination of employment, criminal prosecution, or both.

6.12 Use of Equipment/Facilities

No official or city employee, whose duties involve the use of a City I.D. badge, card, or clothing insignia as evidence of authority, or for identification purposes, shall permit such card, badge, insignia or clothing to be used or worn by anyone who is not authorized to use or wear same. City badges, cards or clothing shall only be used in the performance of official duties of the position and in no case shall they be used to attain special privileges or favors.

All City owned facilities for use by employees are to be used to conduct official City business only. Employees shall not request or permit the use of City-owned vehicles, equipment, material, or property for personal convenience except when such services are approved by the City or are available to the public generally. Use of city issued computers for personal reasons is to be limited as provided for in the Information Technology policy. Conducting personal business with City equipment/facilities or removing any property/equipment off-site for personal use is prohibited. Employees have no personal privacy rights when using City equipment, facilities, desks, lockers, computers, etc. "Borrowing" City equipment is strictly forbidden as is using official City stationary for personal correspondence.

6.13 Use of City Vehicles

You may be required to use a City vehicle during the performance of your job. You are expected to follow all motor vehicle laws including driving with your seatbelt fastened and obeying the speed limits. If you are assigned a City vehicle to take home, you must first receive written approval from the City Manager on the prescribed form, and the City is required to attach an I.R.S. vehicle benefit tax to your pay. The only exceptions are public safety vehicles and certain trucks that meet I.R.S. weight and equipment regulations. Personal use of City vehicles is limited to those positions which have been identified as approved. Others who drive a City issued vehicle may use the vehicle for (de minimis) limited personal use (quick stops on the way home are not considered a violation of this requirement).

A car allowance may be provided in lieu of a city issued vehicle at the direction of the City Manager.

You may be required to set up an E-Pass or Sun-Pass account to perform the essential functions of your job. If you are issued a City account, you may not use the pass for personal use (to include to and from work to home).

Only City of Cocoa employees may drive or ride in city issued vehicles. In the event a special circumstance which requires a family member or other persons doing business with Cocoa (ride only), a written request must be made in advance to the Department Director, and then approved by City Manager for processing by Human Resources for Liability Insurance purposes. Failure to obtain the required written permission may result in disciplinary action.

City of Cocoa employees are not allowed to operate cell phones, radios, lap top computers or other communication devices while operating city vehicles unless in the course of an emergency response in accordance with emergency operation policies.

6.14 Driver's License

If you are in a position that requires a valid driver's license, commercial driver's license, or security credentials (i.e. transportation Worker Identification Credential, Port Identification Credential, etc.) but your license or credential has been suspended or revoked for any reason, it is your responsibility to notify the Human Resources Manager, in writing, as soon as you are aware of the suspension/revocation. Human Resources will review the circumstances and you may be placed on suspension, with or without pay, pending an investigation, or you may be placed in a non-driving capacity depending on the circumstances of the license suspension/revocation, your overall record, operational needs, and / or your job duties.

Employees who fail to maintain a job-required driver's license are subject to termination of employment.

6.15 Personal Business

Employees may not use a City work location as a personal mailing address. Personal business should not be conducted at work.

6.16 Use of City Telephone/Mail System

The City provides employees the use of a telephone or cell phone to effectively perform their duties. Use of the telephone for placing and receiving personal local calls is permitted on an occasional basis. Such calls should be brief in order that City telephone lines are available for City business and should be placed during break periods whenever possible, unless for an emergency. Employees are prohibited from charging personal long-distance or toll calls to the City, except for legitimate city business and documented emergencies. If unauthorized charges appear on your telephone bill, you may be required to reimburse the City for personal use.

Employees are discouraged from using personal cell phones, or other personal communication devices (i.e. radio, laptops, etc.) during working hours. Employees may use personal cell phone or personal communication devices during approved breaks, or lunch periods or during down time hours (usually fire department personnel or shift workers). In the event an employee is using a personal cell phone for business purposes, (i.e. city provides cell phone allowance in lieu of city issued cell phone) the use is acceptable if approved by the Supervisor.

