

# Administrative Policy and Procedure Manual



Clerk of Circuit Court and Comptroller  
**Matt Reynolds**

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# Message from your Clerk of the Circuit Court and Comptroller

Welcome to the Clerk of the Circuit Court and Comptroller's Office! We are so very glad to have you as part of our team. The Clerk of the Circuit Court and Comptroller is a Constitutional office under the laws of the State of Florida. The function of the office is to serve the public and the taxpayers of Putnam County. I am responsible for many duties, including being Clerk to Circuit and County Courts, Ex Officio Clerk to the Board of County Commissioners, as well as County Comptroller, Auditor and Recorder of Official Records.

The nature of working in this office requires that the large majority of employees are regularly in contact with the general public as well as other court-related and County departments. Consequently, the policies that have been developed are intended to promote a dedication to professionalism and excellent customer service. It is very important to me that all of my employees make it a priority to always be professional, friendly, courteous, and helpful to everyone that they come into contact with, including other employees of this office!

As a member of our team, I want you to know more about your working conditions, employee benefits, and some policies & standards related to employment. Please read and familiarize yourself with the policies you are expected to comply with in order to gain a better sense of the general spirit of our office. It is important to me that you know your responsibilities as an employee and have access to the programs that were developed to benefit you.

The following employee policies have been developed in an effort to specify the conditions of employment with my office and the necessary procedures to implement those policies. These policies have also been developed to benefit the operation of the office as well as the individuals employed with the office. All employees are responsible for being thoroughly familiar with the policies included in this manual. These policies apply to all employees regardless of status (e.g., training period or on probation). Any questions regarding the procedures and method of implementation should be referred to the Chief Administrative Officer.

This manual is not to be interpreted as a legal document, employment contract, guide to get promoted, or a set of answers and rules for all scenarios you might encounter while working for this office.

The policies outlined in this manual may be reviewed periodically and revised if necessary. It is the responsibility of each individual employee to become familiar with the revisions. I maintain the right to adopt, revise, and/or remove policy statements as necessary for the efficient operation of this office. This is not an implied contract between the employee and the Clerk of Circuit Court and Comptroller.

As you read this manual, you may have questions or concerns, or simply want to know if you interpreted something correctly. Those questions should be directed to your Department Head, the Administrative Services Manager, and/or the Chief Administrative Officer.

Once again, welcome to the Clerk of the Circuit Court and Comptroller's Office. I truly look forward to working with you to serve the residents of Putnam County and any other individuals who may require the assistance of our office. My door is always open to any employee so please do not hesitate to reach out to me directly if you have questions or concerns!

Sincerely,



Matt Reynolds  
Putnam County Clerk of the Circuit Court and Comptroller



# Code of Ethics

Gaining and preserving the public's confidence and trust is the foundation for the Clerk's Office's success. An employee shall act, dress, and behave in a professional manner to reflect a positive image of the Clerk's Office. Employees shall carry out all duties assigned by law for the benefit of the people, and shall put loyalty to the principles embodied in this Code above loyalty to persons, party, or government department. An employee shall uphold the Constitution, laws, and legal regulation of the United States and the State of Florida. An employee shall abide by each of the standards set out in this administrative manual and shall always endeavor to diverge illegal, dishonest, or unethical conduct. Employees shall immediately report violations of this Code of conduct to their Department Head, the Administrative Services Manager, Chief Administrative Officer, and/or the Clerk.

Clerk's Office expectations for employees come from the principles of fair dealing and ethical conduct found in provisions of Florida Statutes Code of Ethics for Public Officers and Employees, Part III - Chapter 112. High standards of productivity, efficiency, and cooperation are a product of the spirit and letter of these regulations. Personal integrity of all is also regarded with care and importance.

An employee shall not disclose to any unauthorized person any confidential information acquired in the course of employment, or acquired through unauthorized disclosure by another, for any purpose except as noted below. Department Heads within the office of the Clerk of Circuit Court shall educate employees about the kinds of information that are confidential and should, where appropriate, designate materials as confidential.

We ask that you occasionally revisit and reflect on the statements in the manual, but generally use good judgment derived from high ethical principles. If a situation arises and you do not feel equipped to determine proper course of action, a direct, open, and honest discussion will be welcomed by your Department Head, the Administrative Services Manager, Chief Administrative Officer, and/or the Clerk, depending on the topic at hand.

Disregard or failure to comply with the enclosed standards of ethical and business conduct can lead to disciplinary action, up to and including termination of employment.



# Americans with Disabilities Act Policy Statement

In accordance with The Americans With Disabilities Act (ADA) and the Americans With Disability Act Amendments Act (ADAAA), the Putnam County Clerk of Circuit Court and Comptroller does not discriminate against any qualified employee or applicant in any employment practices, including: recruitment, hiring, promotion, training, lay-off, pay, firing, job assignments, leave, benefits, or any other employment-related activities, because of such individual's disability or perceived disability so long as the individual can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the Clerk's Office will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA/ADAAA, who has made the Clerk's Office aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the Clerk's Office.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should notify their Department Head or the Administrative Services Manager. The Clerk's Office encourages individuals with disabilities to come forward and request reasonable accommodation.

Upon receipt of an accommodation request, the Administrative Services Manager will meet with you to discuss your request and identify the precise limitations resulting from the disability and the potential accommodation that the Clerk's Office might make to help overcome those limitations.

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify the Administrative Services Department. All such inquiries or complaints will be treated as confidential to the extent permissible by law.



# Equal Employment Opportunity Policy Statement

It is the continuing policy of the Clerk's Office, to promote the concepts of equal employment opportunity to all of its employees and applicants for employment. The Clerk's Office will continue to recruit, hire, train, and promote qualified individuals in all job classifications regardless of their race, color, religion, gender, national origin, age, marital status, genetic makeup, and/or disability, which does not preclude the performance of the essential functions of the positions, with reasonable accommodation(s) provided as necessary.

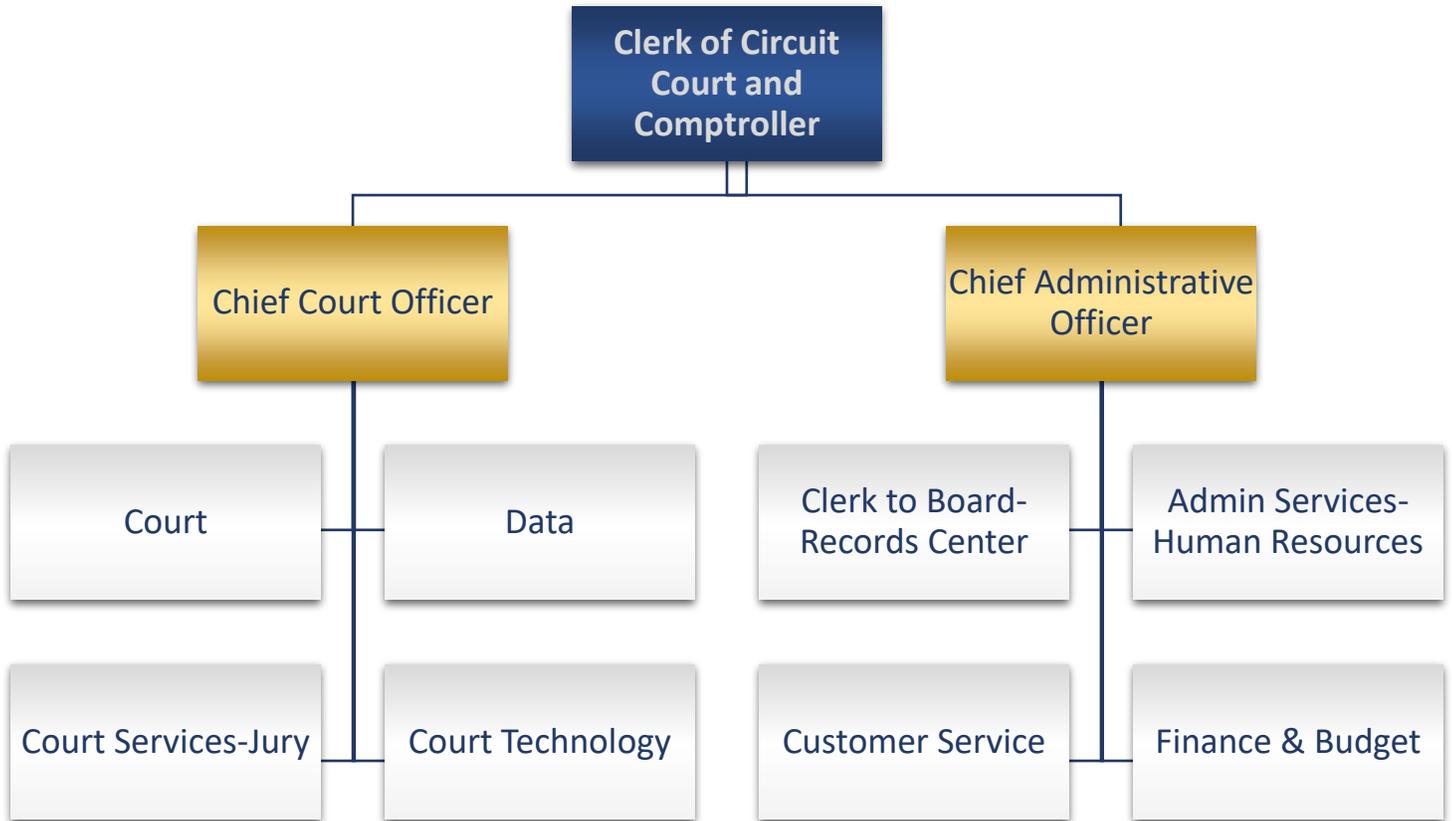
Hiring and promotional decisions will be in accordance with the principles of the Clerk's hiring process, which affords equal opportunity by imposing only valid requirements for promotion. This affirmative diversity policy covers all aspects of the employment relationship including recruitment, hiring, assignment of duties, promotions, compensation, termination, layoffs, return from layoffs, benefits, transfers, education, social, and recreational programs.

The Putnam County Clerk of Circuit Court and Comptroller is committed to the principle of equal employment opportunity and charges each organizational element within the office workforce to conduct its employment practices in conformity with this principle and in accordance with this equal employment opportunity policy.

Applicants and employees of the Clerk's Office should feel free to present questions and concerns about any type of workplace discrimination to a Department Head or the Administrative Services Department. Those who engage in unlawful discrimination are subject to disciplinary action at the discretion of the Clerk, including up to termination of employment.



# Clerk's Office- Organizational Chart



# Section I- Employment

Employment with the Clerk's Office does not constitute a contractual obligation. It is assumed that an employee works for the Clerk "at-will", in the same way the Clerk employs with good intention. An employee may resign and/or the Clerk's Office may terminate an employee at any time, with or without notice or cause, so long as there is no violation of Federal or State law. Not one person has authority to change this by verbal statement, but the Clerk is permitted to create a written agreement to change the at-will nature of employment, which could be asked to review and sign.

Signing an Administrative Policy and Procedure Manual acknowledgement does not create a contract. Policies herein were created to guide all employees to work together, but are not set in stone, nor may they be carried over as legal language. As an employee continues to work at-will with the Clerk's Office, it is important that he/she refers to the most up-to-date version of the Administrative Policy and Procedure Manual for policy and benefit changes.





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<b>BASED ON CLERK OF COURTS RULE AND TITLE:</b>	<b>REVISED/REVIEWED</b>
a. EMPLOYEE CLASSIFICATION	December 2021

## **Purpose**

The purpose of this policy is to clearly define employment classifications so there is an understanding of employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time.

## **Policy**

Employees are designated as Nonexempt or Exempt from Federal and State wage and hour laws.

- **Nonexempt** employees are entitled to overtime pay under the specific provisions of Federal and State laws.
- **Exempt** employees are excluded from specific provisions of Federal and State wage and hour laws.

A change in an employee's Nonexempt or Exempt status requires a completed Personnel Action Form signed by the employee and supervisor or other managerial staff member recommending the change. Final approval will come from the Chief Administrative Officer.

Both Nonexempt and Exempt employees are additionally subject to the following **three classifications**:

**Regular** employees are those not in a temporary or introductory/probationary status, works a fixed schedule of thirty (30) – thirty-seven and a half (37.5) hours per work week, and are eligible to receive full benefits and leave accruals.

**Temporary or OPS** employees are hired as short-term, seasonal, or intermittent staff to supplement existing work force or to assist in the completion of a specific project. These assignments have a limited duration and should not exceed six (6) months. A Temporary employee's schedule is fixed and regular, but terminates when the project or assignment is completed. An OPS employee is a contracted employee that has a flexible schedule that allows them to complete the project. Temporary and OPS employees are not eligible for employee benefits programs. Temporary employees retain temporary status unless notified in writing of a change. Acceptance of a change from Temporary or OPS to Regular employment starts leave accruals and qualification for experience pay.

**Part-Time** employees have a fixed schedule of less than thirty (30) hours per work week. They are paid on an hourly basis and are eligible for pro-rated vacation, sick accruals, and holiday pay (if on scheduled working day), as well as Florida Retirement System (FRS) benefits based on actual earnings. They are not eligible for any other Clerk's Office employee benefits.



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b. JOB DESCRIPTIONS	December 2021

## **Purpose**

The purpose of this policy is to make employees aware of the skills, duties, values, and qualifications for each Clerk position. Each job description includes the essential skills, duties, values, and qualifications that are necessary to support the Clerk's Office.

## **Policy**

The Clerk's Office maintains a job description for each of its positions. Job descriptions aid in orienting new employees to their jobs, identifying requirements of each position, establishing hiring criteria, setting standards for employee performance, and establishing a basis for making reasonable accommodations for individuals with disabilities. Job Titles and descriptions should accurately reflect the level and nature of the work being performed.

Job descriptions should accompany any open/vacant position advertisement. As new positions are created, the Chief Administrative Officer will work with respective Department Heads to prepare job titles and descriptions that accurately reflect the level and nature of the expected work load. Existing job descriptions are reviewed and revised as a routine maintenance effort to reflect changes to position duties and responsibilities.

The Department Head is responsible for maintaining and updating job descriptions in their individual departments. It is the responsibility of the Department Head to keep the Administrative Services Office informed of any significant revisions to the jobs. The Administrative Services Office will maintain the official file of job descriptions for all Clerk positions.

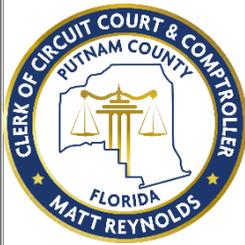
The Chief Administrative Officer is responsible for developing and maintaining the format to be used for all job descriptions. Each job description identifies:

- Job Title and Department
- Job Overview
- Responsibilities and Job Duties
- Qualifications, Knowledge, and Skills
- Education and Experience
- Interpersonal Work Relationships
- Essential Physical Skills and Work Environment
- Position Classification, Paygrade, and Pay Range

All job descriptions must be reviewed by the Chief Administrative Officer and approved by the Clerk.

Job descriptions do not necessarily cover every task or duty that might be assigned, and additional responsibilities may be assigned as necessary. An employee should contact the Administrative Services Office if there are any questions or concerns about their job description.

**REVISED/REVIEWED:** September 2013, December 2021



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c. RECRUITMENT	December 2021

## **Purpose**

The purpose of this policy is to establish guidelines for the advertisement and recruitment of applicants for vacant positions.

## **Policy**

### **Advertising and Recruitment**

The Administrative Services Manager is responsible for the advertisement of vacant positions at the Clerk's Office and coordinating the recruitment of applicants for vacant positions. There are three (3) types of position vacancies: replacements, positions reallocations, and new budgeted positions.

When a position becomes vacant, the Department Head shall conduct a review to determine if there is a continued need for the position and communicate that with the Administrative Services Department. To initiate the recruitment process, a Department Head must complete a Job Requisition Form in its entirety and forward to the Chief Administrative Officer for approval.

In all cases, the Clerk's Office's needs and priorities will be the determining factor for filling vacancies. The Chief Administrative Officer is responsible for verifying that the position meets said needs and is appropriately funded. The Administrative Services Manager shall determine the appropriate advertising approach with the goal of identifying a sufficient pool of qualified candidates. The Administrative Services Manager shall take into consideration the level of the position, the difficulty finding qualified candidates, and the availability of advertising budget. Subject to budget availability, certain positions may be advertised in additional publications when requested by the Department Head or Chief Administrative Officer.

All advertisements must include the following:

- Deadline for receipt of application
- Job Description
- Position Classification, Pay Grade and Pay Range *\*See salary schedule policy for compensation guidelines (Section III, d. Salary Schedule)*
- Administrative Services Department Contact Information

All positions shall be advertised for a minimum of seven (7) calendar days. Most positions are able to remain open as long as necessary to receive adequate responses to the advertisements or until filled. The Clerk's Office shall attempt to fill open positions with internal candidates as long as he/she is deemed the most qualified and at the very least, meets all minimum requirements listed in the job description.

Veterans Preference, as provided by *Florida Statutes Chapter 295*, shall be given to eligible veterans, their spouses and certain family members provided they meet and/or exceed the positions' qualifications.

Information submitted by candidate must be accurate. Misrepresentation, falsification, or material omissions may result in exclusion from further consideration for employment.



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c. RECRUITMENT	December 2021

## **Receiving Applications**

Interested candidates must apply utilizing an acceptable method (the Clerk's in house application and/or any other discretionary application methods provided by applicable advertising outlets). In addition to an application, interested candidates must include a resume to be considered.

If the job advertisement provided a closing date, the Administrative Services Manager shall review and forward the applications of candidates meeting the minimum qualifications to the Department Head (hiring administrator) after the stated closing date. If the job advertisement did not include an application closing date, after seven (7) calendar days of advertising, the Administrative Services Manager shall review and forward the applications of candidates meeting the minimum qualifications to the appropriate hiring administrator.

## **Search Committee**

The hiring administrator shall appoint a Search Committee of three (3) members, ensuring a representative mixture of staff who relate in some way to the position or who can bring material sentiments to the committee. In exceptional situations, the hiring administrator may recommend the appointment of up to, but no more than one-third (1/3) of the search committee with members from the community. A list of search committee members shall be submitted to the Administrative Services Manager for record keeping.

The Search Committee reviews all applications and recommends a list of applicants to be considered for an interview. The list is then given to the Administrative Services Manager to schedule for the applicant interviews.

The Administrative Services Manager may provide a standard interview question list to the Search Committee for the open position. Questions can be added or removed at the discretion of the committee. However, the exact listing of questions must be used on all interviews.

## **Recommendation for Employment**

After interviews have taken place, the Department Head (hiring administrator) shall make the final recommendation for employment from the applicants interviewed.

To avoid inconsistencies, an Offer Letter Form shall be completed after interviews and **before an offer is made** to a candidate for promotion or external hire. Said form shall be submitted to the Chief Administrative Officer for final review and approval. *\*See salary schedule policy for compensation guidelines (Section III, d. Salary Schedule).*

The Administrative Services Manager shall make the formal offer to the selected candidate. The offer is contingent upon satisfactory results of all required screenings such as a criminal history, drug screening, reference check, etc.

**REFERENCES:** F.S. Chapter 295

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<b>BASED ON CLERK OF COURTS RULE AND TITLE:</b>		<b>REVISED/REVIEWED</b>
d. NEPOTISM	December 2021	

## **Purpose**

The purpose of this policy is to avoid favoritism, the appearance of or potential for favoritism, conflicts of interest, and loyalty often associated with nepotism. The Clerk's Office is committed to a policy of employment and advancement based on qualifications and merit.

## **Policy**

Nepotism is defined as favoritism based on kinship. The employment of relatives can cause various problems, including charges of favoritism, conflicts of interest, family discord, and scheduling conflicts that work to the disadvantage of both the Clerk's Office and its employees. Therefore, it is the policy of the Clerk's Office to strongly discourage the hiring of a close relative of any current employee in any capacity.

