

# CAREERSOURCE TAMPA BAY

## EMPLOYEE HANDBOOK

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Last Revised August 27, 2018

## INTRODUCTION

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This Employee Handbook gives you information about CareerSource Tampa Bay's policies, procedures, and benefits. It is a guide to help you understand the organization better and to help you understand our expectations of you as a member of our team. Please read it carefully and refer to it often.

No employee handbook can anticipate every circumstance or question about policies. As CareerSource Tampa Bay continues to grow, the need may arise to revise the Employee Handbook. CareerSource Tampa Bay reserves the right to revise, supplement, or rescind any policies or portion of the Employee Handbook from time to time, with or without notice, as it deems appropriate in its sole and absolute discretion. Employees will, of course, be notified of such changes to the Employee Handbook as they occur. Management cannot override these policies, unless otherwise stated. Any changes to the policies must be approved by the Board of Directors.

This handbook is the property of CareerSource Tampa Bay, and it is intended for your personal use and reference as an employee. Employees should not circulate this handbook outside the organization without the approval of the President & CEO. This handbook remains the property of CareerSource Tampa Bay and must be returned upon request.

No individual manager has the authority to enter into any agreement contrary to what is stated within, and nothing said before or during employment can change or modify these stated policies.

Nothing in this handbook is meant to, or should be construed as, preventing employees from engaging in acts authorized by law, such as exercising rights to engage in concerted activities for the purpose of mutual aid or protection.

This handbook is not an employment contract and does not guarantee employment or the terms and conditions of employment. The information contained in this book supersedes and replaces all previous personnel policies, practices, and guidelines.

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## **CAREERSOURCE TAMPA BAY**

### **EMPLOYEE HANDBOOK**

## **Welcome to CareerSource Tampa Bay**

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### **A Message from the Board of Directors**

This Employee Handbook is offered to long term and recently hired staff of CareerSource Tampa Bay as an occasion to acquaint them with the employment environment in which they have chosen to work. The Board and administration of CareerSource Tampa Bay are committed to including employees in the team effort to meet the goals and expectations of the organization. It is important that all employees are guided by common principles:

1. Our partners, customers, and the general public deserve prompt, courteous, and competent service.
2. We share the responsibility of contributing to the dynamics of the regions we serve.
3. We should continually strive to improve the quality of life of those we serve.
4. Each staff member's work is valuable and necessary for achieving the goals of the organization.

CareerSource Tampa Bay constantly strives to exemplify excellence in public service as it strives to meet the needs of the regions' workforce and business communities. To that end, CareerSource Tampa Bay employs a qualified staff of which you are an integral part. This Handbook is provided to assist you by –

- Making you feel welcome as a valued employee.
- Letting each employee know expectations in terms of department and basic agency rules.
- Informing each employee of the benefits provided by the Agency.
- Letting the employee know how the Agency complies with various employee related laws.
- Introducing the employee to the Agency.

### **About CareerSource Tampa Bay**

CareerSource Tampa Bay is a driving force in delivering workforce solutions that support economic development in Hillsborough County.

CareerSource Tampa Bay offers a full range of career planning services for professional and entry level candidates, including career orientation; turnkey resource centers that assist in the candidate's job search; career fairs; interviewing techniques; labor market information specific to occupations and industries in demand; as well as resume building tips, salary and wage information, and more; and professional networking.

CareerSource Tampa Bay strengthens the competitive edge of local businesses in measurable

ways that lead to the economic vitality of the region. A team of business consultants, dedicated to specific industry sectors, works as a partner with local businesses to provide innovative, value-added workforce solutions. CareerSource Tampa Bay provides businesses with a wide range of professional services, including: employee referral and recruitment, training and retraining, workshops and business seminars on a variety of human resource and workforce topics, labor market statistics, targeted career fairs, downsizing and retention support strategies, tax credit information, and other customized support for a well-trained workforce.

CareerSource Tampa Bay offers full-service center locations in Tampa, Brandon, and a satellite center in Ruskin. The centers provide services for employers and employment candidates, including turnkey business centers for copying, faxing, and internet access. It also offers conference and meeting space at affordable rates at these locations for the convenience of employers.



## **Company Philosophy**

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### **Mission of CareerSource Tampa Bay**

CareerSource Tampa Bay shall strive to enhance the provision of workforce development services, increase the involvement of the business community, including small and minority business in workforce development activities, to increase private sector employment opportunities, and to ensure the economic health in and for Hillsborough County, Florida. Special emphasis shall be placed on service to welfare recipients, economically disadvantaged adults and youth, dislocated workers, and individuals and employers needing workforce development services as identified in the CareerSource Tampa Bay Five Year Strategic Plan.

CareerSource Tampa Bay shall use available funding in ways that will most effectively satisfy the labor demand needs of the residents and business community of Hillsborough County to enhance the economic well-being of the community.

### **Equal Employment Opportunity**

In order to provide equal employment and advancement opportunities to all qualified individuals, employment decisions at CareerSource Tampa Bay will be based on merit, experience, aptitude, qualifications, and abilities.

CareerSource Tampa Bay is committed to equal employment opportunity. We will not discriminate against employees or applicants for employment on any legally recognized basis ["protected class"] including, but not limited to: race, color, religion, creed, national origin, sex, sexual orientation, gender identity or expression, age, disability, genetic information, marital status, veteran status, uniform service member status, sickle cell trait, pregnancy, citizenship, or any other protected class under federal, state, or local law.

This nondiscrimination policy extends to all terms, conditions, and privileges of employment as well as the use of all CareerSource Tampa Bay facilities, participation in all CareerSource Tampa Bay-sponsored activities, and all employment actions such as promotions, compensation, benefits, and termination of employment.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their manager. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

### **Immigration Reform and Control Act**

In compliance with the federal Immigration Reform and Control Act of 1986 (IRCA), as amended, and any state law requirements, if applicable, CareerSource Tampa Bay is committed to employing only individuals who are authorized to work in the United States. Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. If an

employee is authorized to work in this country for a limited time period, the individual will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by CareerSource Tampa Bay as required by applicable law.

## **Disability Accommodation**

CareerSource Tampa Bay will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

CareerSource Tampa Bay is committed to complying fully with the *Americans with Disability Act* (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a nondiscriminatory basis.

CareerSource Tampa Bay will provide a reasonable accommodation to disabled applicants and employees if the reasonable accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship. CareerSource Tampa Bay will also provide reasonable accommodations to pregnant employees who are suffering from pregnancy-related impairments to the fullest extent required by law.

This policy is neither exhaustive nor exclusive. CareerSource Tampa Bay is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws. If you would like to discuss the need for accommodation under this Statute, please contact your manager.

## **Harassment Policy**

CareerSource Tampa Bay will provide a work environment which is free from verbal or physical conduct that unreasonably harasses, disturbs, or interferes with an employee's work performance or that creates an intimidating, offensive, or hostile work environment.

All employees are expected to avoid any activity, which harasses or disrupts the work of their co-workers, subordinates, agency partners, customers, or the general public. Any verbal or physical conduct which harasses any person with whom the employee may have contact, because of that person's race, color, national origin, religion, sex, sexual orientation, disability, pregnancy, age, military status, citizenship, political affiliation or belief, or any other characteristic protected by Federal and State laws is prohibited. Examples include racial slurs, ethnic jokes, posting of offensive statements, posters or cartoons, or other similar conduct.

Sexual Harassment is strictly forbidden.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other inappropriate verbal, non-verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or a customer's receiving service;
- Submission to or rejection of such conduct by an individual is used as the basis for employment or professional decisions affecting such individual;

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or a customer's ability to receive services, or creating an intimidating, hostile, or offensive work environment.
- Examples of sexual harassment may include, but are not limited to, the following:
  - i. Verbal harassment or abuse of a sexual nature;
  - ii. Subtle pressure for sexual activity;
  - iii. Repeated remarks to a person with sexual or demeaning implications (e.g., a person's body, clothes, or sexual activity, etc.);
  - iv. Unwelcome or inappropriate physical contact; such as, patting, pinching, or unnecessary touching;
  - v. Suggesting or demanding sexual involvement accompanied by implied or explicit threats; and
  - vi. Display of sexually suggestive objects, pictures, or written materials.
- Sexual harassment does not refer to occasional compliments or welcomed interactions of a socially acceptable nature.
- It is sexual harassment for a manager to use his or her authority to solicit sexual favors or attention from subordinates, including, but not limited to, incidents when the subordinate's failure to submit will result in adverse treatment, or when the subordinate's acquiescence will result in preferential treatment. Managers who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to disciplinary action.
- It is sexual harassment for a non-managerial employee to subject another such employee to any unwelcome conduct of a sexual nature. Employees who engage in such conduct shall be subject to disciplinary action.
- It is sexual harassment for a CareerSource Tampa Bay employee to use his or her authority to solicit sexual favors or attention from customers. Employees who either engage in sexual harassment or tolerate such conduct by other employees shall be subject to disciplinary action.

### **Enforcement of Policy**

It is the responsibility of any employee to promptly report any occurrence of any and all forms of alleged harassment to his/her manager. Alternatively, the employee may report such occurrence to the manager's manager or to Human Resources. This policy on harassment shall be communicated to all employees to inform them that a procedure exists for reporting claims of harassment, that management will promptly investigate all alleged incidents of harassment, and appropriate corrective action will be taken.

Investigations will be conducted with discretion. The right to confidentiality, both of the complainant and of the accused, will be respected, consistent with the Board's legal obligations and with the necessity to investigate allegations of misconduct and take corrective action when this conduct has occurred. Claims found to be factually supported will be promptly acted upon. No employee or customer shall be retaliated against, in any manner, for reporting conduct, which is believed to be a violation of this rule, or for participating in an investigation of a possible violation of this rule.

In determining whether alleged conduct constitutes harassment, the totality of the circumstances, nature of the conduct, and the context in which the alleged conduct occurred will be investigated. The President & CEO or his/her designee has the responsibility of investigating and resolving complaints of harassment. In the event the President & CEO or his/her designee is not deemed appropriate, the Board of Directors will have such responsibility to direct an investigation. Necessary disciplinary action, up to and including termination, may result if harassment occurs. Any employee who makes false allegations of harassment will be subject to appropriate disciplinary action, up to and including termination.

## Terms of Employment and Compensation

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### EMPLOYMENT “AT WILL”

CareerSource Tampa Bay staff are employees at-will. “Employment at will” means that employees may resign their employment at any time, with or without notice, for any reason and CareerSource Tampa Bay has the right to release employees at any time, with or without notice, for any lawful reason.

### Classes of Employment

- a) **Regular Full-Time Employee** -- An employee whose normal work schedule is for a minimum of thirty (30) hours per week and who maintains continuous regular employment status.
- b) **Regular Part-Time Employee** -- An employee whose normal work schedule is for less than thirty (30) hours per week and who maintains continuous regular employment status. Eligibility for benefits for employees will be in accordance with the restrictions defined by the current insurance policy provider/carrier. During brief periods, an individual’s schedule of hours may be increased to cover the needs of CareerSource Tampa Bay, with written approval from the President and CEO.
- c) **Temporary Employment** -- An employee whose services are intended to be of limited duration (i.e., filling in for illness, vacations, summer months, short-term program support, etc.) and whose employment is not expected to exceed 6 months in duration, or 1,000 payroll hours within a 12-month period.
- d) **Non-Exempt Employee** -- An employee who is not exempt from the provisions of the Fair Labor Standards Act. A Non-Exempt employee is paid at an hourly rate of pay and receives overtime pay at the rate of one and one-half times his or her normal hourly rate time worked in excess of forty (40) hours in any payroll week.
- e) **Exempt Employee** -- Any employee who holds a position considered exempt under the provisions of the Fair Labor Standards Act. An employee classified as Exempt is paid a salary for the performance of the duties of his/her job and is almost always not entitled to overtime pay. The President & CEO may approve special extra duty pay to Exempt Employees in certain instances that are approved in advance.
- f) **Probationary Employee** -- A newly hired employee shall be termed "probationary" for the first one hundred and eighty (180) calendar days of employment. Passing the last date of the 180-day period provisions of the Fair Labor Standards Act does not signify that a new employee has satisfactorily completed the probationary period. Satisfactory completion of the probationary period does not guarantee employment for any definite period of time and does not result in a raise in pay. Current employees who transfer or are promoted to a new position within CareerSource Tampa Bay may be subject to a new or extended probationary period in their new positions.

Completion of the probationary period will result in one of the following:

- The employee successfully completes the probationary period;
- The employee is not qualified for his/her present job but is recommended for transfer elsewhere within the organization; or

- The employee has not successfully completed the probationary period and will be terminated.

Probationary periods may be extended for up to an additional ninety (90) days should job performance warrant it. Extension of the probationary period requires the approval of the President & CEO. All exceptions to this policy must have prior approval of the President & CEO.

## **Hiring**

The President & CEO is designated as the hiring authority for CareerSource Tampa Bay. No employment shall be made without the approval and action of the President & CEO of CareerSource Tampa Bay.

The applicant screening and employee selection process is the responsibility of the respective manager, with oversight from the President & CEO, when there is an approved opening. Current employees are given first consideration for positions that are consistent with their ability to perform the higher-level job and their performance in their present position.

All necessary staffing procedures relating to applications, interviewing, and job offers shall be reserved as the responsibility of the President & CEO to ensure conformance with CareerSource Tampa Bay policies and government standards, criteria, and practices relating to employment.

## **Employee Nepotism and Fraternization**

CareerSource Tampa Bay recognizes the rights of employees to become involved in personal relationships with their co-workers. However, employees who are related to or who are engaged in a romantic relationship with candidates for hiring selection, promotion, or assignment to specialized positions must ensure that all reasonable precautions are taken to avert any undue influence in the selection process or even the appearance of impropriety in the process. It is therefore the policy of CareerSource to ensure that its employees carry out their duties with impartiality and fairness so that public and organizational confidence in the actions of our employees is maintained. Public trust, workplace safety, agency operations, and agency morale require that employees avoid the appearance of or actual conflict of interest between their professional responsibilities and any involvement in a romantic or sexual relationship with other employees. To promote efficient operation of CareerSource Tampa Bay and avoid misunderstandings, complaints of favoritism, sexual harassment and/or gender-based discrimination, and other problems of supervision, safety, agency operations, and employee morale, all employees are instructed to avoid situations that give rise to an actual or perceived conflict.

### **Definitions:**

**Family relationship:** A relationship resulting from family ancestry or marriage including spouse, parent (including foster, step, and in-law); children (including adoptive, foster, or step); brother or sister; grandparent or grandchild; aunt or uncle; niece or nephew; cousin; or any other relative living in the same household as the employee or another individual related by blood, marriage, or quasi-marriage in the same household as an employee. “Family relationship” includes significant

others, domestic partners, and any other person with such a close bond as to suggest conflict in the employment relationship (for example, a fiancé).

Personal relationship: A personal relationship is a relationship involving employees who are dating, engaged in a romantic relationship, or cohabitating.

Dating Relationship: A dating relationship is one or more social meetings between individuals under circumstances reasonably intended to lead a romantic relationship.

Manager: An employee who has authority, direct or indirect, over another employee arising from their respective job classifications.

Subordinate: An employee who reports to another employee based on their respective job classifications.

### **Procedure:**

Employees who have a family, personal, or dating relationship with a candidate for hiring selection, promotion, or assignment to specialized positions shall not be involved in the selection process.

A manager shall not directly supervise another employee with whom the employee has a family, personal, or dating relationship. It will be incumbent upon the manager to attest in writing that a relationship does not exist prior to an employee's employment, promotion, or transfer to a position subject to the manager's supervision.

Employees who have a family, personal, or dating relationship with another employee shall not be assigned to the same department or location.

### **Duty to notify:**

If employees become involved in a family, personal, or dating relationship, they shall notify Human Resources as soon as possible. Employees who find themselves working in the same department or same location with another employee with whom they are in a family, personal, or dating relationship shall notify Human Resources as soon as possible. Human Resources will work with the employees to devise an arrangement consistent with CareerSource Tampa Bay's policy. If no such arrangement is possible, one employee may be required to resign from the position creating the conflict with CareerSource Tampa Bay's policy or resign from the organization.

Any failure to report relationships as required by this policy shall constitute misconduct and may subject an employee to disciplinary action, up to and including termination of employment.

## **Conflicts of Interest**

CareerSource Tampa Bay's Code of Ethics holds us accountable for delivering excellent customer service both internally and externally. Additionally, it requires that employees disclose or report any actual or perceived conflicts of interest.