The City mail system is for official City business only. Employees are not to distribute personal business catalogues or fliers thru inter-office mail. City metered mail is for official City business only.

6.17 Personnel Records

You are responsible for providing Human Resources with information on change of your name, address, phone number, number of dependents, or any other personal data. Updated information is necessary for proper processing of social security deductions, health or other benefit records, beneficiary information, and retirement information.

Employees may inspect their personnel file during normal business hours. You are entitled to obtain copies of any document placed in your personnel file. Because we are a public agency, your personnel file may be inspected by the public at any time.

It is important for you to know that your personnel records include documents which fall within the scope of the Public Records Law (Florida Statutes, Chapter 119) and are subject to public disclosure and public inspection without your authorization.

All employees' official personnel files are maintained in the City's Human Resources Division. Department/Divisions are not allowed to maintain separate personnel files.

6.18 Injuries and Accidents

All employees must report hazardous working conditions and any injuries that occur on the job to their supervisor without delay.

Supervisors must submit a notice of injury when an employee is injured on the job and report the injury to Human Resources immediately. Forms may be obtained in your department, via the City's website, or by contacting Human Resources.

Employees with serious injuries or those occurring after normal office hours should report to the nearest emergency medical facility. If additional treatment is necessary, or if initial treatment is non-emergency, employees should contact Human Resources for referral to an approved treatment facility.

If the injury results in lost time from work, the employee must present a physician's certificate releasing the employee to return to work. The certificate must list any restrictions on work or state clearly that the employee may perform all job duties.

6.19 Work Product Ownership

No work product created while employed by the City of Cocoa can be claimed, construed, or presented as property of the employee, even after employment with the City has been terminated or the relevant project completed. This includes written and electronic documents, audio and video recordings, system code, and also any concepts, ideas or other intellectual property developed for the City, regardless of whether the property is actually used by the City.

6.20 Personal Appearance

Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the image we present to those whom we serve.

During business hours or when representing the City of Cocoa, you are expected to present a clean, neat and professional appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards. This is particularly true if your job involves dealing with customers or visitors in person.

Your supervisor or Department Director is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstances, you may not be compensated for the time away from work. Consult your supervisor if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made to a person with a disability.

Without unduly restricting individual tastes, the following personal appearance guidelines should be followed:

- Shoes must provide safe, secure footing and offer protection against hazards.
- Flip-flops, tank tops, tube-tops, halter-tops or low cut tops may not be worn under any circumstances.
- Excessively short skirts (3 or more inches above the knee) or dresses may not be worn under any circumstances.
- Shorts are not appropriate for employees whose permanent workstations are in office areas.
- Unnaturally colored hair and extreme hairstyles such as spiked hair do not present an appropriate professional appearance.
- Facial jewelry, such as eyebrow rings, nose rings, lip rings or tongue studs are not professionally appropriate and must not be worn during work hours.
- Torso body piercing with visible jewelry or jewelry that can be seen through or under clothing must not be worn during work hours.
- Tattoos are discouraged, but will be considered on a case-by-case basis by the supervisor and Human Resources.

6.21 Listening to Music Devices in the Workplace

The City maintains a Listening to Music Devices in the Workplace policy. The City of CoCoas policy covers City employees listening to broadcasts (live or prerecorded material) – including music, talk shows, books on tapes, etc. – on radios, cell phones, Smart phones, I-pods, MP3 Players, and CDs/DVDs, or any music device (“Music Devices”) at work. This policy is not intended to cover or apply to playing of music which is institutionally initiated by the City including, but not limited to, music played at council meetings, City functions and City sponsored special events and as background music in City elevators and lobbies.

The City permits employees to listen to Music Devices while at work subject to the employee complying with the Listening to Music Devices in the Workplace policy. The City reserves the right to suspend or revoke a City employee’s privilege to listen to Music Devices.