For purposes of this policy, the term "close relative" includes the following relationships, whether established by blood, marriage, or other legal action; mother, father, husband, wife, significant other, son, daughter, sister, brother, in-laws (mother, father, sister, brother, son, daughter), step-child, aunt, uncle, nephew, niece, and/or first cousin.

This policy does not apply to close relatives who are already employed by the Clerk's Office as of the effective date of this policy.

Due to potential for perceived or actual conflicts, close relatives who are already employed or who may qualify as an exception to this policy must abide by the following:

- Employees shall not work directly for or be supervised by a close relative
- Employees shall not work in the same department as a close relative
- Employees shall not occupy a position in the same line of authority in which employees can initiate or participate in decisions involving a direct benefit to the close relative

If any employee, after employment or change in employment, enters into one of the above relationships, one of the affected individuals must seek a transfer or a change in the reporting structure. The Administrative Services Department shall advise the employees of available alternatives. If the employee is unable to agree upon a solution, the Chief Administrative Officer will take an appropriate remedial action which may include an involuntary transfer or termination of employment. All corrective actions must be approved by the Clerk.

No exceptions to this policy will be made without the written consent of the Clerk. Any such approval will be in accordance with Florida Statutes.

**REFERENCE:** F.S. 112.3135

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e. ONBOARDING	December 2021

### Purpose

The purpose of this policy is to ensure that all employees have a successful and positive transition to their workplace at the Clerk's Office. The Clerk's Office believes that a successful onboarding experience, will allow for the employee to better perform and develop in their roles.

### Policy

Onboarding - bringing "on board" a new employee- helps new Clerk employees acquire the necessary knowledge, skills, and socialization to become effective team members.

A well-designed and executed onboarding program:

- Reinforces the new employee's job choice
- Enhances job satisfaction and engagement for the new employee
- Shortens the learning curve by ensuring each new employee receives the support, tools, and resources they need, including a welcoming environment and clear expectations from their Department Head

After the acceptance of the position, the Administrative Services Department will begin the onboarding process to ensure a successful transition.

Prior to the employee's first day:

1. HR will meet with the new employee to review/complete onboarding materials and assist in coordinating a meeting with the County to review benefits.
2. Department Heads will notify Clerk IT of the employee's device selection (where appropriate) and ensures they are available to help the new employee on their first day.
3. HR will work with the Department Head to establish a mentor who will be the new employee's resource for any questions and will help them acclimate to the Clerk's Office. The mentor does not have to be the trainer nor in the same department.
5. HR will remind the Department Head to have the new employee's workspace ready, including phone number, office supplies, etc.
6. HR will send email announcement introducing and welcoming the new employee.

The employee's first day:

1. HR will meet with the new employee upon arrival. HR will connect the new employee to his/her mentor, give a tour of the facility, and make introductions to each department.
2. The Department Head will work with the appropriate personnel to ensure the new employee has the means necessary to access the building and their office.
3. IT will meet with the new employee to set up devices and address any questions they have on gaining access to their email, network files, and any other appropriate computer systems.



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f. DEPUTIZING CLERKS	December 2021

## **Purpose**

The purpose of this policy is to clearly define and set forth the process of being appointed a Deputy Clerk by the Clerk of the Circuit Court and Comptroller.

## **Policy**

Pursuant to *Florida Statute 28.06*, certain employees may be appointed by the Clerk to fulfill specific duties of a Deputy Clerk. As a Deputy Clerk, the employee is empowered to act on behalf of the Clerk in his/her name and on specific matters in which the Clerk may act. In this regard, a Deputy Clerk shall be removable at the pleasure of the Clerk and their authority shall cease at separation of employment, death, or disqualification.

As an appointed Deputy Clerk, an employee may use their authority only in connection with routine procedures of their respective departments of which relates to the Clerk's records and/or duties.

A Deputy Clerk must abide by the following:

- Do not sign any papers of an unusual nature, those involving large sums of money, or those indicating greater than ordinary responsibility until you have cleared the matter with the Clerk personally or with a Chief Officer.
- Do not use your authority as a Deputy Clerk for any purpose outside your office other than for a specific clerk's duty.
- Do not perform marriage services, outside of the office, without special authority from the Clerk. Do not take acknowledgements or administer oaths, except as necessary in the routine business of your department.

To be deputized, the Clerk of the Circuit Court and Comptroller will perform a swearing in ceremony in which the employee is presented with the following:

- Appointment of Deputy Clerk Letter, signed by the Clerk of the Circuit Court and Comptroller
- Agreement for Deputy Clerk Appointment
- Certificate of Appointment of Deputy Clerk

**REFERENCES:** F.S. 28.06

**Revised/Reviewed:** December 2021



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g. PROBATIONARY PERIOD	December 2021

## **Purpose**

The purpose of this policy is to outline and define the probationary period for the Clerk's Office.

## **Policy**

An employee will be in a Probationary Period during the initial employment period for the first six (6) months of employment or six (6) months after transferring from one position to another within the Clerk's Office (including promotions, transfers, and/or demotions). This probationary period gives the employee the opportunity to find out if he/she is a suitable fit for the new position and also gives the employee's supervisor a reasonable period of time to evaluate his/her performance.

During this time, the new employee will be provided with training and guidance from his/her supervisor. The supervisor has the responsibility of:

- Allowing for an adjustment period for the employee to become familiar with his/her job duties and responsibilities.
- Periodically evaluating and counseling the employee regarding work performance.
- Providing on-the-job instruction and guidance.
- Ensuring that the employee's environment is one which is **positive** and **motivating**.
- Observing the employee's work habits, attitude, attendance, and other appropriate factors and determine if continued employment in the job is mutually desirable.

If a Department Head feels that it is necessary, he/she may verbally counsel and document or complete a performance appraisal with specific goals/expectations after the completion of the first three (3) months. The employee may be discharged at any time during this period if the conclusion is that he/she is not progressing or performing satisfactorily.

Upon completion of the six (6) month probationary period, a written evaluation will be completed utilizing the Abbreviated Performance Evaluation Form. If the performance evaluation is considered to be satisfactory and budget allows, a three percent (3%) increase will be added to the employee's base salary. Any monies over the standard three (3%) percent must be approved by the Chief Administrative Officer.

If the evaluation indicates that further training is needed, the employee will continue in a probationary status for ninety (90) days. After completion of the extension, the Department Head must complete an evaluation indicating the employee has successfully completed the probationary period. Employees found to be unsatisfactory during the course of the extended probationary period (initial, promotion, demotion or transfer), may be terminated from employment at any time without recourse to the grievance provisions of this Personnel Policy. Probationary extensions are at the discretion of the Department Head and/or the Chief Administrative Officer.

As is true at all times during an employee's employment with the Clerk's Office, employment is not for any specific time and may be terminated at will, with or without cause and with or without prior notice. Employees who are discharged during probation will not have the right to grieve their termination.

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h. EMPLOYMENT RECORDS	December 2021

## **Purpose**

The Clerk's Office maintains personnel records for employees and past employees to document employment related decisions and comply with government record keeping requirements. The purpose of this policy is to allow for the Clerk's Office to maintain complete and up-to-date personnel records for all employees.

## **Policy**

The Clerk's Office maintains a personnel file on each employee. While these files are property of the Clerk's Office, the Sunshine Law states that some information contained therein is public record.

All employee files are open for public inspection with the exception of those exempted by Florida Statutes. Medical information and I-9 forms are maintained in a separate file that is not available for public inspection. Social Security numbers are also not public information. An employee can review their own employee file at any time. The Administrative Services Manager will observe the review of all employee files to ensure that no documents are removed.

The Administrative Services Department (Human Resources) will maintain personnel files on each employee, which will include, but not be limited to the following:

- A copy of the employment application
- Any information pertaining to references or background investigation reports
- A copy of any medical examination required for employment (Per HIPAA, kept in separate confidential file)
- A copy of I-9 (kept in separate confidential file)
- A copy of all disciplinary actions
- A record of all personnel actions pertaining to each employee, including dates and rates of pay corresponding to hires, promotions, demotions, terminations, layoffs, suspensions, pay increases, and changes in position/title
- A copy of the Oath of Loyalty (required for those that are deputized)
- A copy of all performance evaluations

**REFERENCES:** F. S. Chapter 119

**REVISED/REVIEWED:** September 2013, December 2021



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i. COLLECTION OF SOCIAL SECURITY NUMBERS	December 2021

## **Purpose**

The purpose of this policy is to protect the privacy of Social Security numbers.

## **Policy**

The Clerk's Office has adopted the following Policy Statement on the Collection of Social Security Numbers, in compliance with and pursuant to *Florida Statutes, Chapter 119.071*.

The Clerk's Office recognizes the importance and sensitivity of an individual's private and personal information, including an individual's Social Security number. The Clerk's Office strives to ensure the proper handling of all private, personal information, including compliance with all legal requirements regarding such information.

The Clerk's Office collects and maintains Social Security numbers of employees as required by law, in the ordinary course of its business. The Clerk's Office handles Social Security numbers with the objectives of meeting federal and state laws and regulations, and maintaining the security and privacy of members of the Clerk community while minimizing their risk of being exposed to fraud or identity theft. The internal use of Social Security numbers for employment and legitimate Clerk business is not prohibited by this policy. Access to Social Security numbers is limited to those individuals whose work duties require them to have access to that information.

**REFERENCES:** F.S. 119.071

**REVISED/REVIEWED:** September 2013, December 2021



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j. PERSONNEL DATA CHANGES (ACTION)	December 2021

## **Purpose**

The purpose of this policy is to provide guidelines for maintaining current information regarding an employee's status for administrative purposes.

## **Policy**

There are two types of personnel data changes: personal/payroll and employment/position.

For all personnel data changes related to personal/payroll information, employees shall notify the Administrative Services Manager immediately in writing. Personal/payroll changes include, but are not limited to:

- Name
- Marital status
- Address
- Telephone number
- Emergency contact
- Number of eligible dependents
- Change in deductions
- Beneficiaries
- Direct Deposit, Bank information
- Educational Accomplishments

For all personnel data changes related to employment/position information, a Personnel Action Form must be completed. The top portion of the form is completed by the employee and Department Head. Once signatures are complete, the form shall be sent to the Administrative Services Manager to execute changes. The Chief Administrative Officer will have the final review once all changes/updates are complete. Employment/position changes include, but are not limited to:

- Department
- Allocation
- Position Title, code, classification
- Employee Status
- Pay grade, rate of pay
- Retirement code
- Sick Leave/Vacation accrual code
- Experience Pay



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k. EMPLOYER PROPERTY AND SYSTEMS

December 2021

### Purpose

The purpose of this policy is to ensure that all property owned and maintained by the Clerk's Office is kept in the best possible working condition and to ensure proper use of such property and Clerk systems/networks.

### Policy

All facilities, equipment, supplies, property, and systems used by the Clerk's Office are purchased with public funds and are public property. Each employee shall use the resources, property, and funds under his or her official control judiciously and solely in accordance with prescribed statutory and regulatory procedures. Employees should use and preserve facilities, equipment, and supplies as they would their own. Public property is not for personal use and misuse will result in disciplinary action.

### Property

All Clerk employees must maintain his or her work environment in an orderly fashion and follow rules set forth by the Clerk's Office to ensure its proper use and maintenance.

No Clerk property, including without limitation, documents, files, records, computer files, equipment, office supplies, or similar materials (except in the ordinary course of performing duties on behalf of the Clerk's Office) may, therefore, be removed from the Clerk's Office premises. Violation of this policy is a serious offense and will result in appropriate disciplinary action, up to and including termination.

### Vehicles

Any employee for whom driving is an essential duty must be authorized and approved by the Administrative Services Department to drive Clerk vehicles. It is the responsibility of the employee driver of a Clerk vehicle to ensure that the vehicle is in full operational condition before each use. The employee driver will communicate in writing if there are any problems with, or damage to the vehicle before use. Should the employee return the vehicle with damage, immediate communication should take place with the Administrative Services Department. A written statement will be required as documentation for the incident that caused damage.

Any vehicle found to be unsafe will be removed from the operational fleet until appropriate maintenance or repairs have occurred. Any employee who is found to have neglected or misused a Clerk vehicle will be subject to disciplinary action, up to and including termination. If an employee's misuse of the property results in damage, the Clerk reserves the right to require the employee to pay all or part of the cost to repair the vehicle.

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### **Database Systems/Internet**

All usage of agency-owned database and internet resources are for Clerk’s Office business purposes only. Access to databases and internet resources shall be granted on an as-needed basis and information contained in these resources shall only be accessed when there is a legitimate business related inquiry.

Unauthorized use or dissemination of information obtained from any law enforcement database or internet resources will result in disciplinary action and could include civil and/or criminal penalties.

### **Upon Separation of Employment**

Should an employee end their employment with the Clerk’s Office, the employee must return to the Clerk all related information and property that the employee has in his/her possession, including but not limited to; documents, files, records, manuals, information stored on a personal computer or on a portable storage device, supplies, keys, and equipment or office supplies. Upon termination/separation, access to Clerk computer systems, including databases and internet resources as well as any other electronically-stored data, is strictly prohibited.

Where permitted, estimated cost of items or materials not returned or destroyed can be deducted from the employee’s paycheck, and other reasonable measures may be taken to recover Clerk’s Office property.



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I. OUTSIDE EMPLOYMENT	December 2021

## **Purpose**

The purpose of this policy is to allow for employees to engage in outside work or hold other jobs, subject to certain restrictions.

## **Policy**

No employee shall engage in other employment or in private business during the hours for which they are being compensated to work for the Clerk's Office. An employee may engage in outside employment during off-duty hours, only if it complies with the following criteria:

1. Outside employment is not permissible with an entity that conducts business with the Clerk. Outside employment cannot require the employee to have frequent contact with attorneys or individuals who interact with the Clerk, Court professionals, or Clerk employees regularly.
2. The outside employment is capable of being fulfilled outside of normal working hours and does not interfere with the performance of the employee's duties and responsibilities.
3. No employee licensed to practice law shall do so before any Judge in Putnam County.
4. The outside employment does not require or induce the employee to disclose confidential information acquired in the course of and by reason of his or her official duties.
5. The outside employment does not reflect adversely on the integrity of the Clerk's Office. The Clerk requires that the employee's activities and conduct away from the job must not compete, conflict with, compromise its interest, or adversely affect job performance and the ability to fulfill all responsibilities to the Clerk.

Department Heads and Administrative Services Department will be particularly concerned about outside employment requests that:

- May reduce the employee's efficiency
- Involves working for an organization which does business for/with the Clerk's Office and/or County
- May adversely affect the Clerk and/or County's image
- Violates Clerk policy or Florida Statutes

An employee shall notify the Administrative Services Manager, in writing, of any outside employment. No employee shall utilize Clerk office space, supplies or equipment in connection with any outside employment.

# Section II – Employee Performance





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a. PERFORMANCE OF DUTIES AND CONDUCT

December 2021

## Purpose

The purpose of this policy is to ensure orderly operations and encourage the best possible work environment.

## Policy

### Duties and Responsibilities

Each employee shall strive at all times to perform their duties properly and with diligence. They shall conform with and abide by all regulations, policies, work procedures, and instructions. Employees shall apply their focus to the business and responsibilities of the Clerk's Office during working hours. They shall carry out their responsibilities as servants of the public in as courteous a manner as possible.

Employees are required to follow instructions and perform duties as described in job descriptions, standard operating procedure manuals, and as assigned by the Department Head, Chief Officer and/or Clerk. If an employee feels that a request is unjust, the matter shall be reviewed with their Department Head. If they are not satisfied with the outcome, the employee may request that the Department Head arrange for the matter to be discussed with the respective Chief Officer. If the matter cannot be resolved among the employee, Department Head, and Chief Officer, the employee may then present the matter to the Administrative Services Manager, Chief Administrative Officer, or directly to the Clerk. The Clerk has the final say in all matters pertaining to this office.

Employees, depending upon job duties performed, may be summoned to appear in Court on a work-related matter. Employees must immediately notify their Department Head of any such work-related summons.

Employees shall not alter, falsify, destroy, mutilate, backdate, or fail to make required entries on any records within their control. In addition, they shall not permit other persons to do so. Employees are obligated to inform their supervisor, the Administrative Services Manager, Chief Administrative Officer, and/or the Clerk if they become aware that any of these actions have occurred.

Employees shall refrain from discriminating on the basis of sex, race, religion, or political affiliation in the conduct of their service.

Employees shall refrain from giving legal advice or recommending the names of private attorneys, title companies, driving schools, or other professionals who would gain monetarily from the referral. An employee may, however, provide a list of providers, but shall refrain from recommending a particular individual/firm.

Employees shall not refuse to enforce or otherwise carry out any properly-issued rule or Order of Court, nor shall they exceed that authority. Any question about the execution of a Court Order shall be brought to the attention of the employee's supervisor, Chief Court Officer, and/or Clerk.

In all circumstances except as may be required to complete their assigned duties, employees shall refrain from discussing or disclosing sensitive information, whether public or non-public, gained during the course of doing business.

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## Conduct

Each employee shall demonstrate professional behavior that supports team efforts and enhances team behavior, performance, and productivity. Each employee shall maintain a positive work atmosphere by working in a cooperative manner. Maliciously-motivated criticism, bullying, and/or harassment of co-workers, management, and/or external individuals will not be tolerated. Being insubordinate, threatening, intimidating, disrespectful, and/or assaulting a manager, co-worker, customer, visitor, or vendor will result in disciplinary action, up to and including termination.



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b. COMMUNICATION	December 2021

## **Purpose**

The purpose of this policy is to set expectations for the way employees and management communicates and also, manages the flow of communication both within and outside the Clerk’s Office.

## **Policy**

The status of the Clerk’s Office requires that employees present a courteous attitude to the public and to their fellow cohorts. Each employee shall present himself or herself in a professional manner at all times. Employees are here to serve the public and as such, this demands that employees perform this duty to the highest degree of their ability.

Courtesy, tact, and professionalism should guide each employee in both written and verbal communications with fellow co-workers and the public. It is mandatory that each employee at the Clerk’s Office show maximum respect to every other person, both internally and externally.

- Courtesy, friendliness, and a spirit of helpfulness are important and guide the Clerk’s dealings with employees and customers.
- Being insubordinate, threatening, intimidating, and disrespectful or assaulting a manager, co-worker, customer, visitor, or vendor will result in disciplinary action, up to, and including termination.
- For all inquiries and complaints, employees should be cordial and respectful. Brevity and clear explanations are encouraged.
- Differences of opinion should be handled privately and discreetly. Gossip and bad-mouthing are to be avoided. Communicate directly with the person or persons involved to resolve differences.
- Constructive criticism of which will improve business by clarifying or instructing, should be welcomed when delivered with respect and tact. Destructive criticism of which is designed to harm business or another individual will not be tolerated.
- Employees should strive to maintain a civil and professional work atmosphere at all times and should refrain from shouting, yelling, using vulgarities, or swearing at co-workers or customers.

Communicating in a way that is a direct violation of policy above may result in disciplinary action, up to and including termination.



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c. ANNUAL PERFORMANCE EVALUATION	December 2021

## **Purpose**

The purpose of this policy is to outline the process for conducting annual performance evaluations for Clerk employees and to provide the schedule for conducting such performance evaluations.

## **Policy**

The Chief Administrative Officer shall be responsible for designating the tool established for performance evaluations. Employee performance evaluations can be utilized to:

- Provide an opportunity for employees to discuss their performance and to plan for improvements expected in a manner that will encourage and support their professional growth and development.
- Establish goals or performance standards to be tracked and assessed on the next review.
- Determine the employee’s eligibility for salary increases, job reallocation, promotions and performance based awards.
- Serve as the basis for taking corrective or disciplinary action against an employee.
- Assist in determining the employee’s potential for continued employment.