CareerSource Tampa Bay must ensure that employees do not have any direct involvement with the application, assessment or provision of services to their family members or friends. If you intend to refer a family member or friend to take advantage of the programs and services offered by CareerSource Tampa Bay, you must notify your manager and Director before the referral is made. This will allow your management team the opportunity to remove you from any potential conflict of interest situation and ensure that this job seeker is directed to another staff member to access the requested services. Under no circumstances are you allowed or authorized to provide direct services to any family member or friend, as this would be considered a conflict of interest. If a family member or friend presents on their own for services and you notice them in the office, or they subsequently advise you that they have applied for services, notify your manager and Director immediately. This will help us quickly resolve any issues and ensure that we are complying with all conflict of interest requirements.

To avoid any appearance of conflict of interest, under no circumstances should you ever:

- Access or review a family member or friend's information within any MIS such as OSST, EFM, Florida MIS, Suntax, Project CONNECT or ATLAS system or access any information on any person or company not directly related to or required to complete your job responsibilities.
- Share any information with anyone outside of our organization or anyone within the organization that is not authorized to know information that you have heard or discovered through the normal course of business or your daily duties.
- Access, review, or share any individual's information that is found within any MIS such as OSST, EFM, Florida MIS, Suntax, Project CONNECT or ATLAS system in response to a request or suggestion from anyone outside of our organization or anyone within the organization that is not authorized to know that information.

Failure of CareerSource Tampa Bay staff or DEO staff located in a CareerSource Tampa Bay office to comply with our organization's policies, procedures, and/or guidelines regarding Conflicts of Interest shall result in disciplinary action, up to and including termination.

## **Work Week/Work Day**

### **The Work Week**

The standard workweek for CareerSource Tampa Bay employees shall be a five (5) day, forty (40) hour week and shall generally be scheduled Monday through Friday.

For part-time employees, the manager will submit to Human Resources a schedule of the hours/day and days/week the employee will be expected to report to work each week. This schedule should be consistently adhered to as is required of any full-time employee. Any changes to the hours/day or days/week must be submitted to Human Resources in writing.

### **The Work Day**

The normal office hours for CareerSource Tampa Bay shall be from 8:00 a.m. to 5:00 p.m. Work schedules may fluctuate depending upon agency needs. Employees are expected to be flexible and cooperative if work schedules are changed to meet business needs. Employees will



be expected to work at least eight hours on each regularly scheduled workday. Any modification of the hours of work requires the approval of the President & CEO or his/her designee.

A modified flextime schedule may be adopted wherever possible; thus, allowing employees to modify their hours of work to better accommodate their personal responsibilities when these modifications do not create hardships for clients, fellow employees, or the organization. Such schedule must ensure adherence to the forty (40) hour workweek for non-exempt employees.

- All flextime schedules must be coordinated with other employees and approved by the appropriate manager to assure that there is coverage for all normal hours of business operation.
- Some functional areas may not be eligible for flextime due to the limited number of employees available and the need for coverage of all normal hours of business operation.
- There may be times when the special needs of the Agency require that the hours of work be adjusted by management. These requirements will supersede flextime scheduling. All reasonable efforts will be made to accommodate both the needs of the operation and the needs of the employees.
- Employees who abuse flextime scheduling will lose flextime privileges.

With prior written approval from the CareerSource Tampa Bay President and CEO, a part-time employee may be scheduled to work more than his/her normal schedule for a temporary period of time lasting no longer than 8 weeks. Human Resources must be notified if such a request by a Director is approved by the President and CEO, along with the specific dates the employee will be scheduled to work more than the usual hours/week. This policy shall continue to apply during these temporary periods when scheduled hours may be increased.

### **Lunch and Break Periods**

Employees shall receive a one-hour lunch break each workday. Nonexempt employees will be relieved of all active responsibilities and restrictions during the lunch break and will not be compensated for that time. The scheduling of the lunch periods shall be coordinated with other department employees and approved by the manager. Employees may take one paid fifteen (15) minute break in the morning and one paid fifteen (15) minute break in the afternoon. Breaks shall not be added to lunch hours, meaning that these breaks cannot be taken adjacent to lunch breaks to extend the one-hour lunch break. Any modification of the lunch and break periods must be approved by the President & CEO or his/her designee.

Although not required by law, a part-time employee who works either 6 hours or more a day or whose schedule of work begins before 11:00 am and extends beyond 2:00 pm will be scheduled to take a thirty-minute unpaid meal break. During this meal break, the employee will be relieved of his/her job duties. This meal break may not be used to cover any late arrival to work or early departure from work, it may not be combined with a rest break for a longer period of time, nor may it be regarded as cumulative if not taken. Meal breaks are to be scheduled by the part-time employee's manager, who will advise the part time employee of the scheduled time and place for such breaks.

During each consecutive 4-hour work period, a part-time employee is allowed one rest break, which is limited to 15 minutes of absence from his/her job duties. This rest break may not be used to cover any late arrival to work or early departure from work, it may not be combined for a longer meal break, it shall not be broken into smaller time periods (for example: for smoke breaks), nor may it be regarded as cumulative if not taken. Rest breaks are to be scheduled by the part-time employee's manager, who will advise the part-time employee of the scheduled time and place for such breaks.

### **Breakroom**

A break room is available for employee use. Although CareerSource Tampa Bay provides general custodial care, employees are expected to clean up after eating. This room should be kept clean for the next person's use.

### **Lactation Breaks**

Employees who are nursing mothers are eligible to take reasonable breaks under this policy to express breast milk for up to one year after the birth of the employee's child.

Please contact Human Resources

for information about the designated location for lactation breaks. Non-exempt employees who use lunch/rest

break time to express breast milk will be compensated in accordance with CareerSource Tampa Bay's policy related to such breaks. Lactation breaks that are more frequent or longer in duration may be unpaid. Employees who are required to record time under CareerSource Tampa Bay's timekeeping policy must accurately record the start and end of lactation breaks on their time sheets/clock in and out for their lactation breaks in accordance with the timekeeping policy.

Exempt employees may be provided break time with pay when necessary to comply with state and federal wage and hour laws.

### **Recording Hours Worked**

It shall be the responsibility of each CareerSource Tampa Bay employee to keep an accurate record of his/her own time worked. Non-exempt employees are strictly prohibited from working off the clock. Time worked must be recorded by the end of each week on the on-line time & attendance program, electronically approved by both employee and manager, and submitted on the date designated by the Human Resource Department. Any overtime reported must be accompanied by pre-approved authorization by the manager.

**Non-Exempt (Hourly) Time & Attendance Recordkeeping:** CareerSource Tampa Bay policy allows accrued Paid Time Off (PTO) to compensate for un-worked hours under 40 hours in one week for non-exempt employees.

**Exempt (Salaried) Time & Attendance Recordkeeping:** As an Exempt employee, you are not specifically required to work strictly from 8:00 AM to 5:00 PM, but may be permitted variance based on job responsibilities, which must be pre-approved by the President & CEO or his/her designee.

Exempt employees may be subject to the following salary deductions, except where prohibited by state law, but only for the following reasons:

- Absences of one or more full days for personal reasons, other than sickness or disability; or

- Absences of one or more full days due to sickness or disability, if there is a plan, policy, or practice providing replacement compensation for such absences (such as a PTO Plan); or
- Absences of one or more full days before eligibility under such a plan, policy, or practice or after replacement compensation for such absences has been exhausted; or
- Suspensions of one or more full days for violations of safety rules of major significance; or
- Suspensions of one or more full days for violations of written workplace conduct rules, such as rules against sexual harassment and workplace violence; or
- Payment of actual time worked in the first and last weeks of employment, resulting in a proportional rate of an employee's full salary; or
- Any unpaid leave taken under the *Family and Medical Leave Act*; or
- Negative paid-time-off balances, in whole-day increments only.

### **Personnel Attendance Standards**

Regular attendance is an essential job function for every position at CareerSource Tampa Bay. The Board of Directors of CareerSource Tampa Bay expects each of its employees to work every day the Agency is open for business and to begin and end each work day and return from lunch break at the times established for his/ her schedule, except when the employee's absence is covered by other Board Policy. Maintaining acceptable standards for employee attendance are critical to the efficiency, productivity, and effectiveness of the organization. To assure high morale and to build an atmosphere of teamwork and develop mutual trust, every employee must bear a regular and reasonable share of the workload.

The standards and procedures in the following sections are established to ensure fair and consistent treatment of employees who are absent for work without using approved leave and who are late for work or leave work before their scheduled time.

### **Reporting Absences**

Other than for emergency situations, pre-notice, and when applicable, pre-authorization of absence(s) shall be documented. Appropriate information shall be recorded on the employee's electronic "Time Off Request" which then must be electronically approved by the manager. When an employee knows in advance he/she will be absent from or late for work, or if he/she needs to leave early, the manager must be advised as early as possible.

If for any reason the employee is unable to be at work on his/her regularly scheduled day(s) or at his/her regular starting time, the employee must call his/her manager as soon as possible but by no later than 8:30 am, so that, if necessary, work can be reassigned. Employees are expected to take the responsibility for making these calls themselves unless they are physically unable to do so.

Three (3) no-call, no-show absences without a reasonable, verifiable excuse may be considered a voluntary resignation.

When an employee is out of the office for two days or more and such occurrences were not pre-approved, documentation to Human Resources may be required for the employee to return to work.

## Definitions

- **Absence** – All hours (paid or unpaid) an employee misses from his/her assigned work schedule.
- **Excused Absence** – An absence that is authorized by Board Policy or which the President & CEO has authorized. Examples are:
  1. “Acts of God” as declared by the President & CEO.
  2. All leaves established by Board Policy or required by law.
  3. Release from duty resulting from some event that will not let the agency function.
  4. Observance of a religious holiday.
  5. Observance of Board established holidays
- **Unexcused Absence** – All hours an employee misses from his/her assigned work schedule that is not approved, can be defined as being tardy, leaving early, or multiple hours. An absence that is not authorized by Board Policy and/or has not been approved by the President & CEO. Consecutive days of absence will be considered as one occurrence of unexcused absence for the purpose of disciplinary action. Being late for work or leaving early on more than three (3) occasions in any thirty (30) day period, without managerial approval, shall be defined as unexcused absence for the purpose of disciplinary action.

## Disciplinary Procedures for Unexcused Absence

- a) **First Occurrence in a “rolling twelve-month period”** – The employee must meet with his/her manager for “First Attendance Counseling”. At this session a verbal warning will be given and documented as proof of counseling.
- b) **Second Occurrence in a “rolling twelve-month period”** – The employee must meet with his/her manager for “Final Warning Counseling”. The employee shall be given a written warning stating his/her employment may be terminated if there is another occurrence. This written warning will serve as documentation of counseling. (An incidence of unexcused absence within ninety (90) days of this warning will constitute grounds for termination.)
- c) **Third Occurrence in a “rolling twelve-month period”** – The employee will be issued a Notice of Termination from the President & CEO.

*\* Probationary employees may be terminated following one (1) written warning.*

## Pay Period

The CareerSource Tampa Bay pay period covers two complete work weeks, beginning on a Sunday and ending on a Saturday. Paychecks shall be distributed through direct deposit to employees’ bank accounts every two weeks on the Friday immediately following the end of each two-week pay period. A non-negotiable copy of the paycheck with an attached earnings record will be available online on that same date to provide information regarding all deductions and any additional pay.

## Payroll Procedures

Paychecks will be issued twenty-six times per year. Pay periods and pay dates will be established and published prior to the start of the year. Should a payday fall on a holiday, paychecks will be issued on the prior working day. To insure timely and accurate pay, the following payroll procedures shall be followed.

- Each employee shall be responsible for submitting a bi-weekly time sheet to his/her manager on the date specified by the Human Resource Department. Hours worked each day, overtime hours, paid time off, and holidays shall be recorded and allocated to the appropriate function department. After making any required calculations, the employee must electronically approve the time sheet.
- The manager shall verify the information on the employee's time sheet and give authorization for payment by electronically approving the time sheet.
- Payment of salaries shall be based on duly adopted salary schedules for each classification of personnel.
- Employees shall be paid on the regularly established pay date.
- Any salary adjustment will be paid in the next subsequent payroll period, provided proper documentation has been filed in the Human Resource Department.
- The Human Resource Department will maintain a list of authorized paycheck deductions, some which are required by law and some from which the employee may choose.
- The Human Resource Department will require written or electronic authorization from an employee prior to withholding any deduction that is voluntary on the part of the employee.
- CareerSource Tampa Bay shall make no payroll advances to employees.

## **Overtime Pay**

In conformance with the Fair Labor Standards Act, Non-Exempt employees shall receive time and one-half pay for hours worked in excess of forty (40) in one work week. Exempt employees are expected to perform such additional services and hours of work as are required and receive no additional compensation.

A part-time employee will be paid "straight-time" for all hours worked up to 40 hours each week. Overtime, at the rate of 1 ½ times the hourly rate of pay, will be paid for any hours worked over 40 hours in a single week if the employee is classified as non-exempt.

Overtime pay is based on actual hours worked. Time off on vacation leave or any leave of absence will not be considered hours worked for purposes of performing overtime calculations. All overtime for Non-Exempt employees must be approved by the employee's manager prior to the overtime being worked. Employees who work unauthorized overtime will be fully paid for all time worked but may be subject to discipline, up to and including termination, for violating this policy.

Overtime should only be assigned in those situations where the manager in charge is convinced that the work is essential in order to meet established schedules or deadlines. Advance notice will be given to employees whenever possible; however, employees should be aware of the fact that emergencies occasionally arise that do not permit advance notification. In an emergency situation, the manager in charge will make every effort to notify the employees who are scheduled for overtime work as soon as possible.

## **Salaries**

The Board of Directors CareerSource Tampa Bay has developed a compensation plan that is reflective of the -

- Relative difficulty, responsibility, and training experience requirements existing between the various levels of positions.
- Prevailing rates of pay for the same or similar work in the area.
- Availability of candidates for recruitment for the various positions in the organization.
- Economic conditions in the area.
- Financial position of CareerSource Tampa Bay.

The compensation plan:

- Establishes wage and salary ranges that reflect the value to the organization of the various jobs determined by a system of continuing job evaluation and review, taking into account the duties and level of responsibility of each job.
- Establishes and maintains justifiable differentials between job levels.
- Ensures that, for comparable jobs, pay rates and benefits are equal to or better than those offered by other organizations providing similar employment.
- Provides equal pay for equal work under comparable working conditions without regard for race, color, religion, marital status, sex, age, national origin, disability, or status as a veteran.
- Wherever possible, reflects a direct relationship to individual job performance.
- Adjusts pay ranges when warranted by changing economic and competitive factors, as determined by periodic reviews.

## **Compensation Program**

The purpose of CareerSource Tampa Bay's compensation program is to attract potential employees and encourage well-performing employees to stay employed with CareerSource Tampa Bay. With this in mind, the compensation program is built to balance the interests of the employees and the organization.

The compensation program was created to achieve consistent pay practices, comply with Federal and State laws, mirror our commitment to Equal Employment Opportunity, and offer competitive pay within the labor market. Pay decisions and reviews are made without regard to that person's race, color, national origin, religion, sex, sexual orientation, disability, pregnancy, age, military status, citizenship, political affiliation or belief, or any other characteristic protected by law.

Several factors may influence an employee's rate of pay, and some positions may be eligible for a financial incentive program. Some of these factors are the essential functions and responsibilities of the job, individual and organizational performance, internal equity among employees in the same jobs, as well as market data on pay practices of other employers.

## **Evaluation Procedures**

Each employee will receive an annual evaluation by his/her manager. Probationary employees will be evaluated at the end of their probationary period and at the end of their first year. Managers will use the evaluation tool provided by the President & CEO. Informal performance discussions will be conducted as the need arises.

Factors to be rated in the evaluation, if applicable to the job assignment, are:

- Quantity of Work
  - Job Knowledge
  - Communication Skills
  - Initiative
  - Safety
  - Leadership
  - Quality of Work
  - Dependability
  - Judgment
  - Attendance
  - Appearance
  - Job Specific Skills
  - Job specific performance/outcome goals
- The employee shall be informed of the assessment criteria and procedures prior to any formal evaluation.
  - The person doing the evaluation shall review the written report of the assessment with the employee. Both the employee and the person doing the assessment shall attest by signature that the review occurred.
  - The employee may offer a written response to the evaluation.
  - A copy of the evaluation will be placed in the employee's personnel file.