SECTION 7 – YOUR RIGHTS

7.1 Equal Employment Opportunity Policy and Policy Against Discrimination and Harassment

The City is an Equal Opportunity Employer and is committed to providing a workplace free of any type of unlawful employment discrimination on the basis of race, religion, national origin, ethnicity, age, gender, marital status, pregnancy, disability, veteran status and/or any other legally protected characteristic in hiring, promotion, discharge, pay, fringe benefits, job training, classification and/or any other aspect of employment. The City is also committed to providing a workplace free from any type of unlawful harassment based upon the above characteristics.

Unlawful harassment includes verbal, physical and visual conduct based on any of the above characteristics which creates an intimidating, offensive or hostile work environment or that interferes or could interfere with an employee's work performance. Some examples of harassment include racial slurs or jokes, disparaging remarks concerning any protected group, ethnic jokes, distribution or posting of offensive statements, posters or cartoons or other similar conduct.

Sexual harassment may exist where a citizen, vendor, co-worker, supervisor, manager or elected official requests sexual favors or makes unwelcome sexual advances towards another employee or makes unwelcome verbal comments or displays physical conduct of a sexual nature to another employee, where the comment or conduct is unwelcome. Sexual harassment may also exist where a co-worker, supervisor or a Director makes derogatory comments to an employee based on or related to such person's gender.

Employees must report any incident involving any perceived employment discrimination and/or harassment experienced or witnessed by them immediately to their Department Director and to the Human Resources Manager. Employees' should recognize that this policy applies equally to harassment or discrimination committed by a fellow employee and/or by citizens, vendors or other third parties with whom the City's employees come into contact. This policy also applies to all elected officials. If for any reason an employee feels uncomfortable informing his or her Department Director of such conduct, he or she shall immediately report same to the Human Resources Manager.

Every complaint of unlawful discrimination or harassment that is reported will be investigated thoroughly and promptly. The City will disclose information relating to the investigation only to those individuals who need to know. Retaliation against any employee for making such a complaint is strictly prohibited.

The complainant will be made aware of the outcome of the City's investigation upon completion. If an investigation reveals reasonable cause to believe that unlawful employment discrimination or harassment has occurred, the City will take prompt remedial action to stop the impermissible conduct, prevent it from occurring in the future and to appropriately discipline the person responsible.

Any employee violating this policy is subject to discipline, up to and including termination of employment. If you have any questions regarding this policy or the City's complaint procedure, please direct your questions to the Human Resources Manager.

7.2 Your Supervisor

Your supervisor is the person to whom you will be immediately responsible for the performance of your work. Your supervisor will also help you adjust to your new job by giving you instructions, advice and any information that you may request.

Your supervisor is the first person you should speak to if you have any questions, suggestions, and / or grievances.

7.3 Drug-Free Work Place

The City maintains a Drug-free Work Place policy. The City of Cocoa is determined to eliminate the use of illegal drugs, alcohol, and controlled substances at its work sites. Towards that end, the City requires applicants to undergo drug/alcohol testing after a conditional offer of employment has been made. Passage of the drug/alcohol test is a condition of employment. The City conducts drug/alcohol testing of employees who must hold a CDL license to perform their job functions. All City employees are subject to random drug/alcohol testing. The City also conducts drug/alcohol testing where it has reasonable suspicion that an employee is under the influence on the job. The City conducts drug testing after all on-the-job accidents where there is any injury or property damage in excess of five hundred dollars (\$500.00). Any employee refusing to submit to a drug or alcohol test will be subject to immediate termination.

7.4 Smoke-Free Workplace

The City of Cocoa is a smoke-free workplace. Smoking in any public building/facility, city vehicles or in any non-designated areas is strictly prohibited. Employees are provided a designated smoking area.

7.5 Workplace Safety

The City maintains a Safety Program policy. It is the policy of the City to provide and maintain safe and healthful working conditions and to follow operating practices that will safeguard employees and citizens. The City is continuously exerting every effort to make its equipment and working areas as safe as possible. By the same token, employees are expected to place safe work practices and identification of unsafe conditions as the highest priorities while performing daily tasks.

It is recommended that employees become familiar with the City's Safety Program, and then review their own Department/Division Safety Program policies. Employees should discuss any questions or concerns with their immediate supervisor and/or Department Director, and contact Human Resources for additional information and/or assistance.