The performance of all full-time and regular part-time employees shall be evaluated annually utilizing the Annual Performance Evaluation Form after completion of six (6) months continuous service. Any employee hired after June 1<sup>st</sup> of the evaluation year will be given a routine probationary evaluation, but will not be given an annual performance evaluation until the following year. All annual evaluations shall be completed by December 31<sup>st</sup> of each year. A timeline will be set accordingly by the Chief Administrative Officer.

The Annual Performance Rating Matrix (1-5) is as follows:

- 5** The employee has significantly exceeded expectations and is performing well above their current position.
- 4** The employee has performed above average and stretched themselves to achieve positive feedback and ratings.
- 3** The employee has performed on par with their colleagues, and as per expectations for their role/position.
- 2** The employee has performed below average. Focus should be placed on identifying measures to improve performance.
- 1** The employee has significantly underperformed in this performance period, and a performance improvement plan should be implemented as soon as possible.

Employees that receive a 1 on any competency component/performance category will be immediately placed on a Performance Improvement Plan of which may result in a probationary period status. The employee will be evaluated again in six (6) months utilizing the Abbreviated Performance Evaluation. At that time, employment status will be reevaluated in accordance with the Clerk’s Probationary Policy.

Department Heads are encouraged to utilize the Abbreviated Performance Evaluation Form for check-ins as regular opportunities to discuss progress or any concerns during the time between annual reviews. Appropriate check-ins would be scheduled either quarterly (March, June, September) or semi-annually (June).

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## Procedure

The Annual Performance Evaluation is a two part evaluation in which the first section is completed by the employee as an opportunity to self-evaluate and the second section is completed by the Department Head. As part of the evaluation, the employee and the Department Head shall review the position description at this time. The job descriptions should be updated to reflect any significant changes to the employee’s job duties, responsibilities, or job requirements.

Once both sections are complete, the evaluations are sent to the respective division Chief for review and revision as needed. After the division Chief signs off, the acknowledgement is scheduled to discuss the evaluation in its entirety.

Prior to the performance evaluation becoming part of the employee’s record, the employee will be given a copy and will be entitled to discuss the rating with the Department Head. The acknowledgement is a one-on-one, scheduled meeting with the employee and the Department Head. In some cases, a Chief Officer may be present in all or some of the final acknowledgments.

No changes will be made after the acknowledgement meeting has been conducted and the employee has signed the evaluation. In the event that an employee refuses to sign the performance evaluation, the evaluation will be placed in the employee’s personnel file with a notation that the employee refused to sign.

Once the final acknowledgments have taken place, the evaluations are submitted to the Chief Administrative Officer for final review. All appraisals are due to Clerk for final review before going to Human Resources for recording in employee’s personnel file by December 31<sup>st</sup>.

Nothing contained in this procedure shall interfere with or preclude the Clerk from taking immediate or other action against any employee when that action is reasonably deemed appropriate pursuant to law and rule to that effect.



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d. PROGRESSIVE DISCIPLINE

December 2021

## Purpose

The purpose of this policy is to outline the steps taken for progressive discipline. The intent of progressive discipline is to communicate the need to modify unacceptable job performance or behavior that is inappropriate, unproductive, disruptive, or otherwise problematic to the goals and/or operation of the Clerk's Office.

## Policy

Employees who fail to maintain proper standards of conduct toward their work, their co-workers, customers, and/or managers, or who violate any of the Clerk's policies, are subject to appropriate disciplinary action, up to, and including termination.

### Step 1: Counseling

A counseling session shall be held with an employee by their Department Head as a result of a first offense and/or minor violation, unacceptable job performance, and/or behavior. The employee's Department Head will discuss the incident of misconduct or performance deficiency with the employee and also the ramifications for future violations. The Department Head shall make note that the counseling occurred.

An employee is allowed only up to two (2) verbal counseling sessions before discipline progresses. It is up to the Department Head's discretion if both verbal counseling sessions are needed before moving forward.

### Step 2: Documented Verbal Warning

After Step 1 (or before at a Department Head's discretion), the employee will be counseled one final time. This final counseling session will result in an official, documented verbal warning. The Department Head shall document the incident in a memo format and include expectations of performance improvement and ramifications for future violations. The memo shall then be presented to the employee for review and signature.

### Step 3: Written Reprimand

After Step 2 (or before at a Department Head's discretion), a written reprimand will be given and discussed with an employee for a more serious violation and/or a repeat violation. Advancing immediately to a written reprimand will require the Chief Administrative Officer's approval.

A written reprimand consists of a Department Head completing the Disciplinary Action Form and Improvement Plan and presenting it to the employee for review and signature. The employee, Department Head, and respective Chief Officer shall all be present during the presentation of the written reprimand.

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#### **Step 4: Disciplinary Action**

As a result of a more serious violation or reoccurrence after a written reprimand, an employee is subject to three types of disciplinary actions.

Serious violations include, but are not limited to:

- being under the influence of intoxicants on the job/premises (drugs or alcohol)
- theft of funds, property, or property of fellow employees
- conviction of a criminal charge
- falsifying records and/or deliberately making false statements in order to deceive
- threatening or abusive behavior, both verbal and/or physical
- sexual harassment
- willful insubordination
- intentional damage to physical premises or sabotage of equipment
- possession of a deadly weapon on County property (gun, switchblade knife, etc.) unless authorized by proper authority
- official misconduct, other ethics/policy violations

The three types of disciplinary actions:

- **Probation:** An employee may be placed on probation through a written reprimand or a written evaluation based on poor job performance. The probationary period will depend upon the circumstances involved and will be at the discretion of the Department Head, Chief Administrative Officer, and/or Clerk. See Employment Rule I.G, Probationary Period for details.
- **Suspension/Contemplation Period:** An employee may be suspended, without pay, for such length of time deemed appropriate by the Chief Administrative Officer and/or Clerk in connection with a written reprimand. As a condition of reinstatement, an employee may be placed in a new position/department, demoted in rank, and/or subject to a decrease in compensation.
- **Termination:** Certain violations, by their nature, may be severe enough to require immediate termination and may not need to follow Steps 1-4.

The Clerk’s Office is not required to engage in progressive discipline and may discipline or terminate employees who violate the standards of conduct, or where the quality or value of their work fails to meet expectations at any time. Again, any attempt at progressive discipline does not imply that your employment is anything other than on an "at-will" basis.



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e. EMPLOYEE OF THE QUARTER/YEAR	December 2021

## **Purpose**

The Employee of the Quarter program was developed to recognize Clerk staff who have gone beyond the usual expectations of their employment. These individuals consistently exhibit a positive and supportive attitude and show exemplary achievement, contribution, and performance in their jobs. Outstanding employees deserve to be recognized both as a reward for exceptional performance and as a model to other employees.

## **Eligibility**

All full time employees that have been employed with the Clerk's Office for a minimum of one (1) full year are eligible to participate in the Employee of the Quarter program. Any employee that is on probationary status or that has had documentation of disciplinary action within the last year is not eligible for nomination. Employees can receive the Employee of the Quarter recognition more than once, however, there must be a break of a minimum of one (1) year between awards.

## **Policy**

The Employee of the Quarter program recognizes one (1) employee each quarter. Nominations for the award may be submitted by any fellow employee and/or supervisor. Nominations are based on excellent job performance beyond normal duties, promoting a pleasant working environment, dependability, and/or innovation.

To nominate, the Employee of the Quarter Form must be completed in detail, citing specific examples that define exemplary performance beyond his/her normal duties. Completed nomination forms must be submitted to the Administrative Services Manager before the 15<sup>th</sup> of the second month of the quarter (November, February, May, and August) for the respective quarter's award. Before the end of each quarter, the committee (made up of the Chief Officers and the Clerk) will meet to review the nominations and select the Employee of the Quarter. The recipient is announced at the end of the quarter/beginning of following month.

Nominations not selected as the Employee of the Quarter can be reconsidered up to one (1) year from the date of first being received as long as the employee has no contradicting changes in their status. Said committee will also be responsible for selecting the Employee of the Year from among the quarterly winners.

## **Criteria**

The following attributes are among those which should be considered when proposing a nominee:

- Goes above and beyond to help others do their best work through collaboration and teamwork
- Motivated to initiate processes that aren't currently being done or to improve upon processes that are current to make them more efficient and effective
- Develops creative ways to reduce operating costs
- Dedicated to excellent service for all (internal/external), a true example of public servant
- Considered to be a critical thinker and problem solver
- Involved with community activities
- Continues to pursue education and/or professional development opportunities



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### **Award**

The employee selected by the committee as the Employee of the Quarter will be recognized at the Board of County Commissioners meeting and on the Clerk’s website, social media and monthly newsletter. The Employee of the Quarter will receive a performance incentive of \$150 to be included on his/her paycheck.

The employee selected by the committee as the Employee of the Year will be recognized at the Board of County Commissioners meeting and on the Clerk’s website, social media and monthly newsletter. The Employee of the Year will receive a performance incentive of \$500 to be included on his/her paycheck. Additionally, their picture will be displayed in the Administrative Office next to a plaque bearing names of all Employee of the Year recipients.

### **Appropriate use of Funds Statement**

The Clerk’s Office has determined that expending funds to award and recognize its employees helps promote a dedicated, motivated work force, which is of obvious/direct benefit to its office and citizens.

Accordingly, in addition to the foregoing program, the Clerk is hereby authorized to implement other programs and/or events designed to improve employee morale and performance. Expenditures relating to these programs will be within fiscal year budget.

# Section III – Compensation





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a. WORK SCHEDULES	December 2021

## **Purpose**

The purpose of this policy is to clearly define the Clerk’s Office work schedule in order to maintain a progressive and productive work environment.

## **Policy**

The Clerk’s Office standard workdays are scheduled Monday-Friday, 8:30 a.m. - 5:00 p.m., with the exception of legal holidays specified in the annual Holiday Schedule. It is the responsibility of the Department Head to ensure that their area is adequately staffed during each work day. Operational demands could require variations in lunch and break times. Department Heads will advise affected employee of any adjustments to work schedules including on-call hours or extended days.

Exempt employees are paid seventy-five (75) hours per pay period as regular pay, unless they have taken a full day off. An exempt employee shall charge the appropriate leave balance for absences of more than four (4) hours in a work day. It is expected that all exempt employees will average at least 75 hours worked per pay period.

The standard work day for non-exempt employees shall be seven and one-half (7.5) hours. The standard work week shall be thirty-seven and one-half (37.5) hours. These hours of work are subject to change at the discretion of the Clerk.

Regular attendance is expected and is an essential job function.

Non-exempt employees are required to utilize the electronic timekeeping system to record their hours worked and to approve their timesheet at the end of each pay period to confirm its accuracy. Non-exempt employees are responsible for requesting that their Department Head/Director make any necessary adjustments to their timesheets in writing. Every effort should be made to keep hours near the thirty-seven and one-half (37.5) hour work week unless authorized by Department Heads.

Non-exempt employees are not expected to engage in any work while off the clock. Off-the-clock work includes but is not limited to checking and/or responding to emails, and replying to text messages and phone calls. Although Department Heads may choose to communicate in this fashion.

Tampering with other employees’ time records, misrepresenting hours worked, failing to account for overtime, and failing to make adjustments to ensure accurate accounting of time worked are considered extremely serious offenses. Such actions will result in corrective action, including discipline up to and including termination.

Varying work schedules may be established within departments to better meet the needs of the Clerk's office and the public. Flexible scheduling is allowable at the discretion of each Department Head. The Department Head must notify their respective Chief Officer if he/she wishes to allow flexible scheduling. It is still the responsibility of the Department Head to ensure productivity and adequate staffing from 8:30 a.m.-5:00 p.m.

Persons working on a part-time (less than thirty (30) hours per pay week) or temporary basis will work hours as determined by the Department Heads.

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## **Lunch**

For each full workday you are expected to take a one (1) hour, unpaid lunch break. Said lunch break of one (1) hour is to be taken between 10:30 a.m. and 3:00 p.m. Active offices may require Department Head scheduling of lunch breaks, with accommodations for timely specific requests. Exhibit respect for your workplace by placing requests in advance and complying with related requests from your Department Head. During the one (1) hour break, you are not required to leave the property or eat a meal, but you must cease job-related activity as you will not be compensated for work done during that period. To avoid the potential for work requests, please try to take your break away from your desk/work area. The Clerk's Office requests that employees accurately observe and record meal periods.

## **Breaks**

Although there are no Federal or State laws requiring breaks, Department Heads may allow employees to take one (1) 15 minute break for each 3.5 – 4.0 hours worked in a work day, as workload/staffing levels permit. Breaks should be taken away from work stations. These breaks are considered an extra, non-required, and easily revocable benefit and are not tied to a standard workplace policy or scheduled time-frame. Employees should not leave the Clerk's Office by car during these breaks. If you need to leave by car, you should alert your Department Head and clock out of the time tracking system.

Employees may not accumulate unused breaks or use them to supplement late arrivals or early departures or to extend the lunch period. Abuse of break periods may result in the loss of this privilege.

## **Accommodation for Lactating Mothers**

As part of our family-friendly policies and benefits, the Clerk's Office supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her newborn child for up to one year following the child's birth. The employee should work with their Department Head and the Administrative Services Manager to work through details. Time taken in addition to the two (2) 15 minute breaks allotted to employees will/may result in unpaid time.



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b. HOLIDAYS	December 2021

## Purpose

The purpose of this policy is to provide Clerk recognized paid holidays for eligible employees.

## Policy

A holiday schedule will be formulated and distributed by the Clerk on an annual basis. Holidays count as 7.5 hours of regular pay for regular full-time employees. Regular part-time employees are entitled to a reduced pro-rata share if the holiday falls on a day the employee is regularly scheduled to work.

If the Clerk's interests are best served by an employee working on a holiday, those hours of holiday pay will be considered time worked for overtime purposes. Holidays occurring while an employee is on sick leave will not be charged against his/her sick leave balance. Temporary employees (including contractors and student Clerks) do not receive pay for holidays. Employees receiving Workers' Compensation or disability benefits or on FMLA leave will receive eligible holiday pay only if currently receiving a Clerk paycheck for accrued leave. Employees who are not receiving a Clerk paycheck for time worked or accrued leave will not receive holiday pay.

The Clerk's Office grants time off to all employees on the holidays listed below:

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Good Friday	Friday before Easter Sunday
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving Day	Fourth Friday in November
Christmas Eve	December 24
Christmas Day	December 25

## Personal Holiday

Clerk employees are granted one (1) Personal Holiday day each fiscal year (October 1<sup>st</sup> through September 30<sup>th</sup>). This day off must be scheduled in advance and approved by the supervisor, taken as one (1) whole day, and cannot be applied to the next fiscal year. The Personal Holiday is not eligible for accrual and will be removed on September 30<sup>th</sup> if not used.

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c. PAYROLL

December 2021

### Purpose

The purpose of this policy is to establish scheduled pay periods for Clerk employees. It is the policy of the Clerk's Office to pay employees by either check or direct deposit on a regular basis and in a manner so that the amount, method, and timing comply with applicable policies, laws, and regulations.

### Policy

Unless otherwise determined by law, wages or salaries earned by all regular and temporary employees are paid on a bi-weekly basis. No advances on salaries or loans to employees will be made. Payment of wages is subject to withholding requirements of local, state, and federal governments and programs for which the Clerk's Office has authorized a payroll deduction. Employees will receive a statement (paystub) of pay period, gross pay, deductions, and net pay each pay period.

Friday is the standard payday. Employees will be paid by either paper check or direct deposit. If an employee chooses to receive their pay via direct deposit, a form must be completed. For those who choose direct deposits, payments may occur earlier in the week than the standard payday depending on an employee's banking institution.

### Reporting Time Worked

The Clerk's Office currently uses an electronic time keeping system to record time worked and pay staff. Start and end times for the day, and any breaks within the day, should be recorded. The system will round to the nearest quarter hour, but will also maintain the actual time for audit purposes.

The standard work week is 37.5 hours and the standard pay period is 75 hours. The system will accrue an additional .5 comp hours for any hours worked in excess of 37.5 automatically, along with the hour(s) actually worked. There is no need to classify this separately. If you have taken optional time off, as opposed to a holiday, comp time will not be added until the 37.5 hours worked has been reached (30 hours worked if there is a one (1) day holiday during the week).

Hours worked in excess of 37.5 of the standard schedule must be approved in advance by the Department Head. If an employee works less than the scheduled work time, the balance of the time should be recorded as either sick, annual leave, or other legitimate code. The total hours worked for the week should equal at least 37.5 hours, or appropriate scheduled hours if part-time. If an employee records unpaid leave to make the total hours for the week, the Department Head must approve and notify the Administrative Services Manager.

Once the employee verifies his/her timesheet, the Department Head will review and electronically submit the final authorized time.

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### **Administrative Pay Corrections**

The Clerk’s Office takes all reasonable measures to ensure that you receive the correct amount of pay in each paycheck and that you are paid promptly on the scheduled payday. If you detect an error in amount of pay or accruals on your paystub, immediately bring this to the payroll administrator’s attention for timely correction. If the mistake can be corrected in the current payroll process, it will. If not, the adjustment needed should be written up in an email and sent to the affected employee(s). Any necessary changes will be made in the next payroll cycle. These changes should not be made in the electronic time keeping system.



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d. SALARY SCHEDULE	December 2021

## **Purpose**

The purpose of this policy is to provide structure and guidelines for compensating all Clerk positions. The schedule is intended to provide uniform, consistent, and effective compensation management. Implementation of such policy aids in avoiding compensation issues such as compression and wage disparities.

## **Policy**

This policy covers all employees and is administered without regard to race, color, nationality, religion, age, gender, sexual orientation, disability or other prohibited discrimination in violation of either state or federal law. These guidelines are subject to and must be administered within Clerk financial and business guidelines.

## **Position Titles**

The Department Head will work with the Chief Administrative Officer to develop the appropriate job title for a new or changed/reallocated position/job. Since job titles are used to identify potential job matches in the marketplace, they should reflect the primary function and level of the job and, to the extent possible, should be consistent with job titles used in the industry. A uniform format for the job titles will be applied throughout the organization. The Chief Administrative Officer must approve all job titles.

Positions are assigned to the appropriate salary grade with jobs of similar duty levels, market value, internal equity, supervisory requirements, and job responsibilities. Compensation for positions not defined in the current salary schedule will need to be requested by Department Heads to the Chief Administrative Officer. Once documentation has been reviewed and it is determined that the request is legitimate, it will be submitted to the Clerk for final approval.

## **Development of Salary Schedule**

The Chief Administrative Officer in conjunction with the Clerk will review and set a salary schedule each fiscal year. The Clerk reserves the right to change, modify, eliminate, or deviate from these guidelines at any time with or without notice, and to hire, transfer, promote, discipline, discharge, and otherwise manage its employees as it deems appropriate.

The salary schedule is based upon an open range pay plan and is organized into seven (7) employment categories. These categories are identified by grade numbers. In efforts to create a schedule that is consistent with like government salary studies and best practices, each category is assigned a multiplier to distinguish grade levels. Each grade displays a range of 1.6X the base salary.

- **Part Time:** Begins at Clerk base rate, individualized based upon job responsibility
- **Career Staff:** Grades 100s, 6.5% multiplier
- **Professional Staff:** Grades 200s, 6.5% multiplier
- **Management Staff:** Grades 300s, 7% multiplier
- **Administrative Staff:** Grades 400s, 8% multiplier
- **Executive Staff:** Salaries based upon formal education, administrative experience, and job responsibilities
- **Elected Official:** Salary is based upon *Florida Statute, Section 145.011*

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## Application of Salary Schedule

This type of schedule enables the Clerk's Office to research ways to incentivize employee retention, morale, and commitment by moving within their range, thus rewarding longevity. Over time, consistent application of the structure will begin the process of correcting disparities.

Compensation for all employees should be based upon the current salary schedule. The Chief Administrative Officer is responsible for ensuring the effectiveness of the compensation program as it relates to the adopted salary schedule.