## **Evaluation Plan Guidelines**

All employees shall be evaluated after the first year of employment and annually thereafter. Each employee will be notified by their manager as to the timing of their evaluation cycle.

Evaluations shall be based on two (2) general categories: 1) duties, responsibilities, and tasks as set forth in the employee's job description, and 2) attainment of performance goals developed jointly by the employee and his/her manager.

- Basic fulfillment of provisions recorded in the job description shall be considered minimal goals.
- Within first 30 days of employment the employee and manager shall develop performance goals he/she expects to achieve in the subsequent program/fiscal year.
  - Goals must be measurable and related to the job description.
  - The method and timeline for meeting each goal shall be included.
  - Prior to finalizing the performance goals, the employee shall meet with his/her manager to discuss possible additions, deletions, and/or revisions.

Each employee shall complete a self-evaluation reflecting the extent of his/her attainment of the components of the job description and personal performance goals and shall submit that self-evaluation to his/her manager.

- The self-evaluation shall be completed between November 1 and December 15
- The employee's self-evaluation shall be included in the manager's summative evaluation of the employee.
- The manager shall submit the evaluation to his/her Director who shall review and submit to the CFO and COO for review prior to the evaluation conference. The manager and employee will have an evaluation conference regarding the employee's performance for the past year as soon as possible following the completion of the evaluation. At the conference, the employee and manager shall discuss and develop an action plan to correct employee deficiencies, if any. The employee may also wish to suggest an amendment to the goals he/she formulated for the new evaluation period.
- At the end of the conference, the employee and manager shall both sign the evaluation to indicate the contents have been discussed.
- The employee may make a written response to the evaluation for inclusion in his/her personnel file.

The employee shall be given a copy of his/her evaluation, and the original, signed copy shall be placed in the employee's personnel file.

## **Resignation from Employment**

An employee who wishes to resign his/her position with CareerSource Tampa Bay is requested to submit a letter of resignation to the President & CEO of CareerSource Tampa Bay. The letter of resignation should state the reason(s) and effective date, preferably giving two weeks' notice.

## **Retirement**

An employee of CareerSource Tampa Bay who plans to retire should submit a letter of retirement (resignation). The letter should be submitted at least ninety (90) days in advance of the date of retirement to ensure that the Human Resources Department can complete and process any required paperwork prior to the employee's last day of service.

## **Personnel Records**

An employee's "Personnel Record" consists of all records, information, data, or materials maintained by CareerSource Tampa Bay in any form or retrieval system, which is uniquely applicable to that individual employee. The Personnel Record shall contain: 1) an application for employment; 2) personal and professional references; 3) annual evaluations; 4) probationary evaluations; 5) commendations; 6) reprimands; 7) professional credentials; and 8) other pertinent information.

- Employees shall have reasonable access to their personnel records during business hours. Records staff must accompany the employee during the review.
- It is the employee's responsibility to keep his/her personnel file up-to-date with such items as change of address or phone number, emergency notification information, additional training or education, etc. These corrections shall be made during regular business hours.



- The employee's manager or the President & CEO must approve changes or additions to absence reports, evaluations, termination information, and the like.
- Personnel records may be accessed by managers only in the course of performing their job functions.
- Responses to information requests for employee data from outside parties for purposes of verification of employment will be limited to dates of employment, job title, and salary history unless a public records request is made under Chapter 199 of the Florida Statutes.
- The public may have access to personnel files if requests are made in compliance with Chapter 199 of the Florida Statutes.

Personnel files are generally treated as confidential records. However, these records are open to public inspection and subject to Public Records Laws of the State of Florida (Chapter 119, *Florida Statutes*).

## **Medical Records**

Medical Records shall be kept separate from other personnel records with access governed by the Health Insurance Portability and Accountability Act of 1996.

## **Verification of Employment**

Any request for verification of employment of its present and former employees shall be directed to the Human Resources Department or the President & CEO.

- a) Personnel information which may be provided is –
  - **Current employees** – date of employment, job title, and salary, and in response to a request for references and/or verification of employment.
  - **Former employees** – dates of employment, job title(s), last salary, and in response to a request for references and/or verification of past employment.
- b) Only the Human Resources Department, the President & CEO, or his/her designee, shall respond to all oral, informal, and written requests for verifications of employment.

## **Job Descriptions**

Each employee of CareerSource Tampa Bay shall be given a description of the position he/she will occupy with the Agency as a part of the on-boarding process. Each "Job Description" shall outline –

- The Nature of the Work to be performed;
- A list of Illustrative Tasks;
- Knowledge, Skills and Abilities needed;
- Minimum Qualifications;
- Pay Grade of the position;
- Essential and Nonessential Job Functions;
- Physical Requirement; and
- Environment/Conditions.

Job descriptions are intended to be general in nature and may not include all aspects of a job.

## **Expectations and Standards for the Workplace**

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### **Code of Ethics**

All affairs of CareerSource Tampa Bay should be conducted within the spirit and intent of high business ethics, honesty, trustworthiness, and integrity and with a dedication to high levels of professionalism. To those ends, there are requirements, restrictions, and prohibitions placed on employees.

- Employees shall not solicit or accept anything of value, which is based on the understanding that any subsequent work-related action or judgment would be influenced by such a gift. Generally, employees should not accept any gifts or gratuities from clients, job seekers, employers, training vendors, or those with whom they do business.
- Neither an employee nor members of his/her immediate household shall accept any compensation, payment, or other thing of value when he/she knows, or reasonably should know, that it is given to influence the employee's official action.
- Employees are prohibited from using, or attempting to use, their positions with the Agency to obtain special privileges for themselves or others.
- Employees shall not use information, which is not available to the general public and obtained by reason of their employment, for personal benefit of themselves or others.
- Employees, acting in a private capacity, shall not rent, lease, or sell any goods, property, or services to CareerSource Tampa Bay.
- Employees shall not hold an employment or contractual relationship with any business or client that is doing business with or is regulated by CareerSource Tampa Bay (In certain circumstances, the President & CEO may grant exceptions.)
- Employees shall not hold an employment or contractual relationship that will pose a recurring conflict between their work duties and private interests, or which will impede the full and faithful discharge of their work duties.
- An employee may not be a member of the Board of Directors of CareerSource Tampa Bay.
- Employees shall not seek any employment, appointment, or promotion for a relative with CareerSource Tampa Bay. This does not preclude a relative from working for the Agency.
- Employees shall not appropriate Agency property or funds for their personal use, except for authorized wages or reimbursements.
- Employees shall be committed to the highest standards of personal integrity, honesty, and competence.
- Employees shall provide responsive service to all citizens equally.
- Employees shall deliver excellent customer service to external customers as well as internal co-workers.
- Employees shall disclose or report any actual or perceived conflicts of interest.
- Employees shall comply with all laws and regulations applicable to the Agency and impartially apply them to everyone.

- Employees shall use Agency funds and resources efficiently, including materials, equipment, and time.
- Employees shall respect and protect the privileged information to which they have access in the course of our duties, never using it to stir controversy, to harm others, or for private gain.

## **Code of Conduct**

The Board of Directors of CareerSource Tampa Bay has adopted a “Code of Conduct” to provide the manager a set of corrective discipline guidelines to ensure the employee is afforded objective, consistent and equitable treatment. Each employee of CareerSource Tampa Bay is expected to:

- Give willingly a full day's effort as demonstrated by punctual and regular attendance; apply individual skills, training, abilities and conscientious care in avoiding the waste of time, effort, facilities or materials in both scheduling and performing work.
- Deal fairly, reasonably, considerately and honestly with all engaged in CareerSource Tampa Bay activities or associated with it in any way -- fellow employees, including managers and subordinates as well as customers, suppliers, and the general public.
- Comply fully with the principles, policies, and instructions that are established for conducting the activities of CareerSource Tampa Bay and the approved methods and procedures provided to assure that standards of quality and accuracy are met.
- Act with the recognition that CareerSource Tampa Bay was organized for the purpose of serving the customers of the organization, and that the success of the individual employee and that of the organization are determined and measured by the extent to which the customer is served.
- Abide by the established ethical, moral, and legal codes, which govern the behavior of both individuals and associations of people in business or private life.

With the “Code of Conduct” as a framework, rules and regulations (see section related to discipline) are set forth as an attempt to assure fair practices for all employees.

## **Discipline**

Each employee should be given the opportunity for his/her job execution to be consistent with expected standards and, thus, should be given clear information about what types of behavior are unacceptable. To insure consistency of application, CareerSource Tampa Bay will utilize a disciplinary system, which is progressive in nature, and when corrective disciplinary action becomes necessary, it shall be applied consistently, shall be appropriate to the violation of standard, and shall be timely. CareerSource Tampa Bay shall deal constructively with problems and employee errors and handle employee discipline objectively and without discrimination.

CareerSource Tampa Bay reserves the right to terminate an employee immediately for infractions specified below; however, the lists are not all inclusive, and an employee may be disciplined or terminated without warning for a serious offence which is not listed. CareerSource Tampa Bay also reserves the right to use discretion in determining appropriate disciplinary action when mitigating circumstances are present. CareerSource Tampa Bay may act in sole discretion and without advance notice except as limited by provisions of valid Federal or State

Statutes. Nothing in this policy is intended to be or should be construed as being contractual in nature.

CareerSource Tampa Bay will take disciplinary action in any case where the conduct of the employee is detrimental to the organization or other employees. Infractions are grouped into categories, dependent upon their relative seriousness. Each infraction results in a definite action depending upon the seriousness of the infraction, previous action taken, and thorough review of the circumstances of each individual case. All disciplinary actions as well as memos clearing the record must be clearly documented and shall become a permanent part of the employee's personnel folder, not subject to removal for any reason. Employees will be given every opportunity to explain their actions.

## **Infractions**

### **Class I Infractions**

Class I infractions are relatively minor in nature and generally call for a series of documented progressive disciplinary steps intended to train the employee and put him/her on notice that correction of the problem is expected. A period of twelve (12) consecutive months of active service after any of the following disciplinary steps without a further infraction "clears" the record. The progressive disciplinary procedure must begin again with step one, should other infractions occur.

The following list represents examples of behavior or acts, which are unacceptable and classified as Class I infractions. This list is not exhaustive, and conduct of a similar nature will also be cause for corrective action.

- Excessive or repeated absenteeism (repeatedly going into leave without pay status), tardiness, failure to notify manager of an unscheduled absence or tardiness, and/or failure to observe work schedules.
- Failure to report for scheduled overtime, or reporting late.
- Wasting time, material, or effort, or interfering with others by action, excessive noise, or non-work-related conversations.
- Failure to follow instructions.
- Failure or reluctance to adhere to safety rules or practices.
- Failure to be at his/her assigned workstation, ready for work, at the employee's assigned work time.
- Unsatisfactory work due to carelessness or continued inefficiency after a reasonable training period.
- Using CareerSource Tampa Bay telephones for non-work-related purposes (except in emergencies).
- Creating or contributing to unsafe, unsanitary, or unclean conditions on CareerSource Tampa Bay premises, including failure to keep working areas clean.
- Participating in gambling, lotteries, pools, or raffles while at work.

- Unprofessional, unethical, or uncooperative behavior.
- Violation of any policy outlined in this Handbook or other published policies, desk guide, procedures, and practices.
- An on the job auto accident where it is was determined the employee was at fault due to unsafe driving practices.

## **Class II Infractions**

Class II infractions are serious in nature, but by themselves not terminable offenses. They generally call for one (1) final warning. The following list represents examples of behavior or acts which are unacceptable. The list is not exhaustive, and conduct of a similar nature will also be cause for corrective action.

- Using CareerSource Tampa Bay property, equipment, or materials for non-work-related purposes without prior approval from management.
- Harassment of another employee because of the person's race, color, national origin, religion, sex, sexual orientation, disability, pregnancy, age, military status, citizenship, political affiliation or belief, or any other characteristic protected by Federal and State laws
- Disorderly Conduct – Causing a disturbance on CareerSource Tampa Bay property resulting from horseplay, practical jokes, throwing objects, using foul or abusive language to another worker or manager, or any other disruptive activity.

## **Class III Infractions**

Class III infractions are very serious in nature and generally result in termination. Disciplinary action taken for a Class III infraction will occur only after consultation between the President & CEO and the employee's immediate manager, who will conduct a thorough review of the situation. Employees shall normally not be released on the spot without such a review.

If a Class III infraction occurs when the appropriate reviewing managers are not present, the employee will normally be sent home and instructed to return at an appropriate time on the next scheduled working day for discipline resolution. While the discipline will usually be termination, in certain circumstances a final warning may be substituted. In either event, a final warning indicating the reasons for disciplinary action will be presented to the employee for signature. If the employee refuses to sign, the employee's manager will read the incident report to the employee in the presence of a witness. Both the employee's manager and the witness will then sign the incident report.

The following list represents examples of behavior or acts which are unacceptable and classified as Class III infractions. This list is not exhaustive, and conduct of a similar nature will also be cause for corrective action.

- Possession of weapons or explosive materials in CareerSource Tampa Bay premises, other than legal firearms securely locked in the employee vehicles as permitted by law.
- Immoral or indecent acts on CareerSource Tampa Bay premises, attempting and/or harassing or attempting to intimidate another employee into committing immoral or indecent acts.

- Deliberately vandalizing, damaging, defacing, misusing, or unauthorized removal of CareerSource Tampa Bay property or another employee's personal property.
- Unauthorized possession or inspection of CareerSource Tampa Bay records.
- Possession or use of alcoholic beverages or illegal drugs on CareerSource Tampa Bay premises.
- Reporting to work under the influence of alcohol or illegal drugs.
- Insubordination or the refusal to perform work or accept a work assignment when properly requested by another employee having the authority for such action.
- Deliberate falsification of CareerSource Tampa Bay employee records (time cards, expense reports, employment and personnel records, insurance claims, etc.).
- Misuse of CareerSource Tampa Bay documents including reproduction, copying or altering any CareerSource Tampa Bay document without prior authorization from the official custodian of the document. Divulging confidential customer information.
- Conviction and sentencing of any felony under State or Federal Statutes, including guilty, nolo contendere, and no contest pleas to any felony charge.
- Violent behavior, fighting, or threatening violence on CareerSource Tampa Bay premises at any time.
- Appropriation of CareerSource Tampa Bay material or funds for private gain, theft of another employee's property, or sale or purchase of stolen goods on CareerSource Tampa Bay premises.
- Failure to protect sensitive information including personnel records, customer information, etc.
- Deliberately concealing inaccurate data or information on CareerSource Tampa Bay reports or records.
- Removal of or tampering with any emergency equipment including security devices, fire alarms, first aid equipment, or fire extinguishers.
- Computer crime and/or misuse, including, but not limited to: introducing viruses, destroying or falsifying key records.

In addition, if there is reason to believe that the violation of civil or criminal law has taken place, CareerSource Tampa Bay may also file formal complaints to the appropriate police departments, or pursue the matter through civil courts.

## **Disciplinary Procedures**

### **Class I Infractions**

- First Incident** – Oral warning from the manager. (Manager shall record date and subject of oral warning.)
- Second Incident** – Written and final warning from the manager. A summary of the discussion topics and date of the discussion must be recorded in the employee's department records. The manager, after consultation with the President & CEO, shall include a statement in the incident documentation that a further infraction within the next twelve (12) months

may lead to further disciplinary action, up to and including termination. The employee must be given an opportunity to sign this summary or indicate an acknowledgement that the discussion has occurred. A copy of the written warning must be included as a permanent part of the employee's personnel record

- c) **Third Incident within 12 months** – Termination of employment. This will be an action, which must be approved by the manager and the President & CEO. After approval, a statement summarizing the reasons for termination, including the dates of previous oral and written warnings, will be presented to the employee for signature. If the employee refuses to sign, the manager will read the statement to the employee in the presence of a witness, and both the manager and the witness will sign the form.

## **Class II Infractions**

- a) **First Incident** - Final warning. The manager, after consultation with the President & CEO, shall provide a written warning to the employee regarding the incident, which includes a statement that a further infraction within the next twelve (12) months may lead to further disciplinary action, up to and including termination. The employee will be asked to sign the statement. If the employee refuses, the manager will read the statement to the employee in the presence of a witness. Both the manager and the witness will sign the form.