Employees must immediately report all accidents, injuries, equipment damage and/or safety hazards to their immediate supervisor no matter how minor it may seem.

7.6 Workplace Violence

Workplace violence has emerged as an important safety and health issue in today's society. The City will not condone or tolerate violence or threats of violence in the workplace, including bullying, which is defined as repeated intimidation, slandering or humiliation by one or more persons against another person. The policy applies equally to all employees, citizens, vendors and other third parties with whom the City's employees come into contact.

All employees should be alert at all times to situations, comments and/or behavior of anyone in the workplace that might indicate the potential for violence. All incidents of workplace violence should be

reported to your immediate supervisor and your Department Director immediately. Employees are to call 911 and request law enforcement if there is imminent danger.

7.7 Family Medical Leave Act (FMLA)

FMLA provides for a total of 12 weeks of leave during a rolling calendar year. This is for City employees who have worked for the City at least one (1) year and work a minimum of 1250 hours during the year preceding the start of the leave (known as the "Family Leave Policy").

Family leave can be taken for the birth or adoption of a child, placement of a child in foster care, or to care for a spouse, child or parent with a serious health condition, or due to the disabling illness of the employee.

A serious health condition is defined as an "illness, injury, impairment of physical or mental condition" that involves inpatient care in a hospital, hospice or residential medical care facility or continuing treatment by a health care provider. Where the condition involves the employee, the term means a condition that makes the employee unable to perform the functions of his or her position for a period of more than three (3) consecutive calendar days (i.e., inability to work or perform other regular daily activities).

Specifically, any period of incapacity due to the following will constitute a serious health condition:

- Pregnancy or prenatal care (e.g., severe morning sickness).
- Episodic or chronic conditions (e.g., asthma, diabetes, epilepsy).
- Permanent or long term conditions for which treatment may not be effective (e.g., Alzheimer's, severe stroke, cancer).
- Absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g., chemotherapy or radiation for cancer, dialysis for kidney disease, and physical therapy for severe arthritis).

This does not apply to conditions that ordinarily are not serious health conditions (e.g., the common cold or the flu) and treatments that do not qualify as a regimen of continuing treatment (e.g., taking over the counter medications).

Spouse, child or parent is defined as:

- Husband or wife as recognized under State law for purposes of marriage.
- Biological, adopted, foster child, legal ward or a child of a person standing "in loco parentis", who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical ability".
- Biological parent of an individual who stands or stood "in loco parentis" to an employee when the employee was a child. This term does not include parents "in law".

7.8 FMLA Procedure

Employees must contact Human Resources to apply for family medical leave if they will be out more than five consecutive days. When possible, employees should give thirty (30) days written notice before anticipated leave start date. Employees must first use all accrued personal, sick, vacation leave and compensatory time within the 12 week period. After all leave has been used by the employee, the

status changes to unpaid leave of absence for the remaining time left in the twelve week period. Leave in connection with the birth or placement of a child for adoption or foster care must be taken within one (1) year of the birth or adoption to be considered under the coverage of the act. FMLA applies to any City of Cocoa Employee who qualifies, whether an application for the leave is submitted or not.

A husband and wife who work for the City, and who are both eligible for family medical leave, are limited to a combined total of 12 weeks of family medical leave during any 12 month period if the leave is taken:

- For the birth of the employee's child;
- For the placement of a child through adoption or foster care;
- For the care of an employee's parent with a serious health condition.

If a family leave request is due to a serious health condition or serious illness, the City will request certification from a health care provider. This certification must be provided to the City by the employee within fifteen (15) calendar days. Certification is to include:

- Date on which serious health condition began; and
- Its' probable duration; and
- The appropriate medical information from the health care provider regarding the condition; and
- Where certification is for leave to care for a family member, in addition to the above items, it must also state that the employee's care is needed and for how long; and / or
- Where leave is taken because of the employee's own serious health condition, the certification must state that the employee is unable to perform the functions of the employee's position.