It is the responsibility of the Department Heads to ensure that job descriptions are aligned with positions on the salary schedule. The Department Heads should keep all job descriptions for positions within their respective area(s) up to date.

## Employment Offers

Employment Offers should be based on the skills, knowledge, education, overall personality fit, and experience that a new employee brings to the organization, taking into account pay relationships with peers and supervisors. New hire rates of pay should be determined based upon the position title and corresponding salary grade.

New hires for all employee categories that meet the minimum qualifications for their jobs will be paid at the minimum of the salary range for the assigned grade.

Depending on the new hire's qualifications and budgetary availability, the Chief Administrative Officer may approve a Department Head's recommendation of a starting salary above the salary range minimum. Those that display exceptional skill and/or job related experience that considerably exceed the minimum qualification for the job can be hired within the first quartile of the respective range. To do this the following must hold true:

- Applicable job related skills, knowledge, education and experience that considerably exceed minimum qualifications are proven and able to be documented
- Current salaries of Clerk employees in the same or similar job begin higher than the minimum (taking longevity and compression into consideration)

Starting salary for new hires shall be documented on the Offer Letter form of which should include justification for any salary that exceeds the base for the position offered.

Administrative and Executive employees may negotiate their salary at the discretion of the Clerk. Salaries are based upon formal education, administrative experience, job responsibilities, and performance of administrative duties.

**REFERENCES:** F.S. 145.011

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e. EMERGENCY PAY	December 2021

## **Purpose**

The purpose of this policy is to provide guidance for pay in the event of a disaster or emergency caused by a natural disaster, fire, power failures, a pandemic, and/or events challenging our security.

## **Policy**

Extreme circumstances may require closing our work facilities or early cessation of work. Attempts will be made to inform you of actual or potential closure. Any employee who does not report for work based on assumption will not be paid for that time. Alternate work stations may be provided in the event of a multi-day closure of one (1) or more work areas. An employee shall contact their immediate supervisor for status updates.

In the event the Clerk's Office must close for one (1) or more days due to an extraordinary circumstance such as those above, both exempt and non-exempt full-time employees who were scheduled to work on that (those) day (days) will be compensated for seven and a half (7.5) hours per day or their normal work hours, whichever is less. Part-time employees who were scheduled to work on that (those) day (days) will be compensated for their regularly scheduled hours (pro-rata share). The time will be counted towards time worked. For those employees who had previously submitted a request for leave for the affected period of time, his/her accrual balance will not be charged. Employees receiving Workers' Compensation or disability benefits will receive eligible emergency/disaster day pay only if currently receiving a Clerk paycheck for accrued leave.

During an emergency or a disaster, employees may be temporarily assigned to duties other than the essential functions of their position and/or assigned to work at different locations. If the Clerk's interests are best served by an employee working during an emergency/disaster day, then those persons will be identified as Emergency Essential Personnel. Each Department Head shall identify critical positions that are required to work during the disaster and post-disaster phases and communicate them to their respective Chief Officers.

All employees, including exempt and non-exempt, identified as Emergency Essential Personnel who are required to support pre-disaster response efforts, tasks occurring during the disaster or post-disaster recovery efforts will be compensated in accordance with the Emergency Pay Provisions.

**Non-Exempt:** will be paid one and a half times (1.5) the base hourly rate for each hour worked in excess of 37.5 hours per week, or as appropriate.

**Exempt:** will be paid the base hourly rate for each hour worked in excess of 37.5 hours or the normal work week, whichever is greater. Exempt personnel will no longer be eligible for Emergency Pay after the deactivation of the Putnam County's Emergency Operations Center, suspension of the Local Declaration of Emergency, or directive by the Clerk for essential personnel to resume normal working schedule.

Department Heads are responsible for verification and approval of hours worked by the Emergency Essential Personnel. The Clerk will have final approval for all emergency pay hours.

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f. TRAINING AND TRAVEL EXPENSES

December 2021

### Purpose

The purpose of this procedure is to govern travel and payment of costs associated with pre-approved travel that is identified as being pertinent or beneficial to the employee's job. All travel should clearly demonstrate a benefit to the Clerk's Office.

### Policy

Approval for Clerk personnel to attend a conference, meeting, or other activity for the benefit of the Clerk's Office must be obtained in advance of the travel. The transportation selected should be the most safe, economical, and practical method available. Travelers are expected to minimize time away from the office while effectively completing the purpose of the travel. Travelers must use the Travel Authorization Request & Reimbursement Form and have it fully approved before finalizing any reservation or registration. Any employee traveling on official business is responsible for insuring he/she understands these procedures and complies accordingly.

If funds were not allocated in the approved budget for business training and/or travel, the request must be submitted with as much advanced notice as possible in order to identify funds for transfer. Final approval will be made by each respective Chief Officer based on the necessity of the travel and the availability of funds.

Abuse of travel, including but not limited to, falsification of reports to reflect cost not actually incurred by employee can be grounds for disciplinary action, up to and including termination.

Reservations for hotels, rental cars, airline tickets, and registrations are suggested to be made with a Clerk's Procurement Card. Reimbursement for all eligible costs paid out of pocket by the employee shall be made once the trip has been completed and all procedures are adhered to.

### Eligible Expenditures

1. Additional hotel/lodging nights and associated meal reimbursements taken for the convenience of the traveler without the approval of the supervisor are not eligible for reimbursement.
2. Travel expenses must be submitted for reimbursement within fifteen (15) days of the return and within the fiscal year of when the travel occurred.
3. Hotel/Lodging
  - a. Travelers should make a reasonable effort to utilize the Clerk's tax exempt status for the hotel/lodging, rental cars, airline tickets, and registration fees.



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4. Meal reimbursement is available for overnight travel only
  - a. No meal reimbursement will be issued for any meals during 'vicinity travel' (vicinity travel has no overnight lodging); (per IRS regulations this type of reimbursement would have to be included in an employee's taxable income).
  - b. No reimbursement will be issued for any meal that is included in a registration fee paid by the Clerk or provided free of charge by the hotel/lodging. Requested meal allowances must be accompanied by a conference agenda and the lodging's breakfast policy to substantiate meals provided.
  - c. Meals taken while the traveler is in the process of traveling to or from an event at the time of the meal are reimbursable.
  - d. Meals are reimbursed according to state guidelines: breakfast, six dollars (\$6) reimbursable for travel beginning before 8:00 a.m.; lunch, eleven dollars (\$11); dinner, nineteen dollars (\$19) reimbursable for arrival time after 5:30 p.m..
  - e. Reimbursement for alcoholic beverages is not allowed.
  
5. Tips: The Clerk's Office will reimburse for tips up to fifteen percent (15%) with printed receipt.
  
6. Mileage reimbursement is available to both vicinity and overnight travel
  - a. Necessary travel should be planned to seek the most safe, practical, and economical means of transportation available to the traveler.
  - b. When several employees are traveling to the same destination, car-pooling is encouraged. No traveler is allowed mileage reimbursement when transported by another traveler who is entitled to mileage.
  - c. Travelers who leave from home and do not come to their office on the day of departure will be reimbursed for their mileage from their home. Similarly, travelers who return directly to their home and do not come to the office on the day of return will be reimbursed for mileage to their home.  
 In either of these cases, the miles reimbursed may not exceed the mileage from the office to the event and/or from the event back to the office.
  - d. Mileage incurred for travel using the employee's personal vehicle will be reimbursed for both vicinity and overnight travel. A Google, MapQuest, or Yahoo map print out of the actual miles must be the basis of the requested reimbursement and be included with the reimbursement request.
  - e. Mileage will be revised and reimbursed per IRS guideline (released in January each year).
  - f. For travelers using a Clerk owned vehicle, gas purchased en route will be reimbursed to traveler with a receipt.

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7. Commercial carrier travel (airline, train, bus, taxi etc.)
  - a. An itinerary must be attached to the travel request.
  - b. At minimum the itinerary should show the name of the traveler, dates of travel, origin and destination of travel, class of travel, amount, and method of payment.
  
8. Incidental costs
  - a. Tolls and airport parking are reimbursable with receipts for vicinity and overnight travel.
  - b. Fees for expedited boarding or special seat assignments are typically not authorized unless justified in writing.
  - c. Internet connection expenses should only be incurred when necessary for Clerk business.
  - d. Taxi, bus, or train fares are reimbursable with receipts.
  - e. For travelers who use personal SUNPASS to pay tolls or airport parking, a copy of the charges from the traveler's account matching travel voucher dates can constitute a receipt.
  - f. Baggage fees no more than one (1) bag on commercial aircraft are reimbursable. Travelers should minimize baggage fees where possible by using carry-on cases.

## **Procedure**

Employee must complete a travel authorization form in advance of travel. Attached with the form should be conference/meeting agenda or notice, cost estimates for each applicable category and appropriate supporting documentation for each of those costs. The form must then be approved by the Department Head. Making arrangements for travel is only allowed after approved by the Department Head.

Once an employee returns from travel, he/she should make adjustments on the form to reflect actual travel cost and attach all appropriate receipts. This form should then be submitted to the Department Head for review and approval of reimbursement. Once approved, the form will be forwarded to Finance for payment.

**REFERENCES:** F. S. 112.061

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g. OTHER PAY	December 2021

## **Purpose**

The purpose of this policy is to define other compensation offered by the Clerk's Office.

## **Policy**

### **Overtime Pay**

The need for overtime work is infrequent at the Clerk's Office as each department is encouraged to schedule its workload so as to accomplish its goals within the prescribed work week. Payment for overtime will be made in accordance with the provisions of the Fair Labor Standards Act. Overtime for non-exempt employees must be approved in advance by the Department Head. All time worked over 37.5 hours each week, including holidays, seminars and emergency/disaster days, will be at the overtime rate of one and a half (1.5) times the regular rate of pay. Employees will be paid for all time worked even if the overtime was not authorized; however, failure to obtain prior approval will result in progressive discipline.

Paid Time Off, sick or unpaid leave, disability pay, workers' compensation pay, jury duty, military leave, administrative leave, and/or bereavement leave will not be used in the calculation of overtime.

### **On-Call Pay and Authorized Call Back**

Employees placed on on-call duty are expected to remain in a geographic vicinity that permits the employee to respond to an authorized call within thirty (30) minutes. Employees on restricted on-call duty will be paid as follows:

1. For time spent waiting for an authorized call to work, employees will be paid \$2.00 per hour.
2. For time spent responding to an authorized call back, including the time spent traveling to and from, employees will be paid time and a half (1.5) of regular salary for all time spent responding to an authorized call back, or a minimum of two (2) hours, whichever is greater. On-call payment is not interrupted when the employee is called back.
3. If serving on-call during paid holiday, an employee will be paid the \$2.00 on-call pay in addition to their regular holiday pay. If an employee is called back on a holiday, the employee will be paid time and a half (1.5) of regular salary for all time spent responding, or a minimum of two (2) hours, whichever is greater.

Employees on on-call duty are required to comply with applicable company policies, including the company's Drug and Alcohol Policy. Any variance from such policies may result in disciplinary action, up to and including termination.

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### **Experience Pay**

After two (2) years working for the Clerk’s Office, all regular employees in good standing are eligible to receive experience pay, if budget allows. Experience Pay is paid on the employee’s longevity date and increases as years of service increase. It is designed to recognize the value inherent in additional experience, and to reward people for their longevity. For the purpose of calculating Experience Pay, years of service include years served with other BOCC-related agencies. Creditable service is all service during which the employee was on the payroll of the Board of County Commissioners, Clerk of Courts, Property Appraiser, Sheriff, Supervisor of Elections, or Tax Collector.

# Section IV – Employee Leave





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a. BEREAVEMENT LEAVE	December 2021

## **Purpose**

The purpose of this policy is to establish uniform guidelines for providing paid time off to employees for absences related to the death of immediate family members.

## **Policy**

If you wish to take time off due to the death of an immediate family member, you should notify your Department Head immediately. The Clerk's Office defines "immediate family" as:

Husband/Wife	Mother/Father
Son/Daughter	Uncle/Aunt
Brother/Sister	Nephew/Niece or First Cousin
Step Mother/Step Father	Step Brother/Step Sister
Step Son/Step Daughter	Half Brother/Half Sister
Grandparents	Grandchildren
<i>*Marital/domestic partner relationships per the above are also included</i>	

Up to three (3) days of paid bereavement leave may be provided to regular employees. Regular part-time employees will receive three (3) days at a pro-rata amount. Bereavement pay is calculated based on the base pay rate at the time of absence. An employee may, with Department Head's approval, use any available accrued leave for additional time off as necessary. It is at the discretion of each Department Head to decide if bereavement leave is appropriate for cases involving relationships other than those defined above.



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b. FAMILY AND MEDICAL LEAVE

December 2021

## Purpose

The purpose of this policy is to provide employees with a general description of their Family and Medical Leave (FMLA) rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

## Policy

### Eligibility

Regular employees who have worked for the Clerk's Office for at least twelve (12) months and worked at least one thousand, two hundred fifty (1,250) hours in the last twelve (12) months prior to the beginning date of leave may be entitled to twelve (12) or twenty-six (26) work weeks of paid/unpaid leave in any rolling twelve (12) month period.

FMLA may be granted for the following reasons:

1. For incapacity due to pregnancy, prenatal medical care of child birth.
2. To care for a newborn child or for placement of a child with the employee through foster care or adoption.
3. To care for spouse, parent, son or daughter including in loco parentis (those with day to day responsibilities to care for and financially support a child) with a serious health condition.
4. To attend to a personal serious health condition which renders the employee unable to perform the essential functions of his/her job.
5. Eligible employees with a spouse, son, daughter or parent on active military duty or call to duty status in the National Guard or Reserves in support of a contingency operation may use their twelve (12) week leave entitlement to address qualifying exigencies to include attending military events or making family arrangements due to the military member's deployment, as stated in the Federal law.
6. To attend to a personal serious health condition which renders the employee unable to perform the essential functions of his/her job.
7. Eligible employees with a spouse, son, daughter or parent on active military duty or call to duty status in the National Guard or Reserves in support of a contingency operation may use their twelve (12) week leave entitlement to address qualifying exigencies to include attending military events or making family arrangements due to the military member's deployment, as stated in the Federal law.
8. Eligible employees may take up to twenty-six (26) weeks in a single twelve (12) month period of special leave entitlement to care for a covered service member who has been seriously injured or taken ill while in the line of duty, per the FMLA Federal guidelines.

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An employee who takes an extended leave for any FMLA qualifying reason may be deemed by the Clerk to be on FMLA for the purpose of calculating time using the rolling twelve (12) month period. Failure to complete FMLA paperwork or to receive official notification of leave approval will not automatically disqualify an employee's leave from being considered FMLA. FMLA will also run concurrent to Workers' Compensation when an employee is out for a work-related illness or injury.

Employees shall not perform any work for the Clerk's Office while on FMLA leave.

### **Request**

A request for FMLA leave, paid or unpaid, shall be made to the employee's Department Head and/or the Administrative Services Manager, and must be approved by the Chief Administrative Officer.

When leave is foreseeable for childbirth, placement of a child, or planned medical treatment for the employee's or family member's serious health condition, the employee must provide at least thirty (30) days advance notice, or such shorter notice as is practicable (e.g., within one (1) or two (2) business days of learning of the need for the leave). When the timing of the leave is not foreseeable, the employee must provide notice of the need for leave as soon as possible (e.g., within one (1) or two (2) business days of learning of the need for the leave).

Documentation qualifying the FMLA leave must be submitted to the Administrative Services Manager so that approval may be granted. Depending upon whether the FMLA leave is for the employee or an employee's family member, the appropriate FMLA Health Care Provider Certification form must be filled out by the treating physician and provided to the Administrative Services Manager within fifteen (15) days.

Leave may be requested consecutively, on an intermittent basis, or on a reduced work week schedule if medically necessary. The employee must provide medical certification within fifteen (15) days of the date requested. The employee must attempt to schedule their intermittent or reduced leave so as not to disrupt the organization's operations. The employee may be required to transfer temporarily to a comparable position with equal pay and benefits that better accommodates recurring periods of leave or a reduced work schedule.

Employees must use their annual leave and/or sick leave during the course of the FMLA leave. When the duration of the leave is known, with approval of the Chief Administrative Officer, annual and sick leave may be extended during the leave period in order to cover insurance benefit premiums during the leave of absence. Use of the paid leave will apply toward the FMLA Leave and is not in addition to this entitlement.

An employee granted FMLA will continue to be covered under the County's insurance plans under the same conditions and coverage as would have been provided if the employee had been actively employed during the leave period. The employee will be responsible for the payment of their insurance premiums above the employer contribution while on approved leave.

Before the employee returns to work from FMLA leave for the employee's own serious health condition, the employee is required to submit a fitness for duty certification from the employee's health care provider, with respect to the condition for which the leave was taken, stating that the employee is able to resume work.

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FMLA leave or return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

Upon returning from FMLA, the employee is entitled to return to the same position held when the leave began or to a similar position with equivalent benefits and pay, unless the position would have been eliminated had the employee not been on leave. In such circumstances, the employee may apply for any other vacant position for which they are qualified. Should the leave continue beyond the designated FMLA leave entitlement, reinstatement rights are at the discretion of the Clerk.

An employee who fails to return to work on the date specified on the request without receiving an extension in advance is subject to disciplinary action up to and including termination. Employees who do not return from FMLA leave must reimburse the Clerk for any health insurance payments made on their behalf during the duration of the leave, unless the employee is physically unable to return to work.



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c. MILITARY LEAVE	December 2021

## **Purpose**

The purpose of this policy is to provide employment protection, income protection, and a means for employees to secure time off when called to uniformed U.S. military service.

## **Policy**

Military leave will be granted to employees in accordance with this policy, the *Uniformed Services Employment and Reemployment Rights Act (USERRA)* and *Florida Statutes, Chapter 115*. In accordance with Federal and State law, it is the Clerk's Office policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or this policy. If any employee believes that he or she has been subjected to discrimination, the employee should immediately contact the Administrative Services Department.

Eligible employees will be granted leave when ordered to engage in training under the provisions of the United States military or naval training regulations, when assigned to active or inactive duty and/or when serving in the volunteer forces of the United States, or in the national Guard of the State, or in the regular Army or Navy of the United States, when the same shall be called into active service of the United States during war between the United States and a foreign government.

### **Short-Term Military Leave**

Both full-time and part-time employees are eligible for short-term leave of up to two-hundred forty (240) working hours in an annual period when they are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard. Any request for military leave beyond two-hundred forty (240) working hours in an annual period should be made through the long-term military leave provisions of this policy.

Request for short-term military leave should be made by submitting a request through the electronic timekeeping system. Proper documentation substantiating the need for the leave should be submitted by the employee to their Department Head. Unless military necessity prevents it, or it is otherwise impossible or unreasonable, employees must give the employer notice of their need for leave as far in advance as is reasonable under the circumstances.

Employees that have been granted short-term military leave will be paid in full their normal rate of pay for the first thirty (30) calendar days of leave, without loss of leave accruals, health, and other existing benefits, promotional status and retirement privileges for their leave period. Employees will be paid according to their regular work schedule beginning with the first day of their short-term military leave.

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## **Long-Term Military Leave**

Both full-time and part-time employees are eligible for long-term military leave (longer than two-hundred forty (240) working hours) when they are assigned (drafted, volunteered, ordered) to active military service/duty in connection with the United States Reserve Forces or the National Guard. Employees shall be granted long-term military leave for any period extending beyond granted short-term military leave. The Clerk's Office is authorized to fill respective position on a temporary/contract basis that will define the time period of employment.

Request for long-term military leave should be made by submitting a request through the electronic timekeeping system. Proper documentation substantiating the need for the leave should be submitted by the employee to their supervisor. Unless military necessity prevents it, or it is otherwise impossible or unreasonable, employees must give the employer notice of their need for leave as far in advance as is reasonable under the circumstances.

