



BOARD OF COUNTY COMMISSIONERS

Mayor Mario Di Gennaro, District 4
Mayor Pro Tem Dixie M. Spehar, District 1
George Neugent, District 2
Charles "Sonny" McCoy, District 3
Sylvia J. Murphy, District 5

Office of the Employee Services Division Director
The Historic Gato Cigar Factory
1100 Simonton Street, Suite 268
Key West, FL 33040
(305) 292-4458 – Phone
(305) 292-4564 - Fax



TO: Board of County Commissioners
FROM: Teresa E. Aguiar, Employee Services Director *[Signature]*
DATE: September 29, 2007
SUBJ: Personnel Policies and Procedures revisions

This item requests approval of the revisions approved by the Personnel Policies and Procedures Board. In accordance with Monroe County Code Section 2-214, this Board, made up of 3 members elected by the Employee Relations Committee, 1 supervisor, 1 middle manager, 1 Division Director and the Human Resources Director, is tasked with reviewing all proposed changes from the employees prior to presentation to the BOCC for approval.

The Board met on August 29, 2007 and has approved these changes for your review and final approval.

Recap of Significant changes to the Personnel Policies & Procedures Manual
Board of County Commissioner Meeting – October 17, 2007

Changes of a housekeeping nature (spelling, grammar, consistency, capitalization, rearrangement of items for clarifications, updating current source number of Ordinances and regulations and title changes) are not considered significant.

8.06 Domestic Violence Leave – This law became effective July 1, 2007 and should be made part of the policy manual.

11.03 A Retirement “Buy Out” Program – This policy was approved by the BOCC on August 15, 2007 and should be made part of this policy manual.

2.15 A Employee of the Month/Year Program – This program was revised and re-titled as the “Employee Service Award”. Revisions are being recommended in order to coincide with the Administrative Instruction that further details the award.

2.15 B Years of Service Program – This policy was approved at the BOCC meeting on November 15, 2006. Additional wording is being added in order to clarify the existing program as it is currently practiced.

If you have any questions on this item, please do not hesitate to contact me at X4458.

2. When such leave is not foreseeable, an employee must give notice as soon as practicable. According to the FMLA regulations, "as soon as practicable" means within one or two working days of learning of the need for leave, except in extraordinary circumstances.

3. If an employee fails to satisfy the thirty (30) day notice without reasonable excuse, Monroe County may, at its discretion, postpone the leave until the notice requirement is satisfied.

4. The employee may be required to submit periodic reports during FMLA leave regarding the employee's leave status and intent to return to work. This requirement may be satisfied by the employee's personally telephoning his or her immediate supervisor.

F. HEALTH BENEFITS DURING LEAVE OF ABSENCE

1. Monroe County will continue group health coverage for an employee on leave at the same level and under the same conditions that existed while he or she was working. The employee must