The City may request a second opinion which will be paid for by the City. This certification will need to be updated every four (4) weeks with Human Resources.

If the leave is due to a serious health condition or illness of the employee, he or she must provide a fitness for duty statement from his/her attending physician before returning to work. If the employee does not produce a fitness for duty certificate or new medical certification, the employee may be terminated at the conclusion of the FMLA leave.

An employee who goes on unpaid family leave will be responsible for reimbursing the City for dependent health premiums and non-health dependent insurance premiums (i.e., dental insurance, vision insurance, etc.) paid on his or her behalf during the unpaid leave. FMLA allows recovery of premiums; they are a debt owed by the employee to the employer (who can take legal action or deduct the amount from sums owed the employee, e.g., unpaid wages). Employees who remain in a no pay status for thirty (30) calendar days or more will not continue to accrue sick time or vacation time until they return to a paid status.

An employee will not accrue any seniority or employment benefits during any period of unpaid leave.

An employee who takes family leave will be entitled to return to his or her position or an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

If an employee is released to modified duty and voluntarily accepts a light duty assignment instead of continuing FMLA leave for their workers' compensation injury, the employee retains for a period of 12 weeks, the right to restoration to the original or equivalent job. The 12 weeks include FMLA leave already taken and the period in the light duty job. The department is encouraged to provide light duty work to those employees who are on FMLA for a work related injury.

Employees are entitled to unpaid leave for up to 26 work weeks in a 12-month period to care for a family member in the military who incurred a serious injury or illness while on active duty or for other events specified in the Act. A serious illness is an injury or illness incurred by the service member in the line of duty that renders the service member medically unfit to perform his or her military duties. The service member must be the employee's spouse, son, daughter, parent or next of kin. Next of kin is defined as the employee's nearest blood relative. The covered service member must be a member of the Armed Forces, National Guard, or Reserves. The service member must be undergoing medical treatment, recuperation or therapy, be in outpatient status, or have been placed on the military's temporary retired list due to a serious injury or illness.

The service member may be on active duty or may have been notified of an impending call or order to active duty to support a military operation. Employees are eligible for leave if an immediate family member in military service is involved in a "qualifying exigency," arising from the service member's active duty. Qualifying exigencies are defined as (a) short notice deployments; (b) military events and related activities regarding a call for active duty by the military, military service organizations or the American Red Cross; (c) arranging child care and school activities, financial or legal arrangements, or counseling necessitated by the family member's call to active duty; (d) spending time with a service member who is on a short-term rest and recuperation leave during the period of deployment; (e) attending post-deployment activities sponsored by the military; (f) arranging for recovery and funeral services of a deceased family member in the military; or (g) any other activities arising out of the covered service-member's call to active duty that the City of Cocoa and the employee agree qualify as exigencies, provided the City of Cocoa and the employee agree on the duration and timing of the leave.

FMLA leave related to short notice-deployments is limited to a duration of 7 days from the date the notification is received. FMLA leave to spend time with a covered service member who is on rest and recuperation from deployment is limited to 5 days.

When leave due to the active duty of a family member is foreseeable because the family member is on active duty or has been noticed to active duty in support of a military operation, the employee must provide reasonable notice to the employer. The City of Cocoa may require an employee to provide reasonable documentation of the relationship to the service member. Employees who request FMLA leave due to a qualifying exigency arising from a covered service member being called to active duty must also submit documents evidencing the need for the leave, such as military orders or documents of counseling appointments. Failure to comply with this requirement may result in the delay or the denial of FMLA leave.

A husband and wife who both work for the City of Cocoa and are eligible for FMLA military leave as allowed in this section of the policy may take a combined total of 26 work weeks during a 12-month period to care for a covered service member. However, if leave taken by the husband and wife includes leave not covered by the service member provision, then the standard twelve-week entitlement applies to the leave not covered by the military provision.

This leave does not take the place of any other military leave authorized by state or federal statutes.