Employees granted long-term military leave will be paid by the Clerk for the first thirty (30) calendar days of leave. Employees will be paid according to their regular work schedule beginning with the first day of their long-term military leave.

Employees will not accrue leave during unpaid long-term military leave. Employees granted long-term military leave may request payment for all or a portion of monies due the employee, including unused leave balances in accordance with the payment of the vacation policy, at separation from Clerk employment for active military service/duty.

## **Re-employment**

Employees seeking re-employment following separation from military service/duty, must either return to work or apply for re-employment to Administrative Services Department within a specified time, depending upon the duration of their leave, as follows:

Less than thirty-one (31) days of service – Employees are eligible for reinstatement as long as they report for work by the first regular workday that occurs at least eight (8) hours after their physical return to their residence after completion of military service. Employees can report as soon as reasonably possible if they cannot make the above deadline through no fault of their own. The same rules apply for a leave period of any length for the purpose of a fitness examination.

Thirty-one (31) to one-hundred eighty (180) days – Employees must submit an oral or written application for re-employment no later than fourteen (14) days after completion of military service, or, if this is impossible or unreasonable through no fault of their own, then as soon as possible.

One-hundred eighty-one (181) days or more – Employees must submit an oral or written application for re-employment no later than ninety (90) days after completion of service.

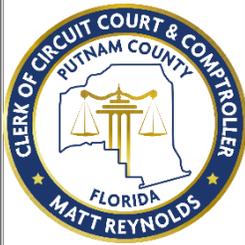
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Service-connected injury or illness – Employees who have been hospitalized or are recovering from an injury or illness incurred or aggravated while serving must report to the Administrative Services Department (if the service was less than thirty-one (31) days), or submit an application for reemployment (if the service was greater than thirty (30) days, at the end of the necessary recovery period (but which may not exceed two (2) years).

The Administrative Services Department may require the employee to submit to a “fitness for duty” examination to determine fitness to perform the duties of the position to which the employee is returning.

The employee will be reinstated at the rate of salary that they would have received, including all adjustments (exclusive of merit increase) that the employee would have received if they had remained in continuous service. Employee will be entitled to be reinstated to the position that they held prior to military leave or a comparable position at the same rate. If a position left by the employee has been reclassified or renamed during the period of long-term military leave, the employee shall be entitled to reinstatement in the reclassified/renamed position. If employee is not capable of satisfactorily performing the required duties of their prior position, they will be entitled to, by reinstatement, a position as comparable as possible in rate of salary and duties of the one the employee left.

If the employee volunteers for an additional tour of military duty or decides to re-enlist voluntarily, they shall forfeit employment reinstatement rights as provided within this policy.



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d. SICK LEAVE	December 2021

## **Purpose**

The purpose of this policy is to outline the Clerk’s Office procedure for granting sick leave.

## **Policy**

The Clerk’s Office provides paid sick leave benefits to all regular employees for periods of temporary absence due to illnesses or injuries. The Clerk’s Office recognizes that employees will occasionally need time off from work to recover from an illness, to address their medical needs, or to address the medical needs of a family member.

Sick leave benefits accrue at the rate of 3.75 hours per two (2) week pay period. There is no limitation on total sick leave accrual. Regular part-time employees are eligible to accrue sick leave on a pro-rata basis. Temporary and OPS employees do not qualify.

If an employee is unable to report to work due to illness or injury, he/she must notify their supervisor within a reasonable amount of time on each day of absence. If an employee is absent for three (3) or more consecutive days due to illness or injury, the office may require a physician’s statement verifying the illness or injury and its beginning and expected ending dates. Verification may be requested for other sick leave absences, and may be required as a condition to receiving sick leave benefits. If an employee is absent for three (3) consecutive days without notice he/she may be found to have abandoned their job and be subject to job termination.

Sick leave benefits will be calculated based on an employee’s base pay rate at the time of absence. Sick leave is intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Sick leave shall be cumulative from year to year. An employee is eligible for payment of unused sick leave when they complete eight (8) or more years of continuous service and terminate employment with the Clerk’s Office. An employee will be compensated at their current regular hourly base rate of pay for 25% of all unused sick leave credits, provided that 25% of the unused sick leave credits equal four hundred eighty (480) or fewer hours.

To better manage our unfunded liability associated with earned sick leave, the Clerk’s Office may, from time to time, offer to buy out a limited amount of sick leave time subject to budget and other considerations.

## **Sick Leave Donation**

Subject to approval by the Clerk, an employee can contribute a portion of his/her accrued sick leave credits to another employee of the Clerk’s Office. Any full-time employee can donate time provided the employee has a minimum of seventy-five (75) sick leave hours available. To donate sick hours, an employee must complete the Sick Leave Donation Form.

All employees of the Clerk’s Office are eligible to receive sick leave from a donor under the following stipulations. An employee must exhaust his or her accrued sick leave, annual leave and compensatory time off before becoming eligible to receive a sick leave donation. All sick leave transferred must be used for an employee’s hospitalization and/or personal catastrophic or life threatening illness or injury. A catastrophic

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illness or injury shall be defined as a severe condition or combination of conditions affecting the mental or physical health of the employee that requires treatment by a licensed medical practitioner for a prolonged period of time. Donated sick leave hours will only cover cosmetic or reconstructive surgery which is the result of an injury, disease or congenital defect. A statement from a physician attesting to the nature of the illness or injury and estimated period of absence may be requested by Human Resources to prove legitimacy. An employee may only receive up to seventy-five (75) donated sick hours in any calendar year, unless otherwise approved by the Chief Administrative Officer and/or Clerk.

The Chief Administrative Officer and/or Clerk reserves the right to deny a request for sick leave hours when the application for hours or medical verification is incomplete or the request does not conform to this policy. Sick leave transfer hours shall not be approved or used for non-catastrophic illness or injury. Employees receiving worker's compensation payments are not eligible to receive donated sick leave days.

Abuse of donated sick leave hours may result in disciplinary action and the employee may be required to repay all or part of the donation. Abuse of donated sick leave hours shall include, but not be limited to: misrepresentation of an illness, accident, or injury, or the circumstances surrounding it, and/or submission of a medical certification which is from other than a licensed medical practitioner, or which misrepresents the nature of a member's illness and/or duration, all for the purpose of receiving sick leave hours to which the member is not entitled under this policy.

### **Sick Leave Transfer In**

A newly hired employee may be eligible to transfer in up to seventy-five (75) hours of accrued and unused sick leave from a recognized Florida government agency. To qualify, the employee must have started with the Clerk's Office within thirty (30) days of leaving an eligible employer. In order to receive the sick leave credit, the employee cannot have been paid out for sick leave upon separation from previous employer. The Sick Leave Transfer In Form will need to be completed by the eligible employer and submitted to the Administrative Services Manager.



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e. ANNUAL LEAVE

December 2021

## Purpose

The purpose of this policy is to provide employees with paid time off to allow for opportunities of rest, relaxation, and personal pursuits.

## Policy

Annual leave begins accruing each pay period immediately upon first working day. The amount of paid annual leave an employee receives increases with the length of employment, as shown:

<b>Years of Service</b>	<b>Annual Accrual (Days, Rounded)</b>
Up to 5 Years (< 60 months)	12
5 to 10 Years (60 – 120 Months)	15
10 to 15 Years (120 – 180 Months)	18
15 to 20 Years (180 – 240 Months)	20
Over 20 Years (240+ Months)	22

Regular part-time employees will earn annual leave on a pro-rata basis, based upon budgeted hours. Temporary, OPS, and emergency personnel are not eligible to accrue annual leave. New accrual rates begin in the pay period including the 5<sup>th</sup>, 10<sup>th</sup>, 15<sup>th</sup>, and 20<sup>th</sup> year anniversaries. The maximum-number of hours that can roll over into the new calendar year is two-hundred forty (240) hours for all regular employees.

An employee can request use of annual leave time after it has been earned. Annual leave will not be paid or received in advance of earning. Requests to use accrued annual leave time should be submitted in the electronic time keeping system in advance of time off for consideration of workload and staffing requirements. Employees should work with their department to take leave at times deemed appropriate. Annual leave is intended to be used in order to provide periodic vacation. However, earned annual leave may be used for any other purpose when authorized by the Department Head. Annual leave is not sick leave which accrues separately. During a paid leave of absence, an employee will continue to accrue annual leave.

Upon termination of employment, an employee will be paid for unused annual leave time that has been earned through the last physical working day, up to a maximum of two hundred forty (240) hours for regular employees. To better manage our unfunded liability associated with earned annual leave, the Clerk's Office may, from time to time, offer to buy out a limited amount of annual hours subject to budget and other considerations. If an employee receives annual leave payout upon termination/separation and then returns to the Clerk's Office for re-employment, he/she is eligible for an additional annual leave pay out.

The Clerk's Office is authorized to pay employees who enter the Division of Retirement's Deferred Retirement Option Program (DROP) for accrued annual leave not to exceed two hundred forty (240) hours for regular employees upon receiving the request form. Should the employee have annual leave accruals in excess of said hours, the employee may carry those accruals for use during their continued employment. If the annual leave lump sum payment received by the employee at the time they enter DROP is less than the maximum hours allowed, the employee may receive a second lump sum payment at the end of DROP for the difference between the hours initially paid and the maximum allowed.

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## Leave Reserve

As a one-time benefit, any hours in excess of two hundred forty (240) for all regular employees at the end of calendar year 2022 will be transferred to a leave reserve. The leave reserve is classified as non-compensatory accrued leave and cannot be used in the calculation of leave pay out. There is no limitation on the amount of leave reserve hours that are transferred after 2022, however, these hours are non-cumulative and will not be replenished once they are used. Once the reserve has been depleted, the employee will no longer have a reserve. The hours will remain in the reserve for use until the employee either depletes the hours or is no longer an employee with the Clerk's Office. These hours are eligible to be transferred to other employees as a form of sick leave donation.

*\*Any employee as of December 31, 2021 that has over two hundred forty (240) annual hours will expected to utilize the overage by December 31, 2022 or it will be transferred to leave reserve. Any employee that leaves before December 31, 2022 will have the option for pay out of up to thirty-seven and a half (37.5 hours) of overage.*



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f. DOMESTIC VIOLENCE	December 2021

### Purpose

The purpose of this policy is to clearly define the Clerk's Office procedure for allowing a leave of absence as a result of domestic violence.

### Policy

In compliance with *Florida Statutes, Chapter 741.313*, the Clerk's Office grants a leave of absence to an employee who has been employed for three (3) or more months for a period of time, not to exceed three (3) days in any given twelve (12) month period, for the following reasons:

- to seek an injunction for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence;
- to obtain medical care and/or mental health counseling to address physical or psychological injuries resulting from the act of domestic violence (for either the employee or family/household member);
- to obtain services from a victim-services organization;
- to make the employee's home secure from the perpetrator of domestic violence or to seek new housing or to escape the domestic violence perpetrator; or
- to seek legal assistance for issues concerning the domestic violence situation or to attend and prepare for court-related proceedings arising from the act of domestic violence.

**Family or household member** means your spouse, former spouse, persons related to you by blood or marriage, persons who are presently residing with you as if they are family or who have resided with you in the past as if they are family, and persons who have a child in common with you regardless of whether you have been married to them. With the exception of persons who have a child in common with you, the family or household members must be currently residing with you or have in the past resided with you in the same single dwelling unit.

Except in cases of imminent danger to the health or safety of the employee, or to the health or safety of a family/household member, an employee must provide at least twenty-four (24) hours written advance notice of their request for leave.

A leave of absence will be granted to an employee who has been a victim of domestic violence or who has a family or household member who has been a victim of domestic violence. Except in cases of imminent danger to the health or safety of the employee or a family/household member, a leave of absence will be granted upon request and if supported by sufficient documentation of the act of domestic violence including, but not limited to:

- Documentation or report by a law enforcement official;
- Documentation or report by a domestic violence shelter; or
- Documentation or report by a medical care or mental health professional

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If not provided prior to the commencement of the leave, the above documentation must be provided within twenty-four (24) hours of the employee's return to work.

An eligible employee may take up to a maximum of three (3) days of leave in a twelve (12) month period. Additional time off may be granted by the Department Head, with the approval of the Clerk, as circumstances warrant. An employee is required to use all accrued leave which is available to the employee during domestic violence leave. If the employee does not have any leave time available, the leave is granted without pay.

The Clerk will keep all information relating to employee leave and personal identifying information that is contained in records documenting an act of domestic violence that is submitted under the requirements of this policy confidential and exempt from disclosure to the extent authorized by *Florida Statutes, Chapter 119.011*.

A written request for leave that is submitted under the requirements of this policy and any timesheet that reflects the request are confidential and exempt from *Florida Statutes, Chapter 119.07(1)* and *Section 24(a), Article I of the State Constitution* until one (1) year after the leave has been taken.



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g. OTHER LEAVE	December 2021

## **Purpose**

The purpose of this policy is to define other leave benefits provided by the Clerk's Office.

## **Policy**

### **Civic Leave**

An employee's civic responsibilities are duly recognized by the Clerk.

A full-time employee shall receive seven and a half (7.5) hours pay per day (pro-rata share for part-time employee scheduled to work) for any absence from work necessary to serve on a jury or to attend court as a witness under subpoena. The employee should complete a request in the electronic timekeeping system as soon as practicable after receiving the summons. If said jury duty is performed in a county other than Putnam County, the employee should provide a copy of the Jury Summons to their Department Head.

All employees are encouraged to participate in elections during non-working hours. If an employee is unable to accomplish this outside of work, the Clerk's Office will provide up to two (2) hours of paid time off to vote if requested at least two (2) days in advance of Election Day. An employee shall gain prior authorization from his/her supervisor to avoid potential disruptions to the office.

### **Leave Without Pay**

Approval of any personal leave without pay shall be at the discretion of the Chief Administrative Officer and the Clerk, upon approval of the Department Head. Written request for leave without pay must be submitted by the employee. Approved leave of this nature shall not constitute a break in the continuity of service. Leave without pay will not normally exceed ninety (90) days. An employee who has been placed on a leave of absence without pay and is, therefore, in a non-pay status for the entire day before a holiday, will not be eligible for holiday pay. An employee will not earn annual or sick leave credits while on a leave without pay absence. The Clerk's Office will maintain the employer's portion of the employee's health coverage under the group plan, however, the employee is responsible for paying their portion of the premiums. See Family Medical Leave Act Policy and Sick Leave Policy for more information. When an employee is on approved leave without pay, they are expected to return to work at the end of the approved period.

# Section V – Employee Benefits





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a. GROUP BENEFITS	December 2021

## **Purpose**

The purpose of this policy is to provide an overview of group benefits offered to Clerk employees.

## **Policy**

The Clerk's Office offers its employees a variety of benefits as part of the Putnam County Board of County Commissioners (County) group plans. These plans include, but are not limited to; life, dental, vision, health, short/long term disability, and other supplemental insurances. Regular, full-time employees are eligible for coverage on the first of the month following sixty (60) days of employment.

A complete benefits orientation will be conducted by the County with each new employee to inform the employee of the available choices.

The coverages selected by the employee will be paid through payroll deductions made on a bi-weekly basis. When an employee is in an unpaid status and required to pay premiums out of pocket, the employee is responsible for paying their share as well as the employer's contribution in a timely manner.

An open enrollment period is held each year to allow employees to make any desired changes to their benefits selections.

## **Employee Assistance Plan**

The Clerk's Office offers an Employee Assistance Program (EAP) to all full-time employees as a part of the benefits provided by Putnam County. The EAP provides free, confidential services for a variety of personal and family problems including drug and alcohol abuse, emotional, marital, family, financial and legal problems, and other related issues which can affect an employee's health, safety, morale, or job performance. In addition to the employee, the EAP is also open to immediate family members. The EAP can be quite successful when the problems are addressed early and a proper course of treatment is followed. Employees are eligible for the program on the first of the month after completing sixty (60) days of full-time employment. The first three (3) visits per incident are free of charge. Additional visits or treatment is the responsibility of the employee. These additional costs may be covered by the employee's medical insurance and may be eligible for co-pay.

Most employees seek the services of the EAP on a self-referral basis. Management may also refer employees to the EAP based upon their observations related to job performance. EAP assistance will not cause disciplinary action and is strictly confidential. No documentation will be maintained or noted in any public records. If the referral comes from management, the Department Head will only be told whether or not the employee accepted the services. Information from the EAP will only be released with the written permission of the employee, in accordance with State or Federal law, or by Court Order.



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b. BENEFITS CONTINUATION	December 2021

## **Purpose**

The purpose of this policy is to clearly define information for those employees that wish to continue benefits after separation of employment.

## **Policy**

For employees that leave employment with the Clerk's Office, all insurance coverage will end on the last day of the month in which the separation is effective.

An employee who loses coverage due to a reduction in hours or separation of employment for reasons other than gross misconduct are eligible to continue their coverage under COBRA ACT of 1985, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) as amended. COBRA continuation information will be sent to the employee's home address indicating benefit costs for medical and dental coverage.

COBRA creates an opportunity for the employee and qualified beneficiaries to have continued health insurance coverage when a "qualifying event" occurs that normally would cease these benefits.

Some common qualifying events:

- willful or forced termination of employment
- death of an employee
- reduction in an employee's hours or a leave of absence
- employee's divorce or legal separation
- dependent child no longer meeting eligibility requirements

Under COBRA, the employee or beneficiary pays the full cost of coverage at the Putnam County employee group rates plus an administration fee. The Clerk's Office provides a written notice describing rights granted under COBRA upon eligibility for coverage (hiring or placement) under the Putnam County employee health insurance plan. This notice contains important information about rights and obligations. All employees shall contact the Putnam County Human Resources Department for more information about COBRA.

Clerk retirees are eligible to continue health insurance benefits through the County. The benefit is administered by the Putnam County Human Resources Department in accordance with Florida Statutes; however, the entire cost is borne by the retiree.

**REFERENCES:** Federal Consolidated Omnibus Budget Reconciliation Act

**REVISED/REVIEWED:** September 2013, December 2021



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c. WORKERS' COMPENSATION	December 2021

## **Purpose**

The purpose of this policy is to clearly define the Clerk's Office Workers' Compensation Program and inform employees of their rights and responsibilities as it relates to Workers' Compensation.

## **Policy**

All Clerk employees, whether full-time, part-time, regular, temporary or seasonal, and volunteers, are covered by Workers' Compensation insurance in accordance with *Chapter 440, Florida Statutes*. A comprehensive Workers' Compensation insurance program is provided at no cost to Clerk employees and is administered in conjunction with the Putnam County Human Resources Department. This is pursuant to law and covers any injury or illness sustained in the course of employment with the Clerk's Office that requires medical attention of any nature from assessment to hospitalization or surgical treatment. This program is subject to applicable legal requirements, and timeliness of monetary compensation is relative to each situation.

In the event of an on-the-job injury, the employee must advise their Department Head immediately. It is the injured employee's responsibility to report all work-related injuries, no matter how minor, to his/her Department Head. The appropriate form(s) should be obtained from the Administrative Services Department and must be completed by the injured employee and the employee's Department Head. A copy of the completed form will be provided to the injured employee.

If non-emergency medical treatment is required, the employee must be seen by one of the network physicians as directed by the Administrative Services Department. The injured employee is to return all paperwork from the doctor's office (or ER if applicable) to the Administrative Services Manager or as soon as possible in order to expedite payment and processing of the claim.

## **Missed Work Time**

All absences due to a Workers' Compensation injury must be approved by an authorized doctor and shall be immediately reported to his/her Department Head and the Administrative Services Manager. Extended absences require the employee to have at least weekly communication with his/her Department Head and Administrative Services Manager to discuss their return to work status.

Employees absent due to a Workers' Compensation injury will receive their regular pay not to exceed seven (7) calendar days following the injury or a maximum of thirty seven and a half (37.5) work hours if taken intermittently without being required to use leave credits. These payments will only be made for injuries that have been reported, documented, and approved by an authorized medical professional. Any exception to this policy must be approved on a case-by-case basis by the Chief Administrative Officer and/or the Clerk.