*Note: Should the first Class II Infraction committed by an employee be similar to a Class I Infraction for which the employee had previously received disciplinary action, the Class II Infraction shall be considered a second incident.*

- b) **Second Incident** - Termination of employment. This action shall be a last resort and must be approved by the manager and the President & CEO. After approval, a statement summarizing the reasons for termination, including the date of the final warning, will be presented to the employee for signature. If the employee refuses to sign, the manager will read the statement to the employee in the presence of a witness. Both manager and witness will sign the form.

## **Class III Infractions**

First Incident - Termination of employment. This must be approved by the manager and the President & CEO. After approval, a statement summarizing the reason for termination will be presented to the employee for signature. If the employee refuses to sign, the manager will read the statement to the employee in the presence of a witness. Both the manager and the witness will sign the statement.

There may be occasions where mitigating circumstances dictate a suspension from work instead of a termination. In these situations, the manager and President & CEO must review and approve the exception.

## **Suspension from Work**

The President & CEO of CareerSource Tampa Bay shall have sole authority to suspend, demote, or reduce the pay of an employee.

The President & CEO of CareerSource Tampa Bay may authorize a manager to immediately suspend an employee who is viewed to present a danger to the manager, the employer, fellow employees, or others. This suspension shall be for the duration of that specific workday, and the

employee will be required to meet with his/her manager and the President & CEO of CareerSource Tampa Bay (or his/her designee) at the beginning of the next scheduled day of work to determine the subsequent course of action.

## **Termination of Employment**

The President & CEO of CareerSource Tampa Bay shall have the sole authority to terminate an employee's employment with the Agency. Reasons for termination are set forth in preceding sections as examples and are not an exhaustive list.

## **Violation of Board Policy or Governmental Law**

Employees of CareerSource Tampa Bay are expected to adhere to all Board of Directors' policies, rules, and regulations, as well as all local, county, state, and federal laws while performing duties for or representing the Agency.

Any employee known to be violating a local, state, and / or federal law while on property used for the business of CareerSource Tampa Bay or at any function where the employee is representing the Agency may be subject to referral to the appropriate law enforcement agency. The referral process will be subject to *Florida Statutes*.

Any employee of CareerSource Tampa Bay who willfully violates any Agency policy, rule, or regulation may be subject to dismissal or such lesser penalty the President & CEO may prescribe.

CareerSource Tampa Bay respects its employees' right to privacy; however, for security purposes, CareerSource Tampa Bay reserves the right, when there is reasonable suspicion as determined by the President & CEO, to inspect personal belongings of employees, such as briefcases, lunch boxes, purses, and vehicles parked on any premises of the Agency.

CareerSource Tampa Bay further reserve(s) the right to inspect its property assigned to employees, such as desks, computer files, filing cabinets, and other such areas.

## **Drug Free Workplace**

CareerSource Tampa Bay (hereinafter referred to as CareerSource) is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace.

CareerSource recognizes that alcohol abuse and drug use pose a significant threat to our goals and mission, increases the risk of accidents to all employees, and is a significant factor leading to decreased productivity, high turnover, and decreased morale.

### **Background:**

Local area Workforce Boards and their program contractors are required to establish and maintain a drugfree workplace in accordance with the Drug Free Workplace Act of 1988; Section 188 of the Workforce Investment and Opportunity Act (WIOA) and 29 Code of Federal Regulations Part 98, Subpart F.

The U. S. Drug-Free Workplace Act of 1988 promotes the goal of drug-free workplaces through fair and reasonable drug-testing methods for the protection of public employees and



employers. The act also requires organizations and companies to agree to run a drug-free workplace before entering into a contract or grant program with the government.

Part 683.200 of the proposed rules for the Workforce Innovation and Opportunity Act states “All WIOA title I and Wagner-Peyser grant recipients and subrecipients must comply with the government-wide requirements for...a drug-free workplace, codified at 29 CFR part 98.” CareerSource is a title I grant subrecipient.

In addition, Florida Statute 440.102 provides for a five percent workers compensation premium credit if an organization creates and maintains a drug-free workplace in accordance with the Statute. In order to qualify for and be in compliance with Florida’s Drug-free workplace program an employer must develop a policy that includes the following:

- A statement prohibiting drug use;
- The types of drug tests that will be required and when drug testing will occur;
- Drug testing procedures and the types of drugs for which applicants and employees will be tested;
- The use of a certified medical review officer (MRO);
- Actions the employer may take as a result of a positive test result and the consequences for refusing to submit to drug testing;
- A statement on all job vacancy announcements that a drug test will be required after a conditional offer of employment is made; and
- All information, reports, etc. received by the employer through a drug-testing program are to be considered confidential.

### **Policy:**

It is the policy of CareerSource to prohibit the unlawful manufacture, distribution, possession, use, or offering to sell a controlled substance; the abuse or unauthorized/inappropriate use of legal drugs; and the use or abuse of alcohol while on CareerSource business on CareerSource owned, leased, or supervised property, at an offsite location when located with a partner agency, or while out of the office conducting agency business. It shall also be the policy of CareerSource that no employee shall report to work while under the influence of alcohol or controlled substances.

Therefore, in support of this policy and at its own expense, CareerSource will test for use of controlled substances and abuse of alcohol under the following circumstances:

- All individuals who have applied for a job with CareerSource and have been extended a conditional offer of employment;
- if a reasonable suspicion exists that a current employee is in violation of this Policy as determined by the President and CEO;
- if an employee is involved in an accident during the employee’s work hours which causes injury to himself or to any other person, damage to any property, or results in lost work time, and there is a reasonable suspicion that drug or alcohol use was a factor in causing the accident;
- as a follow-up procedure to any drug or alcohol treatment program

All drug testing shall conform to the requirements of this Policy and to State and Federal law.

**Applicability:**

This policy is applicable during all working hours, whenever anyone is representing or conducting business for CareerSource; to any individual who is conducting business on CareerSource-owned, leased or supervised property or at an offsite location when located with a partner agency; or to any individual who is applying for a position and has been extended an offer of conditional employment.

This includes, but is not limited to CareerSource employees, volunteers, interns, DEO employees located in CareerSource offices, applicants for employment, and partner agency staff located within CareerSource facilities.

**Results of Failure to Comply with Policy:**

Failure of any individual listed above under “Applicability” to comply with this drug-free workplace policy shall result in disciplinary action in accordance with the applicable Personnel Handbook and may result in a referral for legal prosecution. Additionally, if deemed appropriate by CareerSource under the particular circumstances, an individual who violates this drug-free workplace policy may be required to participate in and complete a substance abuse assistance or rehabilitation program to the satisfaction of CareerSource.

Failure by a partner agency that is located in a CareerSource facility to comply with this policy, or a similar drug-free workplace policy of their organization, may result in termination of any agreement or contract. Failure of a program contractor to establish and maintain a drug free workplace policy may result in termination of the contract.

**Definitions:**

Following are definitions that pertain to this policy. Note: This section of the policy is intended to provide, so far as possible, a "plain English" explanation of relevant terms that are associated with the US Drug-Free Workplace Act of 1988 and other applicable regulations. This section is not intended to change the meanings assigned to these statutory terms.

**Chain of custody:** the process of control established by the drug testing laboratory to ensure that drug-testing samples remain tamper-free and properly identified; including ensuring that all times a designated individual has responsibility for the samples and tests. The laboratory may create forms for tracking and proving the chain of custody.

**Controlled substance:** a controlled substance includes the following and is updated through inclusion in schedules I through V of the Controlled Substances Act (21 U.S.C. 812), and as further defined by regulation at 21 CFR 1308.11 through 1308.15.

- Amphetamines (speed, eve, Biphedamine, Desoxyn, Dexedrine, etc.)
- Cannabinoids (marijuana, hashish, hash, hash oil, pot, joint, reefer, roach, spleaf, grass, weed, etc.)
- Cocaine (coke, blow, snow, flake, crack, etc.)
- Phencyclidine (PCP, angel dust, hog, etc.)

- Hallucinogens (LSD, acid, mushrooms, shrooms, etc.)
- Methaqualone (Quaaludes, ludes, etc.)
- Opiates (heroin, codeine, morphine, opium, Dover's powder, paregoric, parepectolin, etc.)
- Barbiturates (phenobarbital, butabarbital, secobarbital, tuinal, amytal, etc.)
- Benzodiazepine (Librium, Valium, Ativan, Azene, Clonopin, Dalmone, Diozepam, Halcion, Poxipam, Restoril, Serax, Transene, Vertron, Xanax, etc.)
- Synthetic narcotics, including methadone (dolphine, methadose, etc.)
- Designer drugs (ecstasy, etc.)

**Conviction:** a finding of guilt (including a plea of no contest or nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

**Drug test:** testing for the presence of the metabolites of controlled substances will be conducted by the analysis of urine. This drug test will be conducted by a 3rd party laboratory contracted by CareerSource at the lab's location using their approved procedures.

**Drug testing results:**

- A positive result means that the presence of alcohol or a controlled substance was detected, and the person failed the test.
- A negative result means the threshold levels for alcohol or a controlled substance were not met, and the person passed the test.
- An invalid test is one in which the test results cannot be used for some reason such as improper documentation.

**Illegal drug:** any drug that (a) is not legally obtainable; (b) may be legally obtainable but which has not been legally obtained; or (c) is being used in a manner or for purposes other than as pre-scribed or intended.

**Legal drug:** prescribed drugs and over-the-counter drugs that have been legally obtained to be used solely for the purpose for which they were prescribed or manufactured.

**Medical review officer (MRO):** is an impartial person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by a drug-testing program and evaluating medical explanations for certain drug test results. This function is contracted out by CareerSource to an independent 3rd party.

**Reasonable suspicion:** a belief that an individual covered by this policy is using or has used drugs or alcohol in violation of this policy. A reasonable suspicion will be based on specific, objective, and easily stated facts and reasonable inferences drawn, as evidenced by the following examples:

- Direct observation of drug and/or alcohol use.
- Erratic behavior or abnormal conduct from the employee's normal behavior while at work and consistent with behavior of a person under the influence of drugs and/or

alcohol. Examples of erratic behavior and abnormal conduct include, but are not limited to:

- slurred speech
- physical and motor impairment
- difficulty concentrating
- memory problems
- poor decision-making abilities
- risky behavior
- blackouts
- Significant deterioration of work performance over a period of time.
- A report of drug use, provided by a reliable and credible source, which has been confirmed by a third party.
- An arrest or conviction of an alcohol or drug related offense.

**Work hours:** the hours each week an employee is scheduled to work. Work hours may include special events that occur before or after a normal workday starting or ending time.

### **Details:**

Following are details and processes/procedures that pertain to this policy.

#### **A. Staff Responsible for this drug-free workplace policy**

The CareerSource Director of Human Resources shall be responsible for overseeing this drug-free workplace policy.

#### **B. Assistance**

CareerSource recognizes that alcohol and drug abuse and addiction are treatable illnesses. It is also understood that early intervention and support improve the success of rehabilitation. To support the CareerSource employees, CareerSource:

- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

#### **C. Drug-free workplace education program**

As part of its effort to implement a drug-free workplace program, CareerSource will conduct an employee education program for the benefit of all of its employees. This program will contain the following elements:

- An annual education program for all employees to inform them about personal and emotional factors which may lead to alcohol or drug dependency.
- A list of services that can be accessed by employees, including alcohol and drug abuse counseling programs, mental health providers, and other agencies and organizations that

can assist with personal or behavioral problems that might trigger drug or alcohol abuse. This information may be reviewed by any employee on a confidential basis.

- A resource file of websites designed to educate employees about the known effects of drug and alcohol abuse.

#### **D. Notices**

CareerSource shall post a notice of this drug-free workplace policy within each of its office locations and on its ADP payroll portal. In addition, CareerSource shall include a statement on all job vacancy announcements that a drug test will be required after a conditional offer of employment is made.

#### **E. Pre-employment drug testing**

If CareerSource extends an offer of employment to a job applicant who otherwise satisfactorily meets CareerSource's standards for employment, the offer will be conditional upon the job applicant submitting to a drug test to determine the presence of controlled substances.

A positive drug test result indicating the use of controlled substances or alcohol abuse will result in revocation of an offer of employment. Job applicants will have the right to challenge any drug test or request a retest at the job applicant's expense. The procedures for challenging a drug test or requesting a retest can be obtained from the Director of Human Resources.

#### **F. Active employee drug testing**

CareerSource reserves the right to ask any employee to submit to drug testing under the following conditions:

- If an employee is involved in an accident during the employee's work hours which causes injury to himself or to any other person, damage to any property, or results in lost work time, and there is a reasonable suspicion that drug or alcohol use was a factor in causing the accident;
- When an employee is directly observed drinking alcohol or using a controlled substance.
- When, in the opinion of two managers or a manager and an additional competent coworker, a reasonable suspicion exists that an employee may be abusing or under the influence of a controlled substance or alcohol. In such circumstances, the managerial personnel will document, in writing, the basis for their reasonable suspicion. If the reasonable suspicion is based on a report by another person, this report must be confirmed by a manager.
- When an employee has sold or otherwise solicited any other person to obtain, use, or purchase illegal drugs, controlled substances or alcohol during working hours, or there is a reasonable suspicion by a manager that such activities have taken place. In such circumstances, the managerial personnel will document, in writing, the basis for the reasonable suspicion. If the reasonable suspicion is based on a report by another person, this report must be confirmed by a manager.
- When it is a follow-up procedure that is part of a referral to the Employee Assistance Program or enrollment in a drug or alcohol abuse program.

## **G. Consequences of Refusing a Drug Test or Treatment or Tampering with a drug test**

- **Refusal to Cooperate - Job Applicants**  
Any person receiving a conditional offer of employment who refuses to submit to drug and alcohol testing, or who alters, changes in any way, or otherwise interferes with drug-testing collection, samples, or analysis, will have the job offer withdrawn and is immediately disqualified from employment by CareerSource.
- **Refusal to Cooperate - Employees**  
Any employee who refuses to submit to drug and alcohol testing when required may be terminated or referred to a Life Assistance Program at the discretion of the President and CEO. An employee who alters, changes in any way, or otherwise interferes with drug-testing collection, samples, or analysis, will be immediately terminated and may forfeit any medical or indemnity benefits available under the workers' compensation regulations (F.S. 440.101 (2)).
- **Refusal to Accept Treatment or Failure to Rehabilitate**  
Any employee who rejects a treatment program offered through the Life Assistance Program or who leaves a treatment program prior to being properly terminated will may be immediately terminated from employment with CareerSource.
- **Limitations on Referral to Life Assistance Program**  
CareerSource wishes to make every effort to rehabilitate an employee who may be experiencing drug or alcohol problems. However, should an employee be referred to a Life Assistance Program for drug or alcohol treatment or self-enroll in a drug or alcohol 39 treatment program two times within a three-year period, that employee will may be immediately terminated.

## **H. Notification of positive drug test results**

Within five working days after the receipt of the positive confirmed test results from the MRO, CareerSource or the MRO shall inform the applicant or employee in writing of such positive test results, the consequences of such results, and the options available including the right to file an administrative or legal challenge. (F.A.C. 38F-9.008(3)). A determination of next steps to be taken shall be made by the President and CEO.

## **I. Contesting drug test results**

An applicant or employee has the right to contest failed/positive drug test results. In the event a job applicant or employee fails a drug test, CareerSource or the MRO will inform the employee or job applicant of the result within three days after receipt of the test result from the testing laboratory or clinic. The employee or job applicant will have five days after notification to discuss the test results with the MRO, submit documentation of any prescription drugs relevant to the test result to the MRO, or request a retest at the employee or job applicant's expense.

Should the job applicant or employee present satisfactory documentation that serious illness, injury, or other circumstances unavoidably prevented contact with the MRO within the specified time limit and/or provide legitimate explanations for the failure of the drug test, the MRO may authorize a retest or take other acceptable and appropriate actions. If, however, the job applicant or employee refuses to talk with the MRO regarding a drug-test failure, the MRO shall notify CareerSource Human Resources.

**J. Reporting to work under the influence**

Any employee who reports to work under the influence of controlled substances or alcohol or becomes visibly impaired while at work will not be allowed to continue working that day.

The Director of Human Resources and the employee's Director shall be notified immediately. The employee's Director shall send the employee home immediately by taxi or other safe transportation including transportation by another employee at the expense of the employee who reported to work under the influence. The Director of Human Resources may arrange for the affected employee to submit to drug testing as outlined in this policy.