7.9 C.O.B.R.A.

Under the Consolidated Omnibus Reconciliation Act (C.O.B.R.A.), employees who leave City employment may continue their health insurance coverage at the group rates plus a 2% administrative fee. Other events such as divorce or the ineligibility of a child to qualify as a dependent are covered under this Act. For more information, you may refer to your Employee Benefit Handbook.

7.10 H.I.P.A.A.

Under the Health Insurance Portability and Assurance Act (H.I.P.A.A.), employees' privacy with respect to certain health information is protected. Any information which employees may provide for the administration of the health plan is kept separate from any employment records or files.

7.11 A.D.A.

The Americans with Disabilities Act (A.D.A.) prohibits employers from discriminating against qualified persons with disabilities. Persons with disabilities do not receive employment preference, but must be considered for selection fairly on the basis of their abilities not their disabilities. It also includes a requirement that employers make reasonable accommodation for known physical or mental impairments of an otherwise qualified applicant or employee, unless the employer can demonstrate that it would cause an undue hardship.

The A.D.A. defines a physical or mental impairment as any physiological disorder, condition, cosmetic disfigurement, anatomical loss affecting one or more body systems, or any mental or psychological disorder. In order to be covered under the A.D.A., the impairment must substantially limit a major life activity; (e.g., caring for oneself, work) and/or significantly restrict the condition, manner or duration an individual can perform a major life activity.

7.12 Political Activity

You are encouraged to exercise your rights as a citizen, which includes holding membership in and supporting a political party, voting as you choose, expressing your opinion on all political subjects and candidates, attending political meetings, and maintaining political neutrality, if desired.

However, as an employee of the City, you are not permitted to be a candidate or to hold political office in Cocoa City Government. Also, to avoid conflicts of interest, you may not take part in the management, affairs, or City political campaign of any candidate during your work hours.

7.13 Compliance with Applicable Laws

The City of Cocoa and its agents intend to comply with all applicable state and federal laws, including but not limited to those relating to medical, family or military leave, equal opportunity, and other terms and conditions of employment. If you have any questions about a particular policy or its interpretation, please contact your immediate supervisor or Human Resources.

7.14 Employee Development and Training

In cooperation with City management, Department Directors and Division Managers, the City is committed to fostering and promoting programs of employee development by providing training for the purpose of improving the quality of service rendered to the public and equipping employees with the skills and abilities needed for advancement in City service. The City is not required to provide training to employees that is not considered essential to an employee's job or position.

7.15 Changes in Personnel Records

To keep your personnel records up to date, please notify Human Resources of any change of name, address, phone number, marital status, number of dependents, or other applicable information.

SECTION 8 - LEAVING CITY EMPLOYMENT

8.1 Resignation

An employee shall normally give at least fourteen (14) calendar days notice prior to the effective date of resignation. Failure to provide proper notice could influence your chance for future employment with the City. At the time of resignation, you should arrange with your supervisor to turn in any City property including keys and identification cards.

You should contact Human Resources regarding possible continuation of certain benefits. You will be asked to provide a forwarding address so your W-2 form can be mailed to you in late January.

Employees who resign or are terminated should refer to the applicable personal leave policy for pay off. Employees are required to surrender all city issued equipment, uniforms, manuals or any other items as requested prior to the last day worked. If items are not returned, the City may collect the actual replacement cost from the employee's final pay check.

8.2 Exit Interview

An employee who separates from the City of Cocoa will be given a chance to critique and give valuable information about the City. Upon separation, Human Resources will either meet with or mail each employee an exit survey. Please take the time to complete the survey. The information provided by you will remain confidential and will in no way become a part of your personnel file. Constructive criticism is welcome and will assist us in evaluating the City as an employer.

8.3 Vacation Leave Upon Resignation / Termination

If you leave the City after six (6) months of satisfactory employment, with a two week notice, you will be paid for all unused vacation leave. Under no circumstances will you be paid for more than two year's accrual of vacation leave. If an employee resigns or is terminated, he/she will be paid out his/her balance up to the maximum of two year's accrual.