The Family Medical Leave Act (FMLA) will run concurrently with Workers' Compensation coverage.

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c. WORKERS' COMPENSATION		December 2021

## **Return to Work**

An injured employee who returns to work after missing more than one (1) day must provide a release from an authorized doctor to the Administrative Services Manager prior to starting work.

If an injured employee is authorized to return to work with restrictions, the employee must provide documentation of those restrictions to the Administrative Services Manager prior to returning to work. The Manager, in conjunction with applicable members of the management/administrative team, will make a determination if the employee's restrictions can be accommodated in such a manner that would allow the employee to perform the essential functions of the position. If so, the employee may return to work at full pay.

All employees shall contact the Administrative Services Manager and/or the Putnam County Human Resources Department for more information about Workers' Compensation.

**REFERENCES:** F.S. 440

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d. RETIREMENT PLANS	December 2021

## **Purpose**

The purpose of this policy is to clearly define the retirement plan options for Clerk employees.

## **Policy**

All regular employees (both full-time and part-time) of the Clerk's Office participate in the Florida Retirement System (FRS). The Clerk pays retirement contributions equal to a certain percentage of the employee's salary each month. This figure is set by the State Legislature each year. In addition, each employee is required to contribute three percent (3%) of their salary into their retirement account. Employees will receive an information packet upon enrollment and will receive notifications as rules are revised by the State of Florida.

Employees are provided the option of participating in either the Pension Plan or the Investment Plan. New employees have eight (8) months from their date of hire to make a selection, and if no selection is made, the employee will automatically be enrolled into the Pension Plan.

## **The Pension Plan**

The FRS Pension Plan is a defined benefit plan, qualified under *Section 401(a) of the Internal Revenue Code*, with defined contribution options. Contributions are set by State law and are made to each participant's account based on their retirement membership class. In order to receive retirement benefits, the employee must be vested with eight (8) years of service (if the employee was enrolled in the FRS prior to July 1, 2011, he/she is vested after six (6) years of service). An employee can apply for early retirement once he/she is vested but the benefits will be reduced by five percent (5%) for each year under age 65. Full retirement benefits can be received when the employee has reached age 65 or thirty-three (33) years of service (age 62 or 30 years of service for employees initially enrolled prior to July 1, 2011). The amount of the employee's future benefit is determined by a formula, based on his/her earnings, length of service, and membership class. Additional time such as out-of-state service, military service and refunded service can be purchased after the employee is vested in order to add time to creditable service.

## **The Investment Plan**

The FRS Investment Plan is a defined contribution retirement plan in which contributions are set by state law and are made to each participant's account based on their retirement membership class. The term "defined contribution" means that the employer contributions are defined, not the benefit provided by the plan as in the FRS Pension Plan. The employer's contributions are deposited into a separate account established for the employee under the FRS Investment Plan. Benefits are based on the total value of the account at distribution. This amount is based on employer contributions, plus interest and earnings on those contributions, less fees and plan charges. Enrollment in the Investment Plan will be effective the first of the month following the month in which the enrollment form is received by FRS. An employee must complete one (1) year of service in order to be vested in all contributions and earnings on those contributions. The employee will direct the investment of the retirement account and will select from investment funds available through the plan. Participants can change the investment mix at any time; however, some restrictions may apply.



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Participants may not purchase credit for past service, prior service, or military service to increase their Investment Plan retirement benefit. When employment with all FRS employers ends, the participant can take the value of the account with them (regardless of age); or roll the balance over to another employer's retirement plan (if permitted by that plan) or into an Individual Retirement Account (IRA); or leave the value of the account in the Investment Plan until a later date of withdrawal or distribution. The retirement benefit will depend upon the account balance and the type of payout that is elected.

### **Deferred Retirement Option Program**

The Deferred Retirement Option Program (DROP) is available to eligible members of the Florida Retirement System (FRS) who are in the Pension Plan. Under this program, eligible FRS members may retire and have their FRS retirement benefits placed in a DROP account, earning a guaranteed interest rate, while simultaneously continuing to work for the same employer. The maximum length an employee can participate in the DROP is five (5) years (60 months). When the DROP period ends, the participant must terminate employment. At that time, the participant will receive payment of the accumulated DROP benefits, and direct receipt, thereafter, of the FRS monthly retirement benefit (in the same amount as determined at retirement, plus annual cost-of-living increases). Upon termination of employment, the employee has several options regarding the manner in which they receive their funds.

To be eligible for the DROP, employees initially enrolled in FRS prior to July 1, 2011, must have at least six (6) years of regular service at age 62 or 30 years of regular service at any age; and employees initially enrolled after July 1, 2011, must have at least eight (8) years of regular service at age 65 or 33 years of regular service at any age. Employees choosing to enter the DROP must notify the Administrative Services Manager of his/her intention to do so no later than the first of the month previous to the month they are eligible.

An employee participating in the DROP may decide to terminate employment earlier than his/her original program termination date. However, an employee will not be allowed to work beyond the pre-selected termination date once they are enrolled in the DROP. If an employee chooses to participate in the DROP for less than the maximum sixty (60) month period allowable, and decides later that he/she wishes to extend his/her participation, the employee may be eligible to do so with the approval of the Administrative Services Manager, as employer, and the State Division of Retirement. The employee will need to complete an updated form with the appropriate dates.

Once an employee becomes eligible for the DROP, she/he must make their election within a twelve (12) month election window that begins when the normal retirement eligibility date is met, unless the employee is eligible to defer their election. If an employee wishes to participate in the DROP, he/she may make their election up to six (6) months before the date they plan to participate. Each month the employee waits to enter the program, he/she loses that month of the DROP benefit. For example, if an employee decides to enter the program six (6) months after he/she is eligible, his/her maximum benefit will be fifty-four (54) months. This reduction applies only to the last period of eligibility in the program. If the employee does not apply for the DROP within their prescribed election window, she/he will lose their eligibility to participate.

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While enrolled in the DROP, employees will continue to accrue annual leave. At the time of the employee's decision to enter the DROP, an employee may choose to cash out up to 100% of their accrued annual leave. The amount of the employee's cash-out will be included as part of the calculation by FRS of his/her retirement benefit. If the annual leave payout received at the time the employee enters DROP was less than the maximum total hours permitted to be accrued per Clerk policy, the employee may receive a second lump-sum at the end of the DROP period for the difference between the hours initially paid and the maximum number of hours allowed to be accrued. Employees that apply for and are granted a second, lump-sum cash-out should be aware that the second cash-out does not apply to the calculation of their retirement benefit. If an employee elects not to cash out their annual leave at the time he/she enrolls in DROP, when the employee terminates employment with the Clerk's Office, any annual leave accrued will be cashed out in accordance with current policy. Employees are encouraged to use any accrued annual leave before their DROP period expires.

### **Deferred Compensation/Section 457 Retirement Plan**

Employees also have the option to enroll in a Deferred Compensation/457 Retirement Plan, which is a supplemental retirement plan approved by the Federal government under Section 457 of the Internal Revenue Code and by *Florida Statutes, Chapter 112.215*. The plan involves investing a portion of an employee's before-tax earnings in an approved retirement account. Participation is strictly voluntary and there is no employer match. Representatives of the 457 Plan offered are available by appointment for consultation on creating and maintaining an account.

**REFERENCES:** F.S. 112, Florida Retirement System, Section 401(a) of the Internal Revenue Code, Section 457 of the Internal Revenue Code

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e. CONTINUING EDUCATION	December 2021

## **Purpose**

The purpose of this policy is to encourage employees to continue their education and professional training in order to improve their skills, knowledge, abilities, and performance in efforts to enhance the quality of public service provided.

## **Policy**

The Clerk's Office values and promotes continuing education and professional training. The Clerk's goal is to improve the skills, knowledge, abilities, and performance of employees in order to enhance the quality of public service provided.

Approval for an employee to attend educational or training courses, conferences, webinars, and/or other Clerk's Offices' may be granted only if the Clerk's Office has sufficient budgeted funds and determines that the employee's productivity and contribution to the organization will increase as a result of the course/training/conference.

Employees interested in participating in continuing education and/or professional training are encouraged to first discuss the course/training with their Department Head. All requests to attend training courses that involve a fee must be submitted through the Travel Authorization Request and Reimbursement Form and signed by the employee's Department Head and approved by the Clerk.

Employees that wish to pursue higher educational opportunities may enroll in courses and request reimbursement for costs up to \$1,000 per employee for undergrad and \$2,000 per employee for graduate per fiscal year. Interested employees shall submit a statement of purpose and complete the Educational Reimbursement Form in its entirety. Appropriate enrollment documents, as well as receipts shall be included with the reimbursement request.

Employees completing such programs should forward a copy of the degree or certificate to the Administrative Services Manager for inclusion in the employee's personnel file.

# Section VI – Workplace Standards and Expectations





# ADMINISTRATIVE POLICY AND PROCEDURE MANUAL

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VI – WORKPLACE STANDARDS AND EXPECTATIONS

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**BASED ON CLERK OF COURTS RULE AND TITLE:**

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a. CONFLICTS OF INTEREST

December 2021

## Purpose

The purpose of this policy is to set business conduct guidelines for when an employee's personal interest might contradict the interest of the Clerk's Office. This policy attempts to illustrate several, but not all possible examples to help employees better understand potential conflict of interest and how they may be avoided.

## Policy

Employees shall avoid real or perceived conflicts of interest in the performance of their professional duties. Employees are required to exercise diligence in becoming aware of conflicts of interest, disclosing in writing conflicts to the Administrative Services Department, avoiding substantial conflicts of interest, and ending them when they arise.

Any situation that results in personal gain for an individual employee or someone an employee knows outside of the workplace is considered a conflict of interest. A conflict of interest exists when the employee's objective ability or independence of judgment in performance of his or her job is impaired or when the employee, his family, or his business would derive financial gain as a result of his position within the system.

Employees may not participate in any matter, as part of their official duties, if it would have a direct and predictable effect on their financial interests or those of their spouse, child(ren) or certain others (outside employer, general partner, etc.). Employees may not have any financial interests that might be a conflict of interest with their duties. If he or she does, it may be necessary to divest him/her, or disqualify himself/herself from certain matters, and the employee should talk to their Department Head and/or the Administrative Services Manager.

A conflict of interest exists when an employee or any member of their household is a participant in any Court case (including, but not limited to the issuance of a Uniform Traffic Citation). No employee shall update, receipt or maintain any data or documents pertaining to Official Records or any Court case including, but not limited to, Civil, Criminal, Traffic, Juvenile, Family Law, Probate, Child Support, or Official Records, or in the issuance of passports or marriage licenses, when the case personally involves the employee, or the case involves a family member, close personal friend or associate of the employee. If an employee inadvertently updates, processes, receipts, or maintains data or documents relative to the aforementioned records/cases, the employee shall immediately report this activity to his or her immediate supervisor.

Employees will immediately submit a written statement if a conflict of interest arises as outlined above or if outside employment occurs during the course of employment as described in the Clerk's policy on Outside Employment. Interactions or relationships of this sort does not imply a presumption of guilt.

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b. APPEARANCE AND WORK APPAREL	December 2021

## **Purpose**

The purpose of this policy is designed to guide employees on the required standards of dress and appearance. All employees shall maintain an appropriate standard of dress and personal appearance at work and conduct themselves in a professional manner while representing the Clerk's Office.

## **Policy**

The Clerk's Office is a public trust that represents the citizens of Putnam County. Clerk employees are the face of the government, representing the Clerk, the County, and the Courts. All employees are expected to project a professional image to customers, clients, and colleagues. While not all employees work in the courts area, the public may not distinguish the difference between the various functions or assignments of the office; therefore, all employees shall maintain a professional appearance.

It is the policy of the Clerk's Office that all employees shall present a neat, clean, and orderly appearance in keeping with a professional business atmosphere. It is generally understood that all Clerk employees maintain the business standards of attire, grooming, and personal hygiene representative of the Clerk's role in the community. Employees are expected to exercise good judgment and dress appropriately for their jobs, whether during regular working hours or when serving as a Clerk's Office representative at meetings, classes, and/or special events. All employees in leadership positions are required to be role models in their appearance, and are required to enforce the expectations for professionalism and dress, and to hold employees accountable for the standards outlined in this policy.

Professional business attire is encouraged. Employees are to arrive in clothing that is considered office appropriate. Clothing that is too revealing, overly tight fitting, excessively worn, soiled, transparent, or wrinkled shall be avoided. T-shirts, flip-flops, and slippers are considered to be not acceptable. Clothing that displays slogans or symbols that may be considered offensive shall also be avoided. Tattoos and non-traditional body piercings must be concealed. Extreme hair, makeup, and perfume are discouraged. If an employee is unsure if an item is work appropriate, he/she shall refrain from wearing said item until approved by the Department Head.

Determination of the appropriateness of an employee's specific attire and appearance is a supervisory responsibility. This policy is to be enforced in an equitable manner across the Clerk's Office. Department Heads are encouraged to work as a team to ensure consistent application and definition of the dress code. Employees who fail to follow the proper dress code will be counseled and subject to disciplinary action(s), including being required to leave the premises if necessary to change into appropriate attire.

The policy is not exhaustive in defining acceptable and unacceptable standards of dress and appearance, and staff must use common sense in adhering to the principles underpinning the policy.

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### **Special Circumstances**

Records Clerks, Mailroom Clerk, Inventory Clerk, couriers/runners, and/or employees assigned to highly physical tasks may wear denim and athletic shoes while performing these tasks. These exceptions must be approved by the employee's Department Head.

Exceptions to this policy may be made for the reasonable accommodation of religious beliefs and medical reasons. Employees seeking exceptions must provide a written request to the Administrative Services Manager for consideration by administration. In the event of such a request, the Clerk's Office will make a good faith attempt to provide an accommodation if doing so would not create an undue hardship such as a threat to health, safety or security, increased cost to the employer, decreased workplace efficiency, or an unjust burden on other employees. Each request will be evaluated on a case-by-case basis.

### **Court Proceedings/Juror Check-in/Performance of Marriage Ceremonies**

Employees who attend Court proceedings, handle juror check-in, and/or perform marriage ceremonies are required to meet a higher standard of dress and grooming. Female employees must wear business dresses, dress slacks, or a dress skirt, and dress blouse/dress sweater with a blazer. Dress shoes are required. Flat sandals are not permitted, although flat, closed-toe dress shoes are permitted. Male employees must wear dress slacks, a button-down dress shirt with a tie, and dress shoes. A suit jacket, blazer, or sport coat are the only acceptable jackets that can be worn. Hair must be neatly groomed and male employees' facial hair must be kept trimmed and neatly groomed.

### **Casual Fridays**

Clerk employees may participate in wearing jeans on casual Fridays. Employees may wear jeans (in neat condition, without holes, tears, stains, etc.), sneakers and an appropriate shirt unless otherwise instructed by their supervisor. T-shirts are not considered appropriate, with the exception of the approved Clerk t-shirts. If an employee does not wish to participate in casual Fridays, he/she shall wear appropriate, professional business attire as outlined above. Some job assignments preclude participating in Casual Fridays due to the requirements of the position.

It is at the discretion of the Clerk to allow additional casual days as an employee benefit through voluntary participation. These days will be optional for all employees. Some job assignments may preclude participating due to the requirements of the position.



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c. ATTENDANCE AND PUNCTUALITY	December 2021

## **Purpose**

The purpose of this policy is to set forth expectations regarding attendance and punctuality to promote efficiency and to minimize the disruptions and burdens that may result from unscheduled absences and tardies.

## **Policy**

Regular attendance and punctuality by employees is critical to the proper functioning of the Clerk’s Office and the services that are provided.

Each non-exempt employee is responsible for clocking in/out through the electronic timekeeping system at the beginning of the work day, when leaving and returning from lunch or personal business, and at the completion of the work day. Once an employee clocks in, work is to commence immediately. Failure to do so is considered falsification of timekeeping records.

Employees are strictly prohibited from clocking in/out for another employee or deceptively altering their hours worked under penalty of immediate dismissal.

Excessive tardiness or absenteeism cannot be tolerated, as the nature of work at the Clerk’s Office requires that someone be at work stations at all times. Each employee is required to work a full day unless prior permission is obtained. Regular attendance is expected and is an essential job function. Should it become necessary for an employee to leave his/her work station for any extended period of time, the Department Head must be notified. Progressive discipline may be instituted for habitual tardies or absences that cause a disruption and/or burden on an employee’s department.

Employees must follow the notification procedure found under the Clerk’s Leave Policies.



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d. DRUG AND ALCOHOL ABUSE	December 2021

## **Purpose**

The purpose of this policy is to eliminate drug and alcohol use and abuse in the workplace as said substances pose a threat to the health and safety of Clerk employees and to the security of the Clerk’s equipment and facilities.

## **Policy**

Employees are required to report to work substance-free and in a state of mind and physical condition so as to be able to perform all assigned duties and tasks safely and competently.

An employee shall be subject to substance or alcohol tests if there is reasonable suspicion that the employee is under the influence of alcohol, drugs, or controlled substances while on duty. Reasonable suspicion is a belief based on objective facts sufficient to lead a reasonably prudent person to suspect that an employee is under the influence of drugs or alcohol such that the employee's ability to perform the functions of the job is impaired or such that the employee's ability to perform the job safely is reduced.

The Clerk’s Office urges self-referral to the Employee Assistance Program (EAP) for any employee who is concerned about a personal problem with substance abuse, and mandates managerial referral to the EAP when job performance is affected.

Possession, distribution, sale, or influence of alcohol or illegal drugs while on Putnam County property or acting as representative of the Clerk’s Office is considered a severe violation and will be reviewed, measured, and dealt with through disciplinary action, potential option for clinical rehabilitation, and possible termination of employment. The Clerk’s Office has concern for each employee’s welfare and cannot allow such behaviors to negatively affect the workplace and others employed by or working with the Clerk.

Legal consequences may be considered if drug or alcohol misuse or abuse is detected in the workplace. If an employee feels as if he/she has a problem with drugs or alcohol, and has not been the subject of any disciplinary action, the Clerk’s Office will support their rehabilitation. The benefits offered are designed so that an employee can request and obtain approval for unpaid time off to participate in a rehabilitation or treatment program through eligible insurance coverage. This situation would require a level of communication and honesty with the Clerk’s Office that could result in job retention. The Clerk’s Office does not guarantee a return to previous or any position following unpaid leave for absences related to rehabilitation.

Employees should discuss this policy with their Department Head, the Administrative Services Manager, the Chief Administrative Officer, and/or the Clerk, without fear of reprisal. The Clerk’s Office does not serve to control behaviors outside of the workplace, but requests that employees do not wear clothing with the Clerk’s logo if participating in public, non-work activities involving alcohol.



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e. INTERNET, EMAIL, AND INTERNET USE	December 2021

## **Purpose**

The purpose of this policy is to clearly define guidelines and appropriate etiquette when utilizing the Clerk’s technological resources such as internet, email, and internet.

## **Policy**

Technological resources will be provided by the Clerk’s Office to all employees. Both the physical equipment and the activity that occurs on said equipment are considered property of the Clerk’s Office, and are under advisement of Putnam County IT Department. Employees may have access to various facets of potential computer applications, and should know and understand the implications of any actions taken when using a computer at work.

## **Telephone**

Phone etiquette portrays the professionalism of an office. Employees should bear in mind that the person they are speaking to cannot see them, therefore, voice mannerisms must project one’s best personality. Each employee is an ambassador of goodwill as a representative of this office. Be conscious of a person on hold and suggest returning the call or have the person call back, if the wait will be long.

Employees shall endeavor to limit long-distance calls when possible. Answer the caller’s questions as briefly as possible while still being courteous. Always refer the party to the proper person or department that can give them the information they are seeking. Employees should not attempt to answer questions or give directions for which they are not certain.

Personal use of office telephones and personal cell phones (including texting) should be limited to pressing or emergency needs while on duty. Personal, long-distance calls are not permitted on office telephones. Personal use of any telephone is prohibited by front counter employees while at their work station due to the negative public perception that is created, unless it is an emergency. Cell phones should not be visible to the public on the employee’s work station. If personal telephone use is necessary due to a pressing matter, the employee should step away from their work station momentarily to use their cell phone or an office phone at another work station that is out of public view.

## **E-mail/Voicemail**

The e-mail and voicemail systems are the property of the Clerk’s Office and are provided for use in conducting Clerk business. All communications and information transmitted by, received from, or stored in these systems are Clerk records and property of the Clerk. E-mail is to be used in accordance with the Clerk’s business standards, ethical practices, and Florida public records law. Employees who have e-mail access are cautioned that all messages written or sent may be viewed by others, and may be provided to outsiders in accordance with public records law requests.

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Employees are reminded to be courteous to other users of the e-mail and voicemail system and always to conduct themselves in a professional manner. E-mails are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users shall write e-mail communications with no less care, judgment and responsibility than they would use for letters written on Clerk letterhead.

Employees have no right of personal privacy in any matter stored in, created, received, or sent over the Clerk e-mail and voicemail system. The Clerk’s Office reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the e-mail and voicemail system, for any reason and without the permission of any employee. Use of passwords or other security measures does not in any way diminish the Clerk's rights to access materials on its system.

Employees should be aware that deletion of any e-mail, voicemail messages, and/or files will not truly eliminate the messages from the system. All e-mail messages are stored on a central back-up system in the normal course of data management.

The occasional use of the Clerk e-mail and voicemail system for personal purposes is permitted provided such use does not interfere with official business and is of minimal duration. The Clerk e-mail and voicemail system shall not be used to solicit for outside business ventures, personal events, charities, political causes, religious causes, or other matters not connected with the Clerk’s Office.

The Clerk’s Office’s policies against harassment apply fully to the e-mail and voicemail system, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no e-mail or voicemail messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability, or any other classification protected by law.

**Internet**

Employees have no right of personal privacy of Internet access/usage and stored in, created, received, or sent over the Clerk’s system.

Access to the Internet through the Clerk computer system shall not be used in the course of any outside business ventures, personal events, charities, political causes, religious causes, or other matters not connected with the Clerk’s Office. The Clerk’s Internet connection shall not be used to download games or other entertainment software, including wallpaper and screen savers, or to play games over the Internet. Employees may not illegally copy material protected under copyright law or make that material available to others for copying. Employees may not agree to a license or download any material without first obtaining the express written permission of a management team member or an IT Administrator.

The occasional use of the Internet for personal purposes is permitted provided such use does not interfere with official business and is of minimal duration.



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Employees are prohibited from Internet activities or use of Internet material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability, or other characteristic protected by law), or contrary to the Clerk's Equal Employment Opportunity (EEO) Policy and its policies against sexual or other harassment. Such material may not be downloaded from the Internet or displayed or stored on Clerk's Office's computers. Employees encountering or receiving this kind of material should immediately report the incident to their Department Head, the Administrative Services Manager, the Chief Administrative Officer and/or the Clerk. In the event an employee nonetheless encounters inappropriate or sexually explicit material while browsing on the Internet, they should immediately disconnect from the site.

### **Virus Awareness**

Files obtained from sources outside the Clerk's Office, including storage devices brought from home; files downloaded from the Internet; files attached to e-mail; and files provided by customers or vendors may contain dangerous computer viruses that may damage the Clerk computer network. Employees shall never download files from the Internet, accept e-mail attachments from unknown outsiders, or use storage devices from non-Clerk sources. If an employee suspects that a virus has been introduced into the Clerk's Office network, he/she shall notify IT immediately.

Violations of policies above will be taken seriously and may result in disciplinary action, including possible termination, and civil and criminal liability. The progressive discipline process will be utilized for abuses of this policy.



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f. EMPLOYEE SAFETY AND HEALTH	December 2021

## **Purpose**

The purpose of this policy is to ensure a safe, healthful workplace for all employees.

## **Policy**

The safety and health of all employees is the Clerk’s Office’s greatest concern. Employees are expected to comply with all safety and health requirements whether established by management or by Federal, state, or local law.

Department Heads shall be constantly alert to protect the safety and health of all employees. It is the responsibility of each supervisor to identify and report all accidents and unsafe conditions. All employees are encouraged to submit suggestions to the Administrative Services Manager concerning safety and health matters. These suggestions will be reviewed by the Chief Administrative Officer and Clerk, accordingly. It is the responsibility of the Chief Administrative Officer, along with the Clerk to conduct routine safety and health inspections.

If an employee is ever confronted with an emergency concerning one's health, whether it is another employee or a member of the public, the employee shall immediately call 911.



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g. EMERGENCIES AND EVACUATIONS	December 2021

## **Purpose**

The purpose of this policy is to set guidelines for emergencies and evacuations at the Clerk’s Office. This policy is not intended to supersede laws, regulations, and/or procedures set forth by other regulating entities.

## **Policy**

Upon order of evacuation, whether verbally or through an alarm, employees must immediately leave the building by use of the stairs. Employees should become familiar with evacuation routes from their work areas and/or follow exit signs to closest exit. If employees are not at their work station/in their office at the time evacuation is ordered, employees are not to return to collect personal belongings. Employees should follow County established evacuation plans as posted. Upon evacuation of the building, employees should gather in the designated area for further direction, unless conditions prohibit this action.

Members of the public who are in an office when an emergency occurs must be advised to leave the building and move away from it. Physically challenged members of the public should be assisted outside if it does not interfere with the safe evacuation of the building or directed to a designated safe location to await help. Physically challenged employees should be assisted outside if it does not interfere with the safe evacuation of the building or escorted to the designated safe location to await help.

Employees who become aware of an unknown suspicious odor or who discovers a suspicious package should immediately report such to their Department Head, the Administrative Services Manager, the Chief Officers, and/or the Clerk.

An employee receiving a bomb threat should record as much information as possible from the caller and immediately inform their Department Head, the Administrative Services Manager, the Chief Officers, and/or the Clerk, who will notify the proper parties and advise if an evacuation is needed.

Any time an unusual incident occurs, it should be reported to the employee’s supervisor/Director, the Director of Administrative Services and/or the Clerk Department Head, the Administrative Services Manager, the Chief Officers, and/or the Clerk immediately following the incident. This applies to actual or potential violence in the workplace, physical threats to individuals, missing property, and/or any other unusual or unique incident occurring in any office of which the Clerk should be notified. If in doubt, the employee should ask their supervisor.



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h. USE OF PERSONAL ELECTRONIC DEVICES	December 2021

## **Purpose**

The purpose of this policy is to clearly define expectations for use of personal electronic devices during work hours.

## **Policy**

Employees are permitted to bring personal communication devices to work, but should use discretion if the need to use a device (any type of device) arises. During regular work hours, ring tones and alerts should be on vibrate or silent. Except in cases of emergency, employees should wait until their lunch break or another break to conduct personal business. Personal phone conversations, text messages, personal emails, and use of internet on these devices should be conducted away from an employee's work station at a place and time that does not disturb co-workers. Minimal or incidental use is permitted.

Cell phones should be off or silent when attending a meeting or dealing with customers or coworkers. Extraordinary circumstances (e.g., family emergency), approved by a supervisor are the only exception.

Discriminatory or harassing comments to co-workers via any electronic means are prohibited. This includes, but is not limited to offensive messages, photos, or images that are sexual in nature or that are offensive to a person based on his or her race, color, religion, national origin, gender, sexual orientation, disability, or any other characteristic protected by federal, state, or local law. The Clerk's Office's policies on professional conduct, discrimination, and harassment apply to all electronic communications to its employees, customers, clients, and vendors.



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i. PUBLIC DISCLOSURE OF INFORMATION	December 2021

## **Purpose**

The purpose of this policy is to set regulatory compliance obligations that encompasses the spirit of transparency and fairness.

## **Policy**

All employees should be aware of serious legal responsibilities that are extended as an agent of the Clerk's Office. It is the responsibility of the Clerk's Office to maintain a balance between what the constitution states what is made accessible to the public and what has been deemed confidential.

Beyond the constitutionally guaranteed right of access to public records, the Clerk's Office complies with Florida principles of open government and the Sunshine Law. The Sunshine Manual provides some guidelines for compliance with information requests. Those who work in positions that require this specific knowledge and are responsible for redacting and producing items related to public records requests should be familiar with this law.

Employees are not precluded from responding to inquiries concerning procedures or simple requests for a copy of a record, but shall refrain from giving legal advice. Requests for information by an individual or the press which are not of a routine nature or that of an official public records request shall be directed to the Records Department and/or the Administrative Services Department. Disclosing of confidential information may result in termination of employment and potential legal action even if there was no direct or obvious benefit to the employee in violation of this policy. Although the Clerk's Office operates under the open government and the Sunshine Law, it is important for all employees to understand discretion and appropriateness.



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j. PERSONAL RELATIONSHIPS IN THE WORKPLACE	December 2021

## **Purpose**

The purpose of this policy establishes rules for the conduct of personal relationships between employees in an attempt to prevent conflicts and maintain a productive and respectful work environment.

## **Policy**

Displays of affection, favoritism, and/or excessive personal conversation during working hours between coworkers should be avoided. It is important that while at work, employees express themselves in a consistent and positive manner to all coworkers equally, while keeping work as the primary focus. Supervisors shall make an attempt to avoid the perception of favoritism. An employee that feels as if a relationship is hindering productivity and/or creating issues with morale is expected to notify their Chief Officer, the Administrative Services Manager, and/or the Clerk.

## **Romantic Relationships**

Consenting romantic or sexual relationships in the workplace are strongly discouraged due to the fact that such relationships may at some point lead to unhappy complications and significant difficulties for all involved. If a romantic or sexual relationship between a supervisor/manager/director and a subordinate employee should develop, it shall be the mandatory obligation of the supervisor/manager/director to promptly disclose the existence of the relationship to their Chief Officer, the Administrative Services Manager, and/or the Clerk.

In order to deal effectively with any potentially adverse consequences such relationship may have for the working environment, any person who believes that he or she has been adversely affected by such a relationship, notwithstanding its disclosure, is encouraged to make his or her views about the matter known to their Chief Officer, the Administrative Services Manager, and/or the Clerk.

This policy shall apply without regard to gender and without regard to the sexual orientation of the participants in a relationship of the kind described.

## **Relative Relationships**

Employee morale is and should remain a managerial focus. Sometimes situations such as employment of relatives in the same area may result in conflicts. Any situation that might be perceived by an employee as biased or unfair is given due consideration prior to employee placement. Potential for personal conflicts outside of work carrying over into daily operations is also given consideration.

Relative relationships in the workplace are examined according to lines of authority resulting in conflict of interest. Unless required by law, relatives of current employees will not be hired or transferred to a position that reports to or supervises another relative. If the Clerk's Office observes an actual conflict of interest arising out of potential placement, this could affect employment decisions superseding any other qualification. See the Clerk's Nepotism Policy for more information.



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k. SOCIAL MEDIA	December 2021

## **Purpose**

The purpose of this policy is to provide guidance for professional and personal use of social media.

## **Policy**

### **Agency Use**

The Clerk's Office uses social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. Social media provides a relatively new and potentially valuable means of assisting the Clerk's Office to communicate with internal and external stakeholders.

When developing or using social media, those employees who are authorized to use the Clerk's social media outlets should ensure, where possible, that the social media pages link to the Clerk's official website; the social media pages are designed for the target audience such as jurors or potential applicants for employment; the social media pages shall clearly indicate they are maintained by the Clerk's Office and shall have Clerk contact information prominently displayed; and that the social media content shall adhere to applicable laws, regulations, and policies. Authorized employees posting to the Clerk's social media outlets should ensure that the content is transitory in nature and does not set policy, establish guidelines or procedures, certify a transaction or become a receipt.

### **Personal Use**

The Clerk's Office recognizes the role that social media plays in the personal lives of some employees, and understands that employees may wish to create and maintain personal blogs or use social networking services. The Clerk has a duty to protect the reputation and integrity of the office and its employees, as well as guard against liability and potential legal risk. Because such activities can impact the Clerk's Office, employees are expected to follow these guidelines when posting to a personal blog or when participating in online social networking. By adopting this policy, the Clerk's Office is not seeking to limit the free flow of communication or any of the legal rights held by its employees or restrict employees from discussing their wages, hours and working conditions with co-workers and others while not at work. Additionally, nothing herein should be construed to prohibit communications which would be permitted under applicable law including, but not limited to, the Florida Public Employee Relations Act.

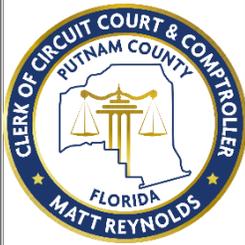
Employees are free to express themselves as private citizens on social media sites to the degree that their speech does not negatively affect the public perception of the organization. As public servants, employees shall keep in mind that they are held to a higher standard than the general public with regard to standards of conduct and ethics. When discussing matters that could be associated with the duties of the office, employees shall exercise caution and err on the side of discretion when the information's confidentiality is in question. Employees are expected to act responsibly with the information in which they are entrusted and to respect the Clerk, its employees, and customers.

Use of personal social media while on the clock or using Clerk equipment to conduct personal social media activities is prohibited. Employees are prohibited from using Clerk's Office e-mail addresses to register on social networks, blogs, or other online tools utilized for personal use.

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Unless specifically instructed, employees are not authorized to use social networking sites to speak on behalf of the Clerk. Employees should express only his/her personal opinions and should never represent himself/herself as a spokesperson for the Clerk’s Office. If the Clerk’s Office is a subject of the content an employee is creating, employees should be clear and open about the fact that he/she is an employee and should make it clear that his/her views do not represent those of the Clerk’s Office, co-workers, customers, other agency personnel, business associates, or vendors. If an employee does publish a blog or post online related to the work he/she does or subjects associated with the Clerk’s Office, he/she should make it clear that he/she is not speaking on behalf of the Clerk’s Office. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of the Clerk’s Office.”

Employees are not authorized to use the Clerk’s name to endorse or promote any product, opinion, cause, or political candidate without written approval. While many of the documents held in the Clerk’s Office are public record, Clerk employees will refrain from disclosing any information, confidential or public record, obtained in the course of employment with the Clerk.



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I. SOLICITATIONS, DISTRIBUTIONS, AND USE OF BULLETIN BOARDS	December 2021

## **Purpose**

The purpose of this policy is to outline restrictions for solicitation and distribution of materials in order to minimize distractions and interference with Clerk business.

## **Policy**

Employees may post literature regarding community events and organizations in office spaces not visible to the public, predetermined and approved by Department Heads. Employees may not solicit other employees during work times, except in the connection with a Clerk approved or sponsored event.

Employees may also ask the Administrative Office for permission to post in publically visible spaces, or to have information disseminated.

Persons not employed by the Clerk's Office may not solicit nor distribute literature on the property at any time for any purpose, unless authorized by the Administrative Office.



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m. TOBACCO IN THE WORKPLACE	December 2021

## **Purpose**

The purpose of this policy is to encourage individuals to refrain from utilizing tobacco products in the workplace. For this purpose, tobacco products include any product that contains tobacco or nicotine, including cigarettes, cigars, pipes, electronic tobacco products, chewing tobacco, and/or any other smoke/smokeless tobacco products.

## **Policy**

The Clerk's Office is a tobacco free workplace. Smoking (including smokeless tobacco products) by anyone (employees, customers, and visitors) is prohibited throughout the workplace. The Clerk's Office discourages smoking (use of smokeless tobacco), but if an employee feels the need he/she shall go outside at approved times (breaks and lunch). In efforts to be courteous to the Clerk customers, the Clerk's Office prefers that employees refrain from smoking (utilizing smokeless tobacco) in high traffic, public areas. The Clerk's Office requests individuals to be respectful of the County's property and properly dispose of used smoking material.



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n. VIOLENCE IN THE WORKPLACE	December 2021

## **Purpose**

The purpose of this policy is to clearly define the expectations relating to violence in order to prevent workplace violence and create a safe environment for all employees and visitors.

## **Policy**

The Clerk's Office is committed to preventing workplace violence and to maintaining a safe work environment. Acts of violence will not be tolerated.

All employees, customers, vendors, and business associates shall be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay", and/or other conduct that may be dangerous to others. Conduct that threatens, intimidates, or coerces another employee, customer, vendor, or business associate will not be tolerated. Clerk's Office resources may not be used to threaten, stalk, or harass anyone at or outside the workplace. The Clerk's Office treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence, and suspicious individuals or activities shall be reported as soon as possible to a Department Head, the Administrative Services Manager, the Chief Officers, and/or the Clerk. When reporting a threat or incident of violence, the employee shall be as specific and detailed as possible. Employees shall not place themselves in peril, nor should they attempt to intercede during an incident. Employees shall promptly inform their Department Head and the Administrative Services Manager of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regard to intimate partner violence. The Clerk's Office will not retaliate against employees making good-faith reports as the Clerk's Office is committed to supporting victims of intimate partner violence by providing referrals to the Employee Assistance Program and community resources and to providing time off for reasons related to intimate partner violence.

The Clerk's Office will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. The Clerk's Office will not retaliate against employees making good-faith reports of violence, threats, or suspicious individuals or activities. Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to, and including termination of employment.

The Clerk's Office encourages employees to bring their disputes to the attention of their Department Head, the Administrative Services Manager, the Chief Officers, and/or the Clerk before the situation escalates.



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o. HARASSMENT IN THE WORKPLACE	December 2021

## **Purpose**

The purpose of this policy is to clearly define harassment in the workplace and the expectations of the Clerk's Office regarding said behaviors.

## **Policy**

The Clerk's Office is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the Clerk's Office expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice, and harassment.

These policies apply to all applicants and employees, and prohibit harassment, discrimination, and retaliation whether engaged in by fellow employees, by a Department Head, or by someone not directly connected to the Clerk's Office (e.g., an outside vendor, consultant, or customer). These policies are applicable to all forms of communication, including but not limited to e-mail, voicemail, instant messaging, chat rooms, and public internet posting.

## **Sexual Harassment**

Sexual harassment is a form of employee misconduct which undermines the integrity of the employment relationship. Clerk policy dictates that all employees be able to work in an environment free from unsolicited and unwelcome sexual overtones. It is a violation of Clerk policy for any employee to engage in any act or behavior as defined herein as sexual harassment. The Clerk will take corrective action against any employee deemed to have violated this policy. Such action will include a range of disciplinary measures, up to and including termination.

Sexual harassment is defined as in the *Equal Employment Opportunity Commission Guidelines*, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, or sexual deficiencies; leering, catcalls, or touching; insulting, or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal, or visual conduct of a sexual nature. Sex-based harassment, that is harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males), may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

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## **Harassment Based on Protected Classes**

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her gender, race, color, religion, national origin, age, disability, or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; and denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

## **Reporting an Incident of Harassment, Discrimination or Retaliation**

The Clerk's Office strongly urges the reporting of all incidents of discrimination, harassment, or retaliation, regardless of the offender's identity or position. A number of individuals are available to employees for the purpose of reporting problems of this nature. Employees shall first report incidents or problems to their Department Head. If an employee does not receive relief, the problem is not eliminated, or the complaint is against their supervisor and/or Department Head, they shall report the problem to the Chief Administrative Officer. Department Heads must immediately notify the Administrative Services Manager and/or the Chief Administrative Officer of any/all complaints of harassment reported by employees.

Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly, thoroughly, and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Misconduct constituting harassment, discrimination, or retaliation will be dealt with promptly and appropriately.

The Clerk's Office has a compelling interest in protecting the integrity of its investigations. In every investigation, the Clerk's Office has a strong desire to protect witnesses from harassment, intimidation, and retaliation, to keep evidence from being destroyed, to ensure that testimony is not fabricated, and to prevent a cover-up. The Clerk's Office shall reasonably impose confidentiality requirements during investigations. If an involved party does not maintain such confidentiality, he/she may be subject to disciplinary action, up to and including immediate termination. The Clerk's Office may decide in some circumstances that in order to achieve these objectives, an external investigator may be consulted.

As in all grievances, it is the employee's responsibility to factually support the allegations. Based on the serious nature of discrimination, harassment, and/or retaliation allegations, grievances shall be closely scrutinized and unsubstantiated charges may result in severe consequences, including disciplinary action.



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## **Retaliation**

The Clerk's Office prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action, up to and including termination.



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p. CONFLICT RESOLUTION	December 2021

## **Purpose**

The purpose of this policy is to provide a timely, effective methodology for conflict resolution that is applied consistently in order to resolve employee related concerns.

## **Policy**

Problems, misunderstandings, and frustrations may arise in the workplace. It is the Clerk's Office's intent to be responsive to its employees and their concerns. The environment at the Clerk's Office is created and maintained by the at-will employment structure and the Clerk's commitment to providing the best possible working conditions. Open discussions, as needed and without fear of reprisal, are encouraged when necessary.

Fair and honest treatment of all employees ties directly to satisfactory and efficient completion of work tasks. All employees are expected to treat each other with respect. There may be a time that positive, constructive criticism is welcomed and necessary to improve workplace environment and conditions. Reasonable, professional expressions of a formal or informal nature will not be penalized.

## **Procedure**

Any concern or disagreement with established rules of conduct, policies, or practices should be expressed through the structured problem resolution procedure below:

### **Step 1: Discussion with Department Head**

- a. Initially, employees should bring their concerns or complaints to their Department Head. A discussion with all involved parties should take place. If the complaint involves the employee's Department Head, the employee should schedule an appointment with the Administrative Services Manager to discuss the problem that gave rise to the complaint.

### **Step 2: Written complaint and decision**

- a. If the discussion with the Department Head does not resolve the problem to the mutual satisfaction, the employee may submit a written complaint to the Chief Administrative Officer.

The submission of the written complaint should include:

- The problem and the date when the incident occurred.
- Suggestions on ways to resolve the problem.
- A summary of the response and the date when the employee met for a discussion (Step 1). If there was no response, the complaint should state this.



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- b. Upon receipt of the formal complaint, the Chief Administrative Officer must immediately schedule a meeting with the employee to discuss the complaint. After meeting with the employee, the Chief Administrative Officer shall make an effort to determine a resolution. A decision on how the conflict will be resolved should be given to the employee that filed the complaint in a reasonable amount of time.

**Step 3: Appeal of decision**

- a. If the employee is dissatisfied with the decision made, the employee may, within five (5) working days, appeal this decision in writing to the Chief Administrative Officer.
- b. The Chief Administrative Officer may call a meeting with the parties directly involved to facilitate a resolution or refer complaints to the Clerk if he/she believes that the complaint raises serious questions of fact or interpretation of policy.

**Additional Guidance**

If an employee fails to appeal within the time limits set forth above, the problem shall be considered settled on the basis of the last decision, and the problem shall not be subject to further consideration.

Because problems are best resolved on an individual basis, the conflict resolution procedure may be initiated only by individual employees and not by groups of employees. All complaints must be made in good faith.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussing mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of the efficient and harmonious work environment the at-will employment implies.

The Clerk's Office reserves the right to impose appropriate disciplinary action for any conduct it considers to be disruptive or inappropriate. The circumstances of each situation may differ, and the level of disciplinary action may also vary, depending on factors such as the nature of the offense, whether it is repeated, the employee's work record, and the impact of the conduct on the organization.

No Clerk employee will be subject to retaliation for filing a complaint under this policy.



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q. WHISTLEBLOWER POLICY	December 2021

## **Purpose**

The purpose of this policy is to protect individuals who report activities believed to be illegal, dishonest, unethical, or otherwise improper.

## **Policy**

The Clerk's Office defines "whistleblower" as an employee who reports an activity considered to be illegal, dishonest, unethical, or otherwise improper. An employee who assumes the role of whistleblower is not responsible for investigating related activity, determining or helping to determine fault, identifying potential corrective measures, and/or disciplining employee(s) subject to review. All reports of illegal and dishonest activities will be promptly submitted to the Administrative Services Manager who, in conjunction with the Chief Administrative Officer and Clerk, is responsible for investigating and coordinating corrective action.

A whistleblower should not fear retaliation nor being attacked or rejected by superiors or coworkers for revealing information that may or may not lead to conflict resolution. However, intentional false reports may result in disciplinary action towards the whistleblower, up to and including termination. Throughout the vetting process, after a report or suggestion has been conveyed or filed, the whistleblower's identity will be kept confidential unless agreed upon by the highest authority in play or deemed by law that further interaction from a given whistleblower is required.

All efforts should be made by management and administration to protect a whistleblower from feeling distracted from day-to-day work or compromised in any workplace situation as a result of communicating observed activity. Conversely, administration is not obligated to the whistleblower to reveal actual or potential resolution to a reported issue.

Examples of situations which should be reported are not limited to:

- violation of federal, state, or local laws
- direct violations against administrative policy and procedures
- sexual harassment and other discrimination
- physical violence or threats thereof
- submission of inaccurate time worked
- disclosure of information related to court activities outside of a Sunshine Request
- billing for services not performed or goods not delivered
- not billing for services performed without express consent of a superior
- fraudulent financial reporting

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Examples of unlawful retaliation against a whistleblower are not limited to:

- termination
- decrease in compensation
- immediate change of work assignments
- threats of physical harm
- emotional abuse as it relates to revenge

Employees with any questions regarding this policy should contact the Administrative Services department.

**REFERENCES:** F.S. 112.3187, 112.3188

**REVISED/REVIEWED:** September 2013, December 2021



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## **Purpose**

The purpose of this policy is to clearly define fraud as it relates to any irregularities or suspected irregularities and to establish controls that will aid in the detection and prevention of fraudulent activities.

## **Policy**

The Clerk's Office recognizes the importance of protecting the organization, its operations, its employees, and its assets against financial risks, operational breaches, and unethical activities. It is the intent of the Clerk's Office to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of controls and conduct of investigations.

Therefore, it is incumbent upon all employees to understand the fraud policy and to institute and clearly communicate it to both internal and external customers, contractors, agencies, consultants, vendors, and/or any other parties with a business relationship with the Clerk's Office.

The Clerk's Office recognizes a zero tolerance policy regarding fraud and corruption. All matters raised by any source will be taken seriously and properly investigated. This policy covers all Clerk employees and administration, as well as vendors, customers, and partners to the extent that any Clerk resources and/or functions are involved or impacted.

Fraud is defined as an intentional deception, misappropriation of resources, or the manipulation of data to the advantage or disadvantage of a person or entity. Some examples of fraud include, but not limited to:

- Falsification of expenses and invoices
- Theft of cash or fixed assets
- Alteration or falsification of records
- Failure to account for monies collected
- Knowingly providing false information on job applications and requests for funding

Corruption is defined as the offering, giving, soliciting, or accepting of an inducement or reward that may improperly influence the action of a person or entity. Some examples of corruption include, but not limited to:

- Bribery
- Conspiracy
- Extortion

Each Department Head shall be familiar with the types of improprieties that might occur within his or her area of responsibility and be alerted for any indication of irregularities.

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## Reporting of Fraud or Corruption

Allegations and concerns about fraudulent or corrupt activity may come from various sources. The public, employees, and administrators have a duty to report concerns they may have or any information provided to them about possible fraudulent or corrupt activity. Any person who has a reasonable basis for believing fraudulent or corrupt acts have occurred has a responsibility to report the suspected act immediately. This information may be reported anonymously to any employee.

It is the responsibility of the individual receiving the report to forward any and all concerns to the Clerk. If the allegations concern the Clerk, the attorney will be notified and will contact an appropriate external agency to assist in the investigation. These reports will be taken seriously and the Clerk will designate appropriate personnel to do the investigation. If deemed necessary, the Clerk will notify and fully cooperate with the appropriate law enforcement agency. All findings of fraudulent or corrupt activities that result in disciplinary action will be reported to the Administrative Services department.

Retaliation and retribution will not be tolerated against any employee who reports suspected fraudulent or corrupt activities. Any employee making a good-faith report under this policy will be protected to the fullest extent possible under the *Public Sector Whistleblower Act, Sections 112.3187 and 112.3188, Florida Statute*. However, if an employee is determined to have acted maliciously or with deceit, the employee will be subject to disciplinary action, up to and including termination.

No attempt shall be made by anyone other than those authorized, to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act. Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the Clerk's Office from potential civil liability.

## Corrective Action

Offenders at all levels of the Clerk's Office will be treated equally regardless of their position, years of service, or relationship. Determinations will be made based on a finding of facts in each case, actual or potential damage to the organization, cooperation by the offender, and legal requirements. Depending upon the seriousness of the offense and the facts of each individual case, action against an employee can range from written reprimand, up to and including termination, and/or legal action – either civil or criminal. In all cases involving monetary losses, the Clerk will pursue recovery of losses.

If an investigation results in a recommendation to terminate an individual, the recommendation will be reviewed for approval by the Chief Administrative Officer and the attorney and, if necessary, by outside counsel, before any such action is taken. Final determination regarding action against an employee, vendor, recipient, or other person found to have committed fraud or corruption will be reviewed by the Clerk. The Clerk is responsible for the administration, revision, interpretation, and application of this policy.



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### **Deterring Fraud and Corruption**

The Clerk's Office has established internal controls, policies, and procedures in an effort to deter, prevent, and detect fraud and corruption. All employees are required to sign an acknowledgement of the Administrative Policy and Procedure Manual upon initial employment and agree to abide by it. These acknowledgement forms will be maintained in the employee's personnel file in the Administrative Services department.

**REFERENCES:** F . S . 112.3187, 112.3188

**REVISED/REVIEWED:** September 2013, December 2021



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## **Purpose**

The purpose of this policy is to define other standards and expectations set forth by the Clerk’s Office.

## **Policy**

### **Confidentiality and Use of Official Information**

An employee shall not disclose to any unauthorized person any confidential information acquired in the course of employment, or acquired through unauthorized disclosure by another, for any purpose except as noted below. Confidential information includes, but is not limited to, information on pending cases that is not already a matter of public record and information concerning the decision-making processes of particular Judges. Confidential information that is available to specific individuals by reason of statute, court rule, or administrative policy shall be provided only by persons authorized to do so. Department Heads within the Clerk’s Office shall educate employees about the kinds of information that are confidential and should, where appropriate, designate materials as confidential. It is important to notify the Records department of any official information request so that the appropriate information is disseminated consistently.

### **Expectation of Privacy**

Because of the nature of the Clerk’s Office’s work and the fact that this is a public office and the majority of our records are public information, there should be no expectation of privacy by employees, except as provided by Florida Statutes. This includes, but is not limited to, correspondence, files, e-mail, calendars, and any other communications, regardless of the media type. The Clerk reserves the right to search desks, furniture, offices, file cabinets, cubicles, overhead compartments, or any other area necessary, with or without notice.

### **Office Areas**

Work areas shall be kept as clean and orderly as possible. Personal effects should be limited in order to maintain a professional, business atmosphere. Food should not be stored in the work area unless it is in a sealed, airtight container. Employee break rooms/coffee areas should be maintained in a clean manner as they are a part of the Clerk’s Office. It is the responsibility of each employee to clean up after themselves, including dishes, coffee cups, and items in refrigerators.

### **Children in the Workplace**

Employees shall not bring their children to the workplace (including breakrooms) on a routine basis. If extenuating circumstances exist that require an employee to bring their child to the workplace on a particular day for a short period of time, a request shall be made through their Department Head. In those non-routine instances where children are present, they must be kept under control at all time so that the working atmosphere is not disrupted and shall be kept out of customer facing areas.

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### **Delivery of Personal Merchandise to Office**

Employees shall not routinely have personal merchandise delivered to the Clerk's Office by UPS, Federal Express, etc. In the event that it is necessary to have something delivered to the office, the name of the Clerk's Office shall not appear on any invoices or billings in order not to create a liability on the part of the Clerk's Office. Also, the Clerk's Office tax exemption number shall never be used for personal items.

### **Political Activity**

The Clerk encourages employees to become actively involved in the community and to participate in the political process. All employees retain the right to vote as they choose and are free to participate actively in political campaigns during non-working hours. This participation may include displaying campaign literature, soliciting signatures for a candidate, making contributions of time or money, or endorsing one candidate over another. Employees are prohibited from political activity during working hours and may not use their title, position, or authority while conducting such activity.

No employee shall discriminate in favor of or against any employee or applicant for employment on account of his or her political contributions or permitted political activities.

An employee considering running for a public office must file a notification with the Clerk prior to making an official application or announcement. The employee may be required to resign or take a leave of absence upon qualifying for office. An employee seeking to run against an incumbent Clerk is required by law to resign immediately upon qualification.

### **Abuse of Position**

No employee of the Clerk's Office shall use or attempt to use his or her official position to secure unwarranted privileges or exemptions for himself or herself, his/her family, or others. This includes, but is not limited to, personal access to documents not associated with their official Clerk's Office duties. An employee must identify when they are requesting information or to review documentation for personal use. Clerk employees will be treated the same as any member of the public when they request to view files for personal reasons not associated with their official Clerk's Office duties.

Ex parte communication with Judges involving a case in which an employee, a family member, or a friend is involved is strictly prohibited. An employee shall not use their position to try to intercede on behalf of friends or relatives in any kind of dealing with the Clerk's Office. An employee shall not discriminate by dispensing special favors or privileges to anyone, nor shall any employee so act that the employee is unduly affected by kinship, rank, position, or influence of any party or person. An employee shall not request or accept any fee or compensation, beyond that received by the employee in his or her official capacity, for advice or assistance given in the course of his or her public employment.



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An employee shall not solicit or accept any gift, favor, or anything of value based upon any material understanding, either explicit or implicit, that the official actions, decisions, or judgment of any employee would be influenced thereby. Any gift, including meals or entertainment, when carrying a minimal value (\$20 or less), may be accepted with the Department Head’s approval, if it cannot be construed that it was offered to influence the employee's judgment or action. It is the employee's responsibility to avoid the appearance of conflict of interest, and discretion should be used in accepting anything of value. If there is any doubt about the intent of the person giving the gift, or if its value is not clearly minimal, the employee must decline to accept it.

An employee shall not use their position to endorse any product, service, or company. Employees of the Clerk’s Office may not use their official position when making public statements to the media unless previously approved by the Clerk.

# Section VII – Employment Separation





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a. TYPES OF EMPLOYMENT SEPARATION	December 2021

## **Purpose**

The purpose of this policy is to clearly define the different types of employment separation.

## **Policy**

Separation of employment is an inevitable part of personnel activity within any organization and many of the reasons for separation are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- **Resignation** – voluntarily initiated by employee
- **Job Abandonment** - voluntarily initiated by employee without written notice
- **Reduction in Force** – involuntary employee separation initiated by the Clerk’s Office due to organizational change or budget reduction
- **Dismissal/Termination** – involuntary employee termination initiated by the Clerk’s Office
- **Retirement** - voluntarily initiated by employee meeting age, length of service, and any other criteria for retirement from the organization
- **Death or Permanent Disability**

The at-will employment policy carries over throughout the termination process, and final paycheck will be transferred in accordance with applicable laws. Any accrued and vested benefits due and payable upon termination will be paid. Benefits (medical, dental, and life insurance, etc.) end on the last day of the month in which the employment separation occurs. An employee, unless dismissed for gross misconduct, has the option to convert to individual life insurance, and/or to continue Medical/Dental Benefits in accordance with the Consolidated Omnibus Budget Reconciliation Act ("COBRA") regulations.

## **Resignation**

All employees shall be required to submit written notice of resignation. The Clerk’s Office requests that the written notice be submitted at least two (2) weeks prior to the effective date of such resignation. Failure to submit written notice may be deemed as job abandonment and may result in the forfeit of payout for accrued leave.

## **Reduction in Force**

An employee may be separated for such reasons as lack of work, lack of funds, changes in organizational structure, etc. Employees affected by such reductions in force shall receive no less than a two (2) weeks written notice of termination. Such termination will be without adverse effect on the employee's eligibility for further employment. Employees shall be paid for accrued annual leave in accordance with the leave policies in place. Employees may be eligible for a payout of sick leave accruals in accordance with policy, regardless of longevity contingent on budgetary availability and Clerk approval.

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## **Dismissal/Termination**

An employee may be terminated/dismissed at the discretion of the Clerk. A Department Head may initiate a termination and/or dismissal through the Chief Administrative Officer, however, the final decision will be made by the Clerk.

Certain violations, by their nature, may be severe enough to require immediate termination. Examples of such violations include, but are not limited to:

- being under the influence of intoxicants on the job/premises (drugs or alcohol)
- theft of County property or property of fellow employees
- conviction of a criminal charge
- falsifying County records
- theft of County funds
- threatening or abusive behavior
- sexual harassment
- willful insubordination
- deliberately making false statements in order to deceive
- possession of a deadly weapon on County property (gun, switchblade knife, etc.) unless authorized by proper authority
- official misconduct
- other ethics violations



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b. EXIT INTERVIEWS	December 2021

### Purpose

The purpose of this policy is to identify workplace, organizational, or human resources factors that have contributed to an employee's decision to leave employment; to enable the Clerk's Office to identify any trends requiring attention or any opportunities for improving the company's ability to respond to employee issues; and to allow the Clerk's Office to improve and continue to develop recruitment and retention strategies aimed at addressing these issues. This policy covers the procedures to be adopted when employees leave employment voluntarily.

### Policy

This policy applies to all employees including those taking early retirement and voluntary severance. Exceptions include temporary or contract employees and employees discharged for cause.

Upon receiving a letter of resignation, the designated human resources representative will contact the employee in writing, sending an Exit Interview Questionnaire and inviting him/her to attend an exit interview at a mutually convenient time. The exit interview should be scheduled as soon as possible after the confirmed leaving date has been received by human resources.

The employee will first complete the Exit Interview Questionnaire on their own, before the in-person exit interview takes place. This questionnaire will provide administration with the information and data that will be used in reporting measures at a later time. The questionnaire will allow for the employee to answer a set of standard questions as well as the opportunity to provide written feedback or any information they feel would be beneficial for the Clerk's Office to know about their employment experience.

During the in-person exit interview, the employee will meet with the Clerk as well as a human resources representative. The employee will be asked a few questions from a set of standard questions. The goal of this interview to be an open dialog so that the employee has a chance to discuss any concerns or information they feel would be beneficial for the Clerk to know about their employment experience.

If an employee chooses not to participate in an exit interview, he/she will be encouraged to at least, complete an Exit Interview Questionnaire.

### VOLUNTARY PARTICIPATION AND CONFIDENTIALITY

Employees are responsible for participating in the exit interview process on a voluntary basis. If an employee chooses to participate in an exit interview, he/she will be encouraged to be honest, candid, and constructive in their responses.

The information received through exit interview process will be confidential. No specific information that could possibly be traced back to an ex-employee will be disseminated or discussed.

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## REPORTING

The information gathered during an exit interview will be reviewed and analyzed by the Administrative Services Department to identify areas and/or determine trends that may need to be addressed. Once the areas and issues are identified, the Administrative Services Manager will provide a report to Administration to determine the best route of remedy.

The analysis and review will include:

- appropriate statistical information regarding the number and distribution of employee departures during the preceding year and her/his reasons for leaving;
- an analysis and discussion of any trends or common themes which are suggested by the exit interview feedback;
- a summary of any actions or interventions taken during the year on the basis of exit interview information; and
- any actions taken in order to address any concerns or opportunities which are identified through exit interview feedback.