An employee or other manager/manager who observes another employee who appears to be visibly impaired should seek the opinion of the employee's manager. The manager of the allegedly impaired employee should consult privately with that employee to determine if there is an impairment and the reason for the impairment. The results of this discussion will be brought to the department Director who shall contact the Director of Human Resources if it appears the employee's visible impairment is the result of alcohol or illegal drugs. The Director of Human Resources may arrange for the employee to submit to drug testing as outlined in this policy.

**K. Loss of worker's compensation benefits**

If an employee is injured on-the-job while conducting CareerSource business and drug tests or other medical evidence indicates the presence of drugs or alcohol in the employee's body at the time of the accident, the employee may be required to forfeit any medical or indemnity benefits available under the Florida Workers' Compensation Statute (F.S. 440.101(2)). This penalty is in addition to any others that might apply either under this policy or under applicable law.

**L. Searches**

Entering CareerSource-owned, leased, supervised property or an offsite location when located with a partner agency constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time.

**M. Notification of Convictions**

Any employee who is convicted of, pleads guilty, nolo contendere or no contest to, a criminal substance abuse violation, including DUIs, must notify CareerSource in writing within five calendar days of the conviction. CareerSource will take appropriate action, including notifying state and federal agencies where and when appropriate. A failure to report a drug conviction to CareerSource within the applicable time periods will result in immediate termination of the employee, unless good cause exists for the employee's failure to report the conviction to CareerSource. The determination of good cause is at the sole discretion and interpretation of the CareerSource President and CEO.

**N. Confidentiality**

All test results of employees will be kept strictly confidential with access to this information limited to those who have a legitimate need to know in compliance with relevant laws and management policies, except in the following circumstances:

- When the employee has given consent to make test results known; or
- When placed at issue by the employee in any legal, administrative, or other proceeding to determine compensability of a workers' compensation claim or as otherwise provided by law.

### **Action Steps Required:**

Following are the action steps that must be taken by each CareerSource staff, DEO staff located in CareerSource offices, volunteers and interns.

- A. Each individual must review this policy directive. If the individual has a question about anything contained herein, it is his/her responsibility to immediately bring the question to the attention of his/her manager. If not resolved, the manager will contact Human Resources.
- B. CareerSource contract managers and appropriate Directors shall provide this policy to all partner agencies located in a CareerSource facility and Program Contractors and require that each submit a letter stating that this policy was provided to all appropriate staff and that the partner or program contractor shall abide by this policy or submit their own to Human Resources for review.
- C. It is the responsibility of each individual to immediately report any breach of this policy to their Director or to the attention of Human Resources.
- D. Each manager and director is responsible for informing employees of this policy.
- E. Each individual must replace previous drug free workplace policies with this policy reissuance.

### **Policy Amendments of revocation:**

Notwithstanding any of the foregoing, CareerSource reserves the right to revise or revoke this policy at any time.

This policy is written to establish local procedures and is not intended to supersede any applicable laws or regulations. Nothing in this policy shall be construed as creating any legal rights for any individual beyond the rights such persons may have under the Drug-free Workplace Act of 1988 or the Workforce Innovation and Opportunity Act. Failure of CareerSource to adhere strictly to the steps outlined within this policy shall not be construed as a violation of rights or administrative procedures.

### **Employee Problem Resolution**

Good morale among staff is necessary, and problems can be solved as they arise by the sincere efforts of all persons concerned if they work toward constructive solutions to such problems in an atmosphere of courtesy and cooperation. When a staff member has a concern, resulting from



discipline or any other event, every effort shall be made to satisfactorily resolve that problem by informal procedures. However, there are occasions when informal resolution may not be possible; therefore, formal procedures for resolution are set forth within the Agency's Grievance and Compliant procedure policies that have been approved by the Board of Directors.

## **Garnishment/Child Support**

When an employee's wages are garnished by a court order, CareerSource Tampa Bay is legally bound to withhold the amount indicated in the garnishment order from the employee's paycheck. CareerSource Tampa Bay will, however, honor applicable federal and state guidelines that protect a certain amount of an employee's income from being subject to garnishment.

## **Whistle-Blower**

All CareerSource Tampa Bay directors, officers, employees, volunteers, interns, contractors, and training vendors are expected to act in accordance with all applicable laws, regulations, and the policies of CareerSource Tampa Bay at all times and to assist in ensuring that CareerSource Tampa Bay conducts its business and affairs accordingly.

Every CareerSource Tampa Bay employee and DEO employee located in CareerSource Tampa Bay's offices who has knowledge of or a concern about any activity, policy, or practice of CareerSource Tampa Bay that is in violation of a law, rule or regulation should report his or her knowledge or concern to either the President and CEO of CareerSource Tampa Bay, or, if the allegation concerns the President, to the Board Chair, for investigation and corrective action.

CareerSource Tampa Bay will not retaliate against any employee who makes such a report. Any such person who believes he or she is being retaliated against must contact Human Resources immediately. The protection against retaliation does not include immunity for any personal wrongdoing by the person making the report. An employee who intentionally files a false report of alleged wrongdoing will be subject to discipline up to and including termination.

## **Smoking and Tobacco Products**

Florida's Clean Indoor Air Act prohibits smoking in enclosed public places, including enclosed indoor places of business. Therefore, smoking in the workplace (including the use of e-cigarettes and vaping) is prohibited except in specifically designated locations outside. In situations where the preferences of smokers and nonsmokers are in direct conflict, the preferences of nonsmokers will prevail. This policy applies equally to employees, customers, and visitors.

## **Parking**

Free parking facilities are available to employees. You are required to park within the designated areas. CareerSource Tampa Bay is not responsible for loss, damage, or theft of your vehicle. Therefore, we suggest that you lock your car doors.

## **Dress Code Policy**

Professionalism is reflected by the appearance and manner of our employees. Consequently, it is necessary to establish guidelines for maintaining and enhancing CareerSource Tampa Bay

image. This Dress Policy is intended to allow flexibility and comfort for the employees of CareerSource Tampa Bay, while providing examples and boundaries of attire considered acceptable, and unacceptable for the image we wish to present to our customers.

The following includes a chart of acceptable business attire. Questions should be directed to your manager and in the event your manager is unable to address the issue then contact Human Resource Department. CareerSource Tampa Bay reserves the right for flexibility and to require specific dress for scheduled days and events.

## **Business Attire**

### **Female Employees**

- Long or short-sleeved dress or sport shirts
- Sweaters/cardigans
- Blazers
- Dress Slacks
- Suits
- Skirts/Dresses (no higher than 4" above knee)
- Dress shoes – flat shoes ("Flats"), closed or open-toed dress shoes, dress boots, loafers

### **Male Employees**

- Long or short-sleeved dress or sport shirts
- Sweaters/cardigans
- Dress slacks
- Suits
- Sport coats or blazers
- Dress shoes – Shoes, boots, loafers, or deck shoes (with socks)
- Necktie (when appropriate)

*All clothing must be clean, neat, pressed, and project a well-groomed appearance.*

Employees must consider their individual schedule/assignment for that day when deciding what to wear to work. In order to project a high level of professionalism, meetings with vendors, customers, or other individuals outside the organization may require a higher standard of dress than what is common for the office on a given date. Positions dealing with facilities issues such as a custodian or maintenance person may be required to wear specific clothing based on the handling the nature of the duties. Good personal hygiene and personal habits are also very important. Body cleanliness, especially of the hands and fingernails, is a must. No employee will be permitted to wear nontraditional hair colors (i.e., blue, green) or piercing in any visible part of the body (other than the ears) while at work.

## **Prohibited Attire**

*(Cannot be worn in the workplace at any time unless an exception is noted below)*

The following articles and types of clothing are not acceptable for wear in the workplace:

- Athletic jerseys, tank tops, tube tops, halter tops, backless or bare midriff shirts, shirts with written slogans, expressions or depictions
- Spandex/lycra garments, leggings, jeggings, sweat pants, running or warm-up suits, workout clothes and overalls or coveralls
- Underwear as outerwear, excessively tight, provocative or revealing attire (braless or mini look) or off-the-shoulder garments
- Wrinkled, stained, ripped or "distressed" clothing
- Any form of casual denim (Jeans, vests, blazers)

- Hats, caps, sweatbands and similar headwear
- Tennis shoes / sneakers / athletic shoes
- Any form of flip-flops or work boots

*Please note that this list is not all inclusive. Manager will have final decision of what is not acceptable.*

## **Tattoos**

While we understand your need for personal expression, tattoos are not acceptable for business environments. Tattoos must be completely covered by your uniform or appropriate dress while on duty.

## **Accommodations Related to Dress Code Policy**

This policy has been developed to ensure that all employees understand the importance of appropriate grooming and hygiene in the workplace or when otherwise representing CareerSource Tampa Bay. Every effort will be made to reasonably accommodate employees with a disability or with religious beliefs that may make it difficult for that employee to comply fully with the dress code policy. Employees should contact their manager or Human Resources to discuss the employee's specific needs.

## **Use of Electronic Media**

The purpose of this policy is to maximize the understanding of electronic communications, including social media, for CareerSource Tampa Bay employees, DEO staff located in CareerSource Tampa Bay offices, volunteers, interns, and other authorized users; describe all associated requirements that are necessary to ensure compliance with federal, state, and local laws; and outline potential performance issues caused by the improper or unauthorized use of the systems made available to carry out the workforce development business of this local workforce area.

## **Florida's Public Records Act (Sunshine Law):**

Users of CareerSource Tampa Bay electronic communications should be aware that the Florida Public Records Act, Chapter 119, and other similar laws require that CareerSource Tampa Bay make available upon request any and all public records, which may include an individual staff's personal electronic communications records as they may be difficult to distinguish from public records.

This law provides that any records made or received by any public agency in the course of its official business are available for inspection, unless specifically exempted by the Florida Legislature. Over the years, the definition of what constitutes "public records" has come to include not just traditional written documents but also tapes, photographs, film, sound recordings, and records such as email stored in computers.

**Policy:**

CareerSource Tampa Bay is committed to providing an environment that encourages the use of computers and electronic communications, including but not limited to email, internet access, and social media, as essential tools to support CareerSource Tampa Bay's workforce development efforts. It is the responsibility of each individual to ensure that this technology is used for proper business purposes and in a manner that 1) is responsible, professional, and legal; 2) does not compromise the confidentiality of sensitive information; 3) does not compromise the security of CareerSource Tampa Bay's computer resources; 4) is consistent with the workforce development business of CareerSource Tampa Bay; and 5) is in accordance with the guidelines written within this policy and all other CareerSource Tampa Bay policies.

**Applicability:**

This policy on electronic communications and social media applies to CareerSource Tampa Bay staff, volunteers, interns, and DEO employees located in the CareerSource Tampa Bay facilities, whether they are on CareerSource Tampa Bay property or off-site; partner agency staff located within CareerSource Tampa Bay facilities; program contractors; and other authorized users.

**Results of Failure to Comply with Policy:**

Failure of any of the individuals listed above under "Applicability" to comply with this electronic communications and social media policy shall result in disciplinary action in accordance with this employee handbook. Failure by a partner agency that is located in a CareerSource Tampa Bay facility or a program contractor to comply with this policy may result in termination of any MOU, agreement or contract.

**Details and Definitions:**

Following are definitions and details of this policy. Note, use of the term "employee" or "staff" shall mean any of the individuals listed above under "Applicability".

**A. CareerSource's Electronic Communication Systems**

1. **Ownership.** All aspects and components of CareerSource Tampa Bay's electronic communications systems, including but not limited to hardware, software, website, telephones, copiers/scanners, cell phones, fax machines, all communications/messages that are sent or handled by these systems, and documents stored on any of these devices are considered to be the property of CareerSource Tampa Bay. These electronic communications systems, including e-mail and Internet access, are business tools provided by CareerSource Tampa Bay.
2. **No Right to Privacy.** Employees do not have a right to privacy in any communication or document created, received, sent, stored or accessed by CareerSource Tampa Bay's electronic resources, whether or not the communication or document is designated as private or confidential. An employee's access code or password does not give him or her any right to privacy with respect to using CareerSource Tampa Bay's electronic resources, including equipment, email, and Internet systems.

3. **Monitoring.** CareerSource Tampa Bay reserves the right to access, monitor, and review, without prior notice and at any time, all CareerSource Tampa Bay electronic resources for the purpose of assuring compliance with statutory requirements and internal policies, supporting the performance of internal investigations, and assisting with the management of CareerSource Tampa Bay's information systems. This includes but is not limited to the right to monitor emails, Internet sites visited, duration of employee(s) Internet use, Internet files and pages which have been viewed, accessed, or downloaded, voice messages, and documents stored on any CareerSource Tampa Bay electronic resources.
4. **Authorized Usage.** CareerSource Tampa Bay's electronic communications systems must be used to solely to facilitate the workforce development business of the organization. Employees are forbidden from using CareerSource Tampa Bay's electronic communication systems for private business activities, for personal use, or for amusement/entertainment purposes, except as provided by applicable law.
5. **Inappropriate Use.** Employees are reminded that the use of corporate resources, including electronic communications, should never create either the appearance or the reality of inappropriate use. Inappropriate use may result in loss of access privileges and disciplinary action. Some specific examples of inappropriate and therefore prohibited uses include, but are not limited to, the following:
  - Transmitting, retrieving, downloading, or storing messages or images from or to another employee or authorized user, or to a vendor, training provider, program contractor, customer, or other outside party, that are offensive, discriminatory, inflammatory, derogatory, off-color, abusive, profane, sexual in content, harassing in nature, threatening, or otherwise inappropriate in a business environment. This includes messages that are about an individual or group's race, age, disability, religion, marital status, national origin, physical attributes or sexual orientation. Such remarks, even when made in jest, are not appropriate and must be avoided.
  - Transmitting, retrieving, downloading, or storing messages or images for any purpose that is illegal, against CareerSource Tampa Bay policy, or contrary to CareerSource Tampa Bay's best interest.
  - Conducting personal business, soliciting personal business opportunities, or personal advertising.
  - Gambling, monitoring sports scores, or playing electronic games.
  - Downloading or distributing pirated software, music, or data.
  - Using CareerSource Tampa Bay's electronic communication resources to propagate a virus, worm, Trojan horse, trap door program code, or other similar potential threats.
  - Uploading software licensed to CareerSource Tampa or data owned or licensed by CareerSource Tampa Bay without authorization to do so.
6. **Password Accountability.** Regardless of the circumstances, an individual's password(s) to CareerSource Tampa Bay's electronic communication systems or the State systems such as OSST, EFM, etc. must never be shared or revealed to anyone else. To do so exposes the employee to responsibility for actions the other individual takes with the password. If employees need to share computer resident data, they should utilize public directories on CareerSource Tampa Bay network servers and other authorized information-sharing mechanisms.

To prevent unauthorized parties from obtaining access to electronic communications, users must choose passwords which are difficult to guess (for example, not a dictionary word, not a personal detail, and not a reflection of work activities).

7. **User Identity.** Misrepresenting, obscuring, suppressing, or replacing a user's identity on an electronic communications system is not allowed. The user name, electronic mail address, organizational affiliation, and related information included with electronic messages or postings must reflect the actual originator of the messages or postings.
8. **Protection of Confidential Information.** Employees and other authorized users are reminded that CareerSource Tampa Bay's electronic communication systems are not encrypted by default; therefore, the confidential information is not automatically protected. If confidential or sensitive information must be sent by electronic communication systems, encryption or similar technologies to protect the data must be employed.

## **B. Social Media within CareerSource Tampa Bay**

1. **Definition.** Any online tool or application that goes beyond simply providing information, instead allowing collaboration, interaction, and sharing. Examples of social media include, but are not limited to, the following:
  - social networking sites (i.e. Facebook, Myspace, LinkedIn, Bebo, Yammer)
  - video and photo sharing websites (i.e. Flickr, Snapchat, Shutterfly, YouTube, Instagram)
  - blogs, including corporate blogs, media outlet blogs and personal blogs
  - micro-blogging (i.e. Twitter)
  - wikis and online collaborations (i.e. Wikipedia)
  - forums, discussion boards and groups (i.e. Google groups, Whirlpool)
  - vod and podcasting
  - online multiplayer gaming platforms (i.e. World of Warcraft, Second life)
  - instant messaging (including SMS)
  - geo-spatial tagging (Foursquare)
2. **Encouraging Use of Social Media.** CareerSource Tampa Bay encourages the use of social media technologies to enhance communication, collaboration, and information exchange in support of CareerSource Tampa Bay's workforce development business. By openly sharing knowledge, best practices, and lessons learned with and from other federal, state, and local partners, other regional boards, the public, other employees, and our customers, we can provide more effective solutions and efficiencies to enhance excellence in the business of workforce development.

The use of social media technology follows the same standards of professional practice and conduct mentioned above under "Electronic Communications Systems." Common sense and sound judgment help avoid the most vexing issues.
3. **Guidelines on Use of Social Media.** The following apply to the use of social media by an employee:
  - The CareerSource Tampa Bay Marketing Team are the staff solely responsible for commenting, updating, creating and managing all CareerSource Tampa Bay social

media outlets, including Facebook, Twitter, YouTube, and any future social media sites.

- No employee, with the exception of the CareerSource Tampa Bay Marketing Team, is authorized to comment as a representative of CareerSource Tampa Bay at any time on any social media outlet.
- No staff is authorized to create any accounts in social media outlets using the CareerSource Tampa Bay logo or CareerSource Tampa Bay name unless approved in advance by the Director of Business Services.
- All staff, with the exception of the Marketing Team, are prohibited from using social media to contact customers unless approved in advance by the Director of Business Services. This is to ensure that all communication with customers is done using our electronic communications systems to ensure proper archival of the message in accordance with Florida's public records law and the CareerSource Tampa Bay policy on Records Management.

4. **Personal Use of Social Media.** CareerSource Tampa Bay recognizes that staff may wish to use social media in their personal life. This policy does not intend to discourage nor unduly limit their personal expression or online activities. However, staff should recognize the potential for damage to be caused (either directly or indirectly) to CareerSource Tampa Bay in certain circumstances via staff's personal use of social media when staff can be identified as an employee. Accordingly, staff should comply with this policy to ensure that the risk of such damage is minimized.

Staff are personally responsible for the content that they publish in a personal capacity on any form of social media platform. When in doubt, staff should seek guidance from their immediate manager on how to comply with this policy.

5. **Restrictions.** Where CareerSource Tampa Bay employees or program contractors can be identified as a staff or program contract's staff of CareerSource Tampa Bay, they will be held responsible for anything they post to social media sites regarding any aspect of the CareerSource Tampa Bay organization, its programs and services, its customers or its partners. The following guidelines must be adhered to:
  - Only publicly available information should be disclosed and/or discussed;
  - Ensure that all content published is accurate, not misleading and complies with all relevant CareerSource Tampa Bay policies;
  - Expressly state on all postings (where staff are identified as an employee or program contractor) the stated views are the staff's own and are not those of CareerSource Tampa Bay or the program contractor; use a disclaimer such as this: "The postings on this site are my own and do not necessarily represent the views or opinions of CareerSource Tampa Bay."
  - Be polite and respectful to all people you interact with;
  - Adhere to the Terms of Use of the relevant social media platform/website;
  - Respect copyright and disclosure laws;
  - Be aware of your association with CareerSource Tampa Bay in online social networks. If you identify yourself as an employee, ensure the profile and related

content is consistent with how you wish to present yourself to CareerSource Tampa Bay management, colleagues and customers;

- Show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory such as politics and religion;
- Do not post material that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, or is unlawful;
- Do not imply that you are authorized to speak as a representative of CareerSource Tampa Bay, nor give the impression that the views you express are those of CareerSource Tampa Bay;
- Do not use your CareerSource Tampa Bay email address or CareerSource Tampa Bay logos or insignia that may give the impression of official support or endorsement of your personal comment;
- Do not use the identity or likeness of another employee, program contractor or other member of CareerSource Tampa Bay;
- Do not publish, disclose or report on any conversations or information that is deemed confidential or personally identifiable information or deals with matters that are internal in nature; and
- Do not make any comment or post any material that might otherwise cause damage to CareerSource Tampa Bay's reputation or bring it into disrepute.

### **Action Steps Required:**

Following are the action steps each individual listed under "Applicable" must take.

1. Each individual must review this policy directive. If the individual has a question about anything contained herein, it is his/her responsibility to immediately bring the question to the attention of his/her manager. If not resolved, the manager will contact Human Resources.
2. CareerSource Tampa Bay contract managers and appropriate Directors shall provide this policy and any subsequent revisions to all partner agencies located in a CareerSource Tampa Bay facility and to program contractors and require that each submit a letter stating that this policy was provided to all appropriate staff and that the partner or program contractor shall abide by this policy.
3. Each individual must replace previous policies associated with electronic communications and social media with this new policy document.
4. It is the responsibility of all individuals to immediately report any breach of this policy to Human Resources, including any accidental disclosure or suspected misuse.
5. Each manager and director is responsible for informing employees of this policy.

### **Policy Amendments or Revocation:**

Notwithstanding any of the foregoing, CareerSource Tampa Bay reserves the right to revise or revoke this policy at any time.

This policy is written to establish local procedures and is not intended to supersede any applicable laws or regulations. Failure of CareerSource Tampa Bay to adhere strictly to the steps



outlined within this policy shall not be construed as a violation of rights or administrative procedures.

### **Non-interference with Employee Rights;**

These policies are not intended to and should not be interpreted as discouraging or preventing employees from engaging in legally required or legally protected activities. For example, legally protected activities may include engaging in concerted activities for the purpose of collective bargaining or other mutual aid or protection in accordance with the National Labor Relations Act.

## **Company Cell Phone Policy**

- a) **Cellular Service Vendors:** To facilitate accomplishment of the above objectives, CareerSource Tampa Bay may, at its discretion, enter into contracts with cellular telephone service providers. During this period when one or more of these contracts is in force, CareerSource Tampa Bay will only purchase cellular telephones or cellular telephone service agreements for employee use on the basis of these contracts, unless a specific exception is granted.
- b) **Eligibility and Approval:** Cellular telephones and services may be provided to employees to conduct activities incident to their employment that either cannot be conducted on a land-line telephone or for which it would be inefficient to use a land-line telephone.
- c) **Distribution of the various types of Cellular telephones will be controlled:**
  - **Cellular Telephones** – Director or above approval needed. This type of cellular telephone is for CareerSource Tampa Bay employees who are mobile a minimum of at least 30% (thirty percent) of their time.
  - **Personal Digital Assistants (PDA)** – Director or above approval needed. This device is for employees who need to be reachable during off-hours or when not at CareerSource Tampa Bay, and who need access to e-mail throughout the day from various locations. Personnel that are authorized to utilize a PDA device must turn in any other cellular telephone that was provided by CareerSource Tampa Bay. Personnel that utilize a PDA must be salaried staff and not hourly due to employment labor laws regarding overtime.
  - **Wireless Cards** – Director or above approval needed. Wireless cards are used for personnel that utilize a laptop and must have the ability to connect at any location to complete assignments.
- d) **Personal Calls:** Cellular telephones are provided to employees for the purpose of conducting CareerSource Tampa Bay business. Business use is any use in the course of performing specific job-related duties on behalf and for the benefit of CareerSource Tampa Bay. Only highly limited, responsible personal use of CareerSource Tampa Bay owned cellular equipment to make or receive personal calls is permitted. Employees must realize that although personal calls made within the local calling region are under the usage limits, provided by CareerSource Tampa Bay plan although, they do not result in additional charges, they do count toward the overall time limits. Any overage, long distance, roaming or other charges for personal calls shall be the responsibility of the employee.

- e) **Other Restrictions:** An employee may not operate a personal business (i.e. selling Tupperware, Avon, etc.) from a CareerSource Tampa Bay provided cellular telephone, PDA or other assigned device. Further, employees must utilize Password Protection on all devices to protect company data.
- f) **Plans, Handsets, Features, and Accessories:** CareerSource Tampa Bay will contract for a set of usage plans, handsets, features, and telephone accessories that will serve the needs of most employees. Normal usage plans will include voice or voice and data. Plans will be set to restrict text messaging, picture sending/receiving, and use of the Internet unless explicitly authorized to conduct official business.
- g) **Safety Precautions:** Employees must follow Florida State laws in regarding cellular telephone uses while operating a motor vehicle, including the prohibition of texting while driving.
- h) **Damage, Loss, or Theft:** Lost or stolen cellular equipment should be immediately reported to the employee's manager, and to the department issuing the equipment (Finance Department) so the service can be suspended or cancelled. If more than two losses, employee will be responsible for the insurance deductible (whatever the prevailing rate is at the time). Reasonable wear and tear is expected of any cellular device however, if abuse is suspected, CareerSource Tampa Bay reserves the right to prohibit future issuance and use of a cellular device.
- i) **Penalties for Misuse:** Imprudent use of conventional telephones, cellular telephones, PDAs, or other equipment shall be cause for removing the cellular telephones or PDAs from the individual and/or cause for disciplinary action in accordance with CareerSource Tampa Bay's disciplinary policy.
- j) **Changes in Usage of Equipment:** Any changes in the usage of cellular telephones or PDAs are processed through the Finance Department. The most common examples for changes are equipment upgrades, rate plan changes, disconnection of services, and lost or stolen equipment.
- k) **Usage Monitoring.** Directors and managers are responsible for educating personnel about appropriate cellular telephone procedures and monitoring their usage. In emergency situations, Directors may grant exceptions to these usage policies. In such circumstances, the employee must reimburse any charges incurred for personal use on a timely basis.
- l) **Program Management:** The relationship with cellular providers shall be managed through the Finance Department. CareerSource Tampa Bay will select service plans/providers and will select and standardize all telephones for use.
- m) **Auditing:** All cellular telephone bills will be subject to auditing at any time to ensure enforcement of this policy.
- n) **Acquisition:** To obtain a PDA/Cellular Telephone, a request must be completed which outlines the basic request along with the written justification of why the position must have such a device as well as its intended usage.
- o) **Safety Guidelines:**
  - Use a hands-free set when available.
  - Use features such as speed dial and voice-activated dialing.
  - Do not use a cell phone when refueling an Agency vehicle.
  - Do not use a cell phone while driving.

Employees that fail to exercise proper judgment and follow the safety guidelines when using a cell phone is subject to disciplinary action, up to and including termination.

## **Personal Cell Phone Use While Working**

While at work, employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of the Agency's phones. Excessive personal calls or texting during working time, regardless of the phone used, can interfere with productivity and be distracting to others, particularly customers. Employees should restrict their personal calls and texts during work time. Employees are therefore asked to make any other personal calls or texts on non-work time where possible and to ensure that friends and family members are aware of the Agency's policy.

Flexibility will be provided in circumstances demanding immediate attention. The Agency will not be liable for the loss of personal cellular phones brought into the workplace. Employees whose job responsibilities include regular or occasional driving are expected to refrain from using their phones while driving. Safety must be the first priority. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short.

Under no circumstances are employees allowed to place themselves at risk to fulfill business needs. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

## **Safe Driving Policy**

It is the policy of CareerSource Tampa Bay that all individuals who drive a vehicle in the course and scope of conducting CareerSource Tampa Bay business must obey all State of Florida laws while driving, must maintain an acceptable driving record, and must follow the reporting requirements included within this policy.

Failure to comply with this policy may result in disciplinary action.

### **Definition of Key Terms:**

**Acceptable driving record** – the employee does not have any of the following violations on his/her driving record within the last three years:

- Operating a vehicle with a suspended or revoked license
- Operating a motor vehicle without the owner's consent
- Driving while under the influence
- Negligent homicide with a motor vehicle
- Using a motor vehicle for commission of a felony
- Aggravated assault with a motor vehicle
- Fleeing or trying to elude a police officer
- Hit and run

- Leaving the scene of an accident with injury or death resulting, or property damage in excess of \$2500
- Four or more of the following violations within the last three years:
  - A moving violation
  - An at-fault accident
  - Reckless driving
  - Careless/negligent driving

CareerSource Tampa Bay business – Any actions planned or taken, meetings or events attended, etc. that are done as an employee of CareerSource Tampa Bay, DEO staff located in a CareerSource Tampa Bay office, volunteers, or interns during scheduled work hours. When used within this policy, driving on CareerSource Tampa Bay business does not include an employee's commute time to and from work.

### **Details:**

Following are details, processes/procedures, and safety rules that pertain to this policy and are incorporated into this policy. This policy is intended to coordinate with and not contradict the personnel handbook and all other applicable CareerSource Tampa Bay policies such as the Drug Free Workplace policy, the Travel Authorization and Reimbursement policy, and the Social Media and Electronic Communications policy.

#### **A. Safety Rules**

1. CareerSource Tampa Bay employees, DEO employees located in a CareerSource Tampa Bay office, volunteers, and interns must follow all laws of the State of Florida while driving on CareerSource Tampa Bay business. This includes, but is not limited to,
  - having, carrying and maintaining a valid/current State of Florida Driver's License;
  - keeping any vehicle that is driven on CareerSource Tampa Bay business registered within the State of Florida;
  - having insurance that meets the minimum insurance requirements of the State of Florida; and
  - conforming to all traffic laws
2. CareerSource Tampa Bay employees, DEO employees located in a CareerSource Tampa Bay office, volunteers, and interns must have an acceptable driving record to drive a vehicle while on CareerSource Tampa Bay business. See definition of "Acceptable driving record" under "Definitions" above.

**B. Accidents.** Any CareerSource Tampa Bay employee, DEO employee located in a CareerSource Tampa Bay office, volunteer, or intern who is involved in an accident while driving on CareerSource Tampa Bay business is required to follow the steps shown below:

- If there are injuries, call 911 immediately.
- Notify the local police, no matter how insignificant the accident or damage.
- Attempt to obtain the following information, especially if the police do not show.
  - Names, addresses, and contact information of the other vehicle owner(s) and driver(s)

- Details of the other vehicle(s) such as tag number, make and model of car, etc.
- Names and contact information of any witnesses
- Name of insurance company of the other driver(s)
- Make no statements of fault or any other details pertaining to the accident to anyone other than the police.
- If you have a camera or a cell phone with a camera with you, take pictures of the accident scene.
- Contact your manager as soon as possible, but by no later than the start of the next business day. You may be instructed to go directly to a lab for a drug test.
- Complete a CareerSource Tampa Bay Accident or Incident Report form immediately after leaving the scene of the accident by following the instructions issued with this report form, including attaching any paperwork created by the police, an information exchanged with other drivers, or any other information obtained.

If a CareerSource Tampa Bay employee, DEO employee located in a CareerSource Tampa Bay office, volunteer, or intern damages another vehicle while conducting CareerSource Tampa Bay business and that vehicle is unattended, he/she must leave a note on the other vehicle with his/her business card or contact information and then follow the report instructions in #4 above.

**C. Employee reporting.** A CareerSource Tampa Bay employee, DEO employee located in a CareerSource Tampa Bay office, volunteer, or intern must report the following to Human Resources within 24 hours or by the start of the next business day, whichever is earlier, or as soon as reasonably possible.

- All traffic violations received while driving on CareerSource Tampa Bay business. Note, CareerSource Tampa Bay will not reimburse employees who receive a traffic citation or parking ticket while conducting CareerSource Tampa Bay business.
- Any of the violations described under the definition “Acceptable driving record” whether this violation was received during work time or on personal time.
- Any motor vehicle accident that occurs while conducting CareerSource Tampa Bay business.
- Any change in driver’s license status, including temporary or permanent suspensions, restrictions, limitations, and/or revocation.
- Any penalty, fine, imprisonment, or other adverse action imposed by the police or a court in connection with any incident that occurred while driving.

**D. Review.** The Human Resources Department may conduct a periodic review to ensure that CareerSource Tampa Bay employees, DEO employees located in a CareerSource Tampa Bay office, volunteers, and interns are in compliance with this policy; however, it is the responsibility of the individual to report as is required within this policy.

### **Action Steps Required:**

Following are the action steps that must be taken by each CareerSource Tampa Bay employee, DEO employee located in a CareerSource Tampa Bay office, volunteer, or intern.

- A. Each individual must review this policy directive. If the individual has a question about anything contained herein, it is his/her responsibility to immediately bring the question to

the attention of his/her manager. If not resolved, the manager will contact Human Resources.

- B. It is the responsibility of each individual to immediately report any breach of this policy to the attention Human Resources
- C. Each Manager and Director is responsible for informing employees of this policy.
- D. If an employee reports an accident to his/her manager, that manager is responsible for reporting the accident to the department Director and Human Resources.
- E. Each individual must replace previous safe driving policies with this policy reissuance.

### **Policy Amendments or Revocation:**

Notwithstanding any of the foregoing, CareerSource Tampa Bay reserves the right to revise or revoke this policy at any time.

This policy is written to establish local procedures and is not intended to supersede any applicable laws or regulations. Failure by CareerSource Tampa Bay to adhere strictly to the steps outlined within this policy shall not be construed as a violation of any rights or administrative procedures.

### **Public Communications**

It is CareerSource Tampa Bay's policy that all news media inquiries be directed to the office of the President & CEO in order to:

- Maximize our ability to increase general awareness, understanding and support for CareerSource Tampa Bay, its people, policies, programs, participants, and mission;
- Speak clearly and consistently and with one "voice" so that critical information is recognized, understood, and reinforced through multiple media channels;
- Insure that the information shared with media is properly vetted and disseminated in an accurate, consistent, and timely manner in keeping with best practices;
- Protect and respect participants and their families in what sometimes can be delicate, highly personal, and even confidential circumstances.

### **When the media calls:**

If a news media representative, on any matter concerning CareerSource Tampa Bay, its people, policies, programs, contacts a CareerSource Tampa Bay staff or Board member or shows up at a CareerSource Tampa Bay location, he or she should be greeted respectfully and immediately referred to the President and CEO's office before any statements are made or information offered. The President and CEO's office must be contacted immediately to alert them to the situation.

It is CareerSource Tampa Bay's policy that members of the news media, photographers, or production teams must be accompanied by the CEO and President or his or her designee. at any CareerSource Tampa Bay location. If you see roaming reporters or cameras, please contact your manager and the President and CEO's office immediately.

If you are confronted by a reporter or camera person asking for comment about CareerSource Tampa Bay, it is entirely appropriate to excuse yourself from comment by saying, "*It is our*

*policy that any media requests be handled through the office of the President & CEO. Let me contact someone for you.”*

Should a CareerSource Tampa Bay staff member speak at an off-site conference or event where media is present, the office of the President & CEO should be notified as soon as possible. If you are invited to participate in a media interview, please clear all such requests through the office of the President & CEO before any action is taken or decision to participate made.

Should a CareerSource Tampa Bay staff member believe they have a story of interest to the news media, members of the CareerSource Tampa Bay staff are encouraged to contact the Marketing Coordinator immediately and may be asked to work collaboratively – upon President & CEO’s approval – to develop the story with the Marketing Coordinator as the sole liaison with the news media throughout the project.

### **Procedures for CareerSource Tampa Bay’s clients**

Permission for the media to photograph, film, record, and/or interview non-Agency personnel on location may be given only if non-Agency personnel are willing and only if they give permission in writing on a CareerSource Tampa Bay “Consent to Photograph/Film/Record and/or Interview” form, available only through the Marketing Coordinator. In the case of minors, parents can consent for their children younger than 18 years of age. If news media want to videotape in the facility, an announcement will be made in the area(s) where they will be taping to notify those who may end up on camera.

## **Public Records Requests**

There shall be no attempt to limit access to public records by a claim of interference with the day-to-day conduct of public business. To ensure that all requests for records are handled consistently and appropriately all employees shall follow the Records Management policy approved by the Board of Directors.

The designated personnel will document the public records request by asking for the inquirer’s name, address, and telephone number.

When a request for public information is made, it will be forwarded to the office of the President & CEO for timely processing.

## **Political Activities**

No employee of CareerSource Tampa Bay shall take any active part in a political campaign while on duty or within any period of time during which the employee is expected to perform services for which compensation is received from CareerSource Tampa Bay. This prohibition against employees taking an active part in any political campaigns shall include but not be limited to circulation of or seeking signatures to any petition provided for by any charter or law, distributing badges or other such materials indicating the favoring or opposing of a candidate for election or nomination to a federal, state, county, or municipal public office during duty hours or while on CareerSource Tampa Bay premises.

Nothing in this policy should be deemed to prohibit an employee from expressing his/her opinions on any candidate or issue, or from participating in any political campaign during off-duty hours so long as such activities are not in conflict with State of *Florida Statutes* and opinions of the Florida Division of Elections.

An employee may also serve as a member of the state executive committee or county executive committee of a political party.

Employees whose principle employment is in connection with an activity, which is financed in whole or in part by loans or grants, made by the United States or a Federal Agency are subject to the provision of the Hatch Act.

## **Religious Expression in the Workplace**

Employees have a constitutional right to freedom of religion, and they are protected from discrimination in employment on the basis of religion. In view of those rights and protections, the following guidelines are issued to provide direction to managers and employees regarding religious exercise and expression in the workplace. (As the guidelines cannot cover every conceivable situation, each instance in question should be reviewed on a case-by-case basis to make determination as to the appropriateness of the activity.)

- a) Employees will not be restricted from religious exercise or expression in the workplace except 1) where it would interfere with the efficient provision of services, 2) where it intrudes on the rights of other employees, or 3) where it creates, to a reasonable observer, an endorsement by the Agency of religion.
- b) Employees will be allowed to engage in private religious expression in their personal work area, not open to the public, to the same extent as they may engage in non-religious expression.
- c) Employees are free to engage in religious expression with their co-workers unless such expression interferes with workplace efficiency. Co-workers are free to decline involvement in another employee's religious expression or discussion.
- d) Employees should refrain from religious expression or exercise which creates the impression, to a reasonable observer, that the Agency is sponsoring, endorsing, or inhibiting religion generally, or disfavoring a particular religion.
- e) Employees may wear personal religious jewelry, unless circumstances require a ban on similar non-religious jewelry.
- f) Employees may display religious art or literature, in their personal work areas, which are not normally accessible to the public, to the same extent as non-religious art and literature, so long as the viewing public would not interpret the display of such items as an endorsement or favoring of religion by the Agency.
- g) Employees are free to read religious materials and engage in expression of their religious views in common use areas such as break and lunch rooms to the same extent they are permitted to do so regarding non-religious matters. Employees are also free to request that religious discussions stop in their presence if it interferes with their work, and their requests should be respected.



- h) Employees may post items of a religious nature on a common use bulletin board if those bulletin boards are used to post materials of a personal and non-religious nature. The Agency has the right to restrict the size of any item posted on a common use bulletin board.
- i) Managers may not require, explicitly or implicitly, employees to participate in, or refrain from participating in, religious activity outside the workplace, except to the extent that legal restrictions apply to off-duty employee conduct and expression in general. Managers do, however, have the right to religious expression, which is not coercive, and is understood to be their personal view, to the same extent they are entitled to other constitutionally protected expression.
- j) Employees shall not be subjected to discrimination, intimidation, ridicule, or insult because of their religious beliefs, or lack thereof.

## **Solicitation and Distribution**

CareerSource Tampa Bay has established rules to govern employee solicitation and distribution of written materials. CareerSource Tampa Bay has established rules to:

- Maintain and promote safe and efficient operations, employee discipline, and an attractive, clutter-free work place.
- Minimize non-work-related activities that could interfere with customer satisfaction, product quality, and teamwork.

Besides imposing lawful restrictions on employee solicitation during working time and employee distribution of written materials during working time and in working areas, this policy is not intended to preclude or dissuade employees from engaging in legally protected activities/activities protected by state or federal law, including the National Labor Relations Act, such as discussing wages, benefits, or terms and conditions of employment.

Employees may not:

- Solicit other employees during working time
- Distribute literature during working time
- Distribute literature at any time in working areas

Solicitation includes, but is not limited to, approaching someone in person or through employer-owned property such as computers, smartphones, e-mail systems, and intranets for any of the following purposes:

- Offering anything for sale
- Asking for donations
- Collecting funds or pledges
- Seeking to promote, encourage, or discourage participation in or support for any organization, activity, or event, or membership in any organization
- Distributing or delivering membership cards or applications for any organization

Distribution includes, but is not limited to, disseminating or delivering in person or through employer-owned property such as bulletin boards, computers, smartphones, e-mails, and intranets any literature or other materials including circulars, notices, papers, leaflets, or other printed, written, or electronic matter.

## **Travel**

CareerSource shall make reimbursement and/or payment for the authorized travel expenses of its officers and employees in accordance with the published travel policy. To be eligible for expense reimbursement and/or payment, travel shall be for official business or welfare of the Agency.

## **Safety**

### **Chronic Communicable Diseases**

It is the intent of the Board of Directors of CareerSource Tampa Bay to protect its employees from exposure to infectious diseases, to risk occasioned by infectious diseases, and to provide reasonable accommodations to infected employees.

It is recognized that employees with any illness may wish to continue work. As long as employees are able to meet acceptable performance standards, and medical evidence indicates that their condition is not a threat to themselves or to others, such illness will not impact the individual's employment. If it becomes necessary, reasonable accommodations shall be made to enable the qualified individual to continue to work. Such employees shall remain subject to the Board's employment policies, including, but not limited to, sick leave, physical examinations, temporary and permanent disability, and termination.

Employment decisions will be made by utilizing general legal standards in conjunction with current available health department guidelines concerning the particular disease in question. Individual cases will not be prejudged. Decisions will be made based on the facts of the particular case. The determination of an employee's continued employment status shall be a shared health management decision involving the employee's physician, public health personnel, the employee, and the President & CEO of CareerSource Tampa Bay.

All information regarding personnel matters involving employees and communicable disease shall be held in strict confidence and released only to those who have a legitimate need to know.

### **Safety Responsibilities**

Employees shall exercise due care in the course of their work to prevent injuries to themselves or other workers and loss of material resources. Each employee shall –

- Report all unsafe conditions to one's manager.
- Keep work areas clean and orderly at all times.
- Report all accidents immediately to one's manager.
- Avoid engaging in any horseplay and avoid distracting others.
- Obey all safety rules and follow work instructions. If any doubt exists about the safety of a job, work shall be stopped until further instructions are received from a manager.
- Operate only machines and equipment for which they have been trained and authorized to use.
- Use only the prescribed equipment for the job.
- Wear required protective equipment if working in hazardous areas.

## **Hazard Communication**

CareerSource Tampa Bay may use some chemicals (e.g., cleaning compounds, inks, etc.) in some of its operations. Employees should receive training and be familiar with the handling, use, storage, and control measures relating to these substances if you will use or likely be exposed to them. Material Safety Data Sheets (MSDS) are available for inspection in your work area. You must follow all labeling requirements.

## **Visitors on Premises**

If employees are expecting a visitor, please notify Human Resources. All visitors must first check in at the reception area. Visitors are not allowed in any area of the building without being accompanied by an authorized employee. Under no circumstances will visitors be allowed in confidential, unauthorized, or potentially hazardous areas.

## **On-the-Job Injuries**

If an employee sustains a work-related injury or illness, he/she must report that injury to their Manager/Director immediately. Depending on the nature of work related injury or illness and consistent with CareerSource Tampa Bay's Drug Free Workplace Policy, an employee may be required to undergo drug testing.

Those employees who, as part of their responsibilities require driving from one location to another, have a responsibility to maintain a good driving record, and CareerSource Tampa Bay may require a driving record search and informal visual vehicle inspection.

Any employee who has an on the job auto accident, and it is was determined their fault due to unsafe driving practices, the first offense will be considered a warning (depending on severity of the accident) with the second offense termination of employment.

## **Emergencies**

Managers should be notified immediately when an emergency occurs. Emergencies include all accidents, medical situations, bomb threats, other threats of violence, and the smell-of smoke. If a manager is unavailable, contact the nearest company official. Should an emergency result in the need to communicate information to employees outside of business hours, Human Resources will contact employees. Therefore, it is important that employees keep their personal emergency contact information up to date. Notify Human Resources when this information changes.

When events warrant an evacuation of the building, employees should follow the instructions of their manager or any other member of management. Employees should leave the building in a quick and orderly manner. Employees should assemble at the pre-determined location as communicated to them by Human Resources to await further instructions or information.

## **Benefits**

### **Benefits – Economic**

CareerSource Tampa Bay shall offer benefits to regular, full-time employees as follows: (Eligibility for group insurance shall be the first day of a month after 30 days of full-time employment)

CareerSource Tampa Bay is committed to providing employees with a benefits program that is both comprehensive and competitive. CareerSource Tampa Bay offers health coverage and financial security to our employees and their families.

### **Paying for Your Benefits**

CareerSource Tampa Bay makes a contribution on a full-time employee's behalf to purchase health and welfare benefits.

The benefits offered at group rates are medical/prescription drug, dental, vision, life and AD&D insurance, short-term disability, and long-term disability. Having options available means you can build a benefits program to meet your needs and your lifestyle.

If you choose to opt out of the medical plan, proof of other coverage is required. Opting out of the plan makes the employee ineligible for medical/prescription drug and mental health benefits.

A part-time employee *is not eligible* for the following benefits:

- Medical, vision, or dental insurance
- Short-term and long-term disability
- Life insurance

### **401(k) Retirement Plan**

CareerSource Tampa Bay offers you access to a *401(k) Retirement Plan* that makes saving for retirement easy and convenient.

CareerSource Tampa Bay will make a one-time Non-Elective Contribution (NEC) early in the following year of 5% of your prior year's salary. In addition, CareerSource Tampa Bay has added a *Roth 401(k) Plan* which will allow you to set aside after-tax earnings to grow tax-free.

Employees age 50 and over can make additional catch-up contributions to the plan. You are 100% vested after one year of employment.

Visit [www.mykplan.com](http://www.mykplan.com) for more information on enrollment and investment options.

### **Worker's Compensation**

CareerSource Tampa Bay shall provide Workers' Compensation insurance coverage for all employees.

### **Educational Reimbursement**

As an organization that has as one of its goals to upgrade the workforce of the region, the Board of Directors of CareerSource Tampa Bay shall provide to its own employees the opportunity to enrich and enhance their value to themselves and to CareerSource Tampa Bay by providing them with assistance for educational expenses when budget considerations permit. CareerSource Tampa Bay will reimburse up to \$1,000.00 per year toward resident tuition costs, laboratory fees, and textbook rentals or purchases to non-probationary, full-time employees who enroll in accredited college, university, or continuing education courses provided –

- The employee has one (1) year of service with the Agency unless the training is required for the employee to fulfill job duties and is approved by the President & CEO.
- Credit courses are directly related to the employee's current work assignment or count toward a formal degree program that relates to the mission of the organization.
- Non-credit courses are directly related to the employee's current work assignment.
- At the completion of a course(s), the employee submits an official grade report indicating completion of the course with a grade of C or better. A receipt for expenditures must be submitted.
- The employee has received prior approval from the President & CEO that the course(s) to be taken is eligible for reimbursement. A request for educational assistance shall be submitted in writing.
- The course is not to be taken during the employee's work duty hours.
- Tuition reimbursement shall be limited to the prevailing residential tuition schedule at the State Universities and Community Colleges in the immediate Tampa Bay Area.
- When tuition, fees, and textbooks can be paid by other financial aid sources, CareerSource Tampa Bay will reimburse only the difference between the actual cost and the financial assistance.

*The President & CEO shall have authority to deviate from this policy.*

## **Personal Paid Time Off (PTO)**

The Board of Directors of CareerSource Tampa Bay recognizes the need to provide employees time off with pay in order to maintain employee health, morale, and efficiency. Therefore, the Board hereby establishes Paid Time Off (PTO), which includes time off for vacations, sick leave, and personal reasons. Such combined leave will provide employees maximum flexibility in planning for and taking time off. In establishing this policy, CareerSource Tampa Bay is providing a mere gratuity to its employees; PTO time is not considered an amount due or wage owed to employees.

Paid Time Off hours shall be accrued according to the number of hours paid each pay period (to a maximum of 80).

The accrual schedule is as follows:

<b>Length of Service</b>	<b>Maximum Annual Accrual of Hours</b>	<b>Hours Accrued per 80 Hours Worked</b>
Year 1 – 2	136 hours	5.23 hours
Years 3 – 4	160 hours	6.15 hours
Years 5 – 6	184 hours	7.07 hours
Years 7+	208 hours	8.00 hours

## **Guidelines for Use of Personal Time Off (PTO)**

- Employees may use PTO for unscheduled absences due to illness, illness in the family, personal business, and other necessary causes for absences from work.
- Employees may accumulate PTO hours for use or payout in the future. However, accumulation of PTO hours may not exceed a total of 480 hours. If an employee exceeds

480 hours of accrued PTO, the excess over 480 hours may be lost to the employee at the end of the calendar year.

- c) It shall be the policy of CareerSource Tampa Bay to encourage employees to take some of their PTO each year for vacation purposes.
  - i. Requested time off for vacations will be approved only when arrangements can be made to assure required staff coverage, and time off for vacation must be requested in accordance with departmental procedures. The employee's manager must approve other scheduled absences at least 24 hours in advance.
  - ii. Employees are not eligible to use PTO for vacation during the first three (3) months of their employment.
  - iii. Vacation time may be taken at any time as long as the employee's manager approves. When there is a conflict, scheduling will be at the manager's discretion. Preference in scheduling will normally be given to the employee who requested the time off first.
- d) Employees may use PTO hours down to a zero balance. Employees may not take PTO that has not yet been earned; that is, employees may not "borrow" against future accruals of PTO in order to take paid time off.
- e) PTO will be charged (that is, the employee's accrued PTO balance will be reduced) according to the actual number of hours used by the employee for the days that the employee would normally work.
- f) PTO hours used during a pay period shall not be counted as hours worked for the purpose of computing overtime.
- g) At the end of each calendar year, if funds are available and the President & CEO approves, CareerSource Tampa Bay may allow employees to request a payout of unused PTO hours with the following restrictions:
  - 6. The employee PTO balance must exceed 160 hours, and the employee must retain an 80-hour balance after the election of a payout.
  - 7. Subject to the above, the employee must request a payout of 80 hours or more.
  - 8. PTO hours selected for payout will be paid at the employee's compensation rate in effect on December 31 of the year the election is made.
  - 9. Payouts to employees will be made in the first pay period in February.
- h) PTO shall be paid at the employee's current hourly rate plus differentials and other premiums if applicable, at the time that it is taken.
- i) Accrued but unused PTO will be paid to terminating employees that have completed their initial probationary period. The maximum PTO payout is two (2) times the maximum annual accrual hours based on length of service.
- j) Records of PTO accumulation and use will be based upon and maintained in accordance with the CareerSource Tampa Bay *Financial Policy*. No PTO shall be granted except on the basis of these records.
- k) PTO runs concurrently with FMLA leave. As such, any accrued and unused PTO will be substituted for unpaid FMLA leave and run concurrently with FMLA leave. Paid leave and unpaid leave cannot be stacked to increase leave time.

*Employees are accountable and responsible for managing their own PTO hours to allow for adequate reserves if there is a need to cover vacation, illness, or disability, appointments, emergencies, or other needs that require time off from work.*

*Except for employees eligible for leave under the Americans with Disabilities Act, the Family and Medical Leave Act, or other applicable law, employees who have exhausted PTO and employees in their probationary period have no right to take unpaid leave and are not entitled or allowed to miss work. An employee who does so will be subject to discipline up to and including termination.*

This policy addresses absences for PTO leave. It does not cover other absences, such as absences for personal leave, family and medical leave, military service leave, military family leave, short- or long-term disability leave, workers' compensation leave, bereavement leave, jury duty leave, voting leave, or other types of leave addressed in the employee handbook.

## **Holidays**

Employees of CareerSource Tampa Bay are entitled to the paid holidays recorded below. The Agency will be closed for business on these days, and no employee is expected to report for duty.

1. New Year's Day.....January 1
2. Martin Luther King, Jr. 's Birthday .....Third Monday in January
3. Memorial Day .....Last Monday in May
4. Independence Day.....July 4
5. Labor Day .....First Monday in September
6. Veterans' Day .....November 11
7. Thanksgiving Day.....Fourth Thursday in November
8. Friday after Thanksgiving Day .....Fourth Friday in November
9. Christmas Day.....December 25

- *If Christmas Day falls on a Tuesday or Thursday, the preceding Monday or following Friday shall also be recognized as a holiday.*
- *If any holiday falls on a Saturday, the preceding Friday shall be observed as a holiday.*
- *If any holiday falls on a Sunday, the following Monday shall be observed as a holiday.*

Full-time employees are entitled to 8 hours of holiday pay at their regularly scheduled rate of pay. Part-time employees are entitled to 4 hours of holiday pay at their regularly scheduled rate of pay.

In the event a recognized holiday is observed while an employee is on approved paid leave, such day shall not be charged against the employee's leave.

## Personal Days (PD)

The Board of Directors of CareerSource Tampa Bay shall grant employees of the Agency leaves of absence days with pay for three personal days selected by the employee.

- a) The personal days shall be used in the same fiscal payroll year they were gained, between July 1 and June 30 of the next year.
- b) Personal Days shall not be cumulative.
- c) Employees will not be paid for unused personal days.
- d) Personal Days must be scheduled and approved in advance by the employee's manager, (except for emergency).
- e) Personal Days can be taken in one-hour increments
- f) During an employee's initial year of hire, the number of personal days awarded shall be based on date of hire.

Between July 1 and September 30 .....Three personal days

Between October 1 and December 31 .....Two personal days

Between January 1 and March 31 .....One personal

Between April 1 and June 30 .....No personal days

A part-time employee does not accrue any Personal Leave Day benefits.

## Benefits – Leaves

All leaves taken by an employee (paid or unpaid) must be documented in the Agency's payroll and work duty time records; therefore, all leave requests and absence reports shall be submitted to the employee's manager for authorization and/or approval. Planned leave requests must be submitted to the manager in advance to allow the Human Resource Department to verify availability of leave time. When a leave is an emergency, the employee must file an absence report on the day he/she returns to work to allow the Human Resource Department to determine any effects the absence will have on the employee's next pay period, if any.

## Bereavement Leave

Bereavement Leave of Absence of up to three (3) consecutive workdays shall be granted to a full-time employee following the death of a member of that employee's immediate family. The amount of time taken, to a maximum of three days, will be left to the discretion of the employee and the President & CEO's approval.

### Restrictions

- 1. For the purposes of this policy, immediate family is defined as the employee's spouse, child/step child, parent, step-parent, sister, brother, step-sister, step-brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, immediate grandparent, or other person whose association with the employee was similar to any of the above relationships (i.e. fiancé).
- 2. Employees on layoff or unpaid leave of absence when the death occurs are not eligible for bereavement leave.
- 3. Employees who are on paid leave of absence when the death occurs will be eligible for bereavement leave and not have that time counted against their paid leave of absence.



## **Jury/Witness Duty Leave**

Jury/Witness Duty Leave shall be available to provide salary protection for full-time employees who must be absent from work because they are legally obligated to serve as jurors or subpoenaed to serve as witnesses. Employees must notify their manager immediately when they receive a Jury summons or subpoena.

- Employees who are summoned and perform jury duty are eligible for a paid leave up to a maximum of 15 workdays every 12 months.
- Employees who are subpoenaed and serve as witnesses are eligible for paid leave for the time that they miss work because of witness duty.
- Employees will receive pay at their regular pay rate (excluding overtime) for the time spent on jury or witness duty.
- A copy of the summons or subpoena must be submitted by the employee to the Human Resource Department. Employees are expected to report to work if they are excused from jury duty, during any time of postponement, or other delay while serving as a juror.
- Absence due to jury/witness duty is not considered as time worked in computing overtime pay. Absence for jury/witness duty is treated as an authorized absence on the attendance records of the employee.
- In no case shall pay be granted for court attendance when an employee is engaged in personal litigation. In such cases, an employee may request personal leave.

A part-time employee may be eligible for Jury/Witness Duty Leave, in accordance with CareerSource Tampa Bay policies and dependent upon meeting specific eligibility requirements.

## **Military Leave**

### **Short Term Military Leave Policy**

Employees who are members of the Armed Forces Reserve or National Guard shall be eligible for pay continuation for up to thirty (30) days per year while they are on active, legally required, short term military service. Employees must notify their manager immediately when they receive reporting instructions.

In accordance with applicable law, a regular employee who is a commissioned reserve officer or reserve enlisted person in a reserve component of the Armed Forces or the National Guard of the United States will be entitled to a leave of absence with full pay and without loss of benefits on all days during which they are engaged in training under the provisions of the U.S. military or naval training regulations up to a maximum of 240 hours any one calendar year.

### **Long Term Military Leave Policy**

CareerSource Tampa Bay's policy is intended to conform to the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994, which in all cases shall be the guiding principles.

Long Term Military Leave of Absence is interpreted to mean a leave of absence for the purpose of performing active military duty with the United States Armed Forces for a period of 31 or more consecutive days, but not more than five years unless extended involuntarily by law. Such

leave beyond 30 days is unpaid, although employees may use any or all of their accrued but unused PTO during Military Leave.

- A leave of absence for military service will be granted to employees who received orders to report for induction or have enlisted in the Armed Forces of the United States.
- Employees who wish to go on Military Leave status must give written or verbal notice to their manager as far in advance as possible.
- Employees who have served 31 to 180 days of active duty in the ready reserves must notify CareerSource Tampa Bay of their availability to return to work within 14 days of the date active duty was completed, or if hospitalized as a result of military service, up to two years after discharge, in order to be eligible for reinstatement.
- Employees who serve 181 days or more of active duty must notify CareerSource Tampa Bay of their availability to return to work within 90 days of their date of completion of active duty to be eligible for reinstatement.
- Employees must report to their manager within 90 days after discharge and present suitable proof that they have completed their training and service in the Armed Forces in a satisfactory manner. They must be eligible for reinstatement under the conditions provided in the USERRA and other applicable legislation.
- USERRA provides that an employee who leaves a position to enter military service shall be reinstated into the job he/she had or would have held if he/she had remained continuously employed, including promotions and step advancements. If absent for 91 days or greater, all bonuses, financial, and advancement opportunities must be offered as if the member never left.
- Employees returning from Military Leave of Absence will be entitled to such benefits as they would have had if they had not been on military absence or leave and as provided for by the USERRA.

In all cases, employees must provide copies of official orders prior to receiving benefits under these policies. Additionally, employees are required to provide notification of their military leave obligations as soon as possible, unless such notice is prohibited or unreasonable.

## **Family and Medical Leave**

Under the Family and Medical Leave Act of 1993 (FMLA), employees are afforded certain rights concerning family care and medical leave. CareerSource Tampa Bay posts mandatory FMLA Notices at all locations and upon hire provides all new employees with notices required by the U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Act.

Under this policy, CareerSource Tampa Bay will grant up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

## **Eligibility**

To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

1. The employee must have worked for CareerSource Tampa Bay for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
2. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
3. The employee must work in a worksite where 50 or more employees are employed by CareerSource Tampa bay within 75 miles of the location of the Agency.

### **Types of Leave Covered**

To qualify as FMLA under this policy, the employee must be taking leave for one of the following reasons:

- The birth of a child and in order to care for that child.
- The placement of a child for adoption or foster care and to care for the newly placed child.
- To care for a spouse, child, or parent with a serious health condition (described below).
- The serious health condition (described below) of the employee.
- A qualifying exigency of a spouse, son, daughter, or parent who is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty).

A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.

If an employee takes paid PTO for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, CareerSource Tampa Bay may

designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.

Qualifying exigency leave is for families of members of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation. An employee whose spouse, son, daughter, or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) child care and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities and 8) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave. The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave, except that the person does not have to be a minor). This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

Military Caregiver Leave (also known as covered service member leave) is available for an employee to care for an ill or injured service member. This leave may extend to up to 26 weeks in a single 12-month period for an employee to care for a spouse, son, daughter, parent, or next of kin covered service member with a serious illness or injury incurred in the line of duty on active duty. Next of kin is defined as the closest blood relative of the injured or recovering service member.

### **Employee Status and Benefits during Leave**

While an employee is on leave, CareerSource Tampa Bay will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, CareerSource Tampa Bay will require the employee to reimburse CareerSource Tampa Bay the amount it paid for the employee's health insurance premium during the leave period.

### **Paid and Unpaid FMLA Leave**

CareerSource Tampa Bay requires the use of accrued paid time-off (PTO) prior to any unpaid leave. The FMLA leave time frame will not be increased by the length of any paid leave. Paid leave and unpaid leave cannot be stacked to increase leave time; instead, such leave must run concurrently. Any paid leave due to a serious health condition will be designated as FMLA leave and will be counted against the employee's annual FMLA entitlement. In addition, any worker's compensation or other disability leave resulting from a serious health condition will be designated as FMLA leave. In other words, all FMLA qualifying paid leave will be designated as FMLA leave.

**Intermittent Leave or a Reduced Work Schedule**

The employee may take FMLA leave in 12 consecutive weeks, or, if medically necessary, intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

CareerSource Tampa Bay may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.

For the birth, adoption, or foster care of a child, CareerSource Tampa Bay and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption, or foster care of a child must be taken within one year of the birth or placement of the child.

Where intermittent or reduced schedule leave is medically necessary for a planned medical treatment, the employee is required to make a reasonable effort to schedule the treatment so as not to disrupt unduly the employer's operations.

**Certification**

CareerSource Tampa Bay may require certification for the employee's or family member's serious health condition, or for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

CareerSource Tampa Bay may directly contact the employee's health care provider for verification or clarification purposes through a CareerSource Tampa Bay representative; this contact will not be made through the employee's manager for this contact. In compliance with HIPAA Medical Privacy Rules, CareerSource Tampa Bay will obtain the employee's permission for clarification of individually identifiable health information.

CareerSource Tampa Bay has the right to ask for a second opinion if it has reason to doubt the certification. CareerSource Tampa Bay will pay for the employee to get a certification from a second doctor, which CareerSource Tampa Bay will select. CareerSource Tampa Bay may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, CareerSource Tampa Bay will require the opinion of the third doctor. CareerSource Tampa Bay and the employee will mutually select the third doctor, and CareerSource Tampa Bay will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

## **Re-Certification**

Generally, CareerSource Tampa Bay may request recertification for the serious health condition of the employee or the employee's family member no more often than every thirty days. CareerSource Tampa Bay may request recertification in less than thirty days if the circumstances described in the previous certification have changed significantly, the employer receives information casting doubt on the reason given for the absence, or the employee seeks an extension of his or her leave. Otherwise, CareerSource Tampa Bay may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. CareerSource Tampa Bay may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

## **Return From Leave**

- On return from FMLA leave, an employee is entitled to be returned to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. Employees who timely return from leave are generally entitled to be restored to the position held when leave began or to an equivalent position.
- An employee returning from a Medical Leave of Absence for his or her own serious health condition will not be permitted to resume active employment without a release furnished by his/her doctor. The organization reserves the right to require the employee to submit to an examination by a physician chosen (and paid for) by CareerSource Tampa Bay, and to be guided by that physician's diagnosis in determining whether or not to permit the employee to return to work.
- If an employee has restrictions verified by the attending physician, which prevents him/her from performing all the normal duties of a job, CareerSource Tampa Bay will work with the employee to provide a reasonable accommodation if doing so will enable the employee to perform the essential functions of the job.
- Employees who fail to return to work upon the expiration of their leave of absence and fail to contact CareerSource Tampa Bay will be considered to have voluntarily terminated their employment.

## **Leave for Victims of Domestic Violence**

CareerSource Tampa Bay allows employees to take up to three (3) days of leave in any twelve (12) month period if the employee, family, or household member is a victim of domestic violence. To be eligible for the leave, an employee must have worked for CareerSource Tampa Bay for at least three (3) months.

To qualify, the leave must be taken for one of the following:

- Seek an injunction for protection against domestic violence, repeat violence, dating violence, or sexual violence;
- Obtain medical care or mental health counseling or both for the employee or a family or household member to address physical or psychological injuries resulting from domestic violence;

- Obtain services from a victim services organizations such as a domestic violence shelter or rape crisis center;
- Make the employee's home secure from the perpetrator of domestic violence or find a new home to escape the perpetrator;
- See legal assistance to address issues arising from domestic violence or attend or prepare for court related proceedings arising from the act of domestic violence.

Employees must exhaust any and all available PTO or personal leave before requesting domestic violence leave. CareerSource Tampa Bay will maintain the confidentiality of the requested leave as well as any information related to the employee's leave under this law.

## **Employee Rights**

**Nothing in this Employee Handbook or policies is intended to prevent employees from exercising their legal rights. For example, if an employee wishes to contact a government agency with a concern about matters such as (but not limited) discrimination, harassment, safety, or wages, or if he or she is asked to participate in a government investigation, our policies do not prohibit the employee from doing so. Employees are also encouraged to raise any such concerns through appropriate channels within CareerSource Tampa Bay as provided in our policies. Moreover, nothing herein shall be construed to prevent employees from engaging in activity protected by the National Labor Relations Act including discussing working condition concerns and work relate issues and/or engaging in other protected concerted activities.**