8.4 Sick Leave Pay Out

Employees with five (5) or more years of City service who resign after having given two weeks notice or who are terminated for reasons other than violation of the City's Code of Conduct and Discipline, shall be entitled to receive 25% of their accrued, unused sick leave, not to exceed 720 hours. All other employees forfeit their accrued, unused sick leave upon separation from employment.

Employees who meet all the requirements for retirement under one of the City's Retirement Plans, and who retire from the City in good standing, shall receive payment for 66 2/3% of their unused sick leave balance, not to exceed 720 hours of pay.

In the event an employee is separated from the City due to death, 50% of any unused sick leave balance, not to exceed 720 hours, shall be paid to the employee's designated beneficiary or estate.

APPENDIX A

Employee Grievance Form

- Bargaining
- Non-Bargaining
- PBA
- LIUNA
- IAFF

Name: (PRINT) _____

Job Title: _____ Employee ID: # _____

Home Address: _____ Zip: _____

If Bargaining Unit - provide name of Union Steward: _____

Department: (Check one) Admin. Services City Manager City Clerk Fire Police

Public Works Community Dev. Finance Utilities Division: _____

Policy/Section and/or Contract/Article Violated: Section(s): _____

Page(s): _____ (Must provide a copy of the page(s) you are referencing)

Date of Alleged Violation: ___ / ___ / ___

Provide a brief description of the grievance: Explain how the grievance is related to the policy/ section and/or contract/article. (Attach additional sheets if needed): _____

Your Suggested Remedy: _____

Signature of Grievant: _____ Date: ___ / ___ / ___

STEP I

Receiving Supt./Div. Manager: _____ Date: ___ / ___ / ___

Hearing Date: ___ / ___ / ___

Response and Date: (See attached response) Settled Withdrawn Advanced

Settled: (Employee Signature): _____ Date: ___ / ___ / ___

NOT Settled, Employee Appeals to STEP II.

(Employee Signature) _____ Date: ___ / ___ / ___

Employee Grievance Form

STEP II

Receiving Department Director _____ *Date:* ___ / ___ / ___

Hearing Date: ___ / ___ / ___

Response and Date: (See attached response) **Settled** **Withdrawn** **Advanced**

Settled: (Employee Signature) _____ **Date:** ___ / ___ / ___

NOT Settled, Employee Appeals to STEP III.

(Employee Signature) _____ **Date:** ___ / ___ / ___

STEP III (CITY MANAGER)

Receiving HR Representative: _____ *Date:* ___ / ___ / ___

Hearing Date: ___ / ___ / ___

Response and Date: (See attached response)

Upheld

Denied

Modified

City Manager: _____ *Date:* ___ / ___ / ___

HR Manager: _____ *Date:* ___ / ___ / ___



Acknowledgment of Receipt, Review and Comprehension of Employee Handbook

By my signature below, I acknowledge and certify that I have received a copy of the employee handbook of the City of Cocoa, Florida.

I acknowledge and certify that I have thoroughly read the City's employee handbook and that I fully understand its contents.

I acknowledge and understand the employee handbook is not a rule book containing all of the City's policies affecting employees and that the handbook is not intended to be and does not constitute a contract, either express or implied, between the City and any of its employees.

I also acknowledge and understand that the employee handbook is also not intended to create any legally enforceable obligations on the part of the City or any of its elected officials, appointed officials, managers, employees, agents and/or representatives.

I also acknowledge and understand that the City reserves the right to change, discontinue, or adopt any policy, benefit, or practice at any time, with or without notice. I also acknowledge and understand that all changes or exceptions to the policies contained in this manual will be in writing, and no change or exception will be effective unless approved in writing and signed by the City Manager.

I acknowledge and understand that my employment is at will in nature, and that the City is free to terminate the employment relationship at any time, with or without cause or notice.

I acknowledge and understand that no elected official, appointed official, manager, employee, agent and/or representative of the City may enter into an agreement with an employee guaranteeing employment for a specified period of time unless such agreement is approved in writing by City Manager and the City Council.

I acknowledge and understand that nothing in the employee handbook alters my employment at will relationship with the City.

Employee Signature

Employee I.D. Number

Employee Printed Name

Date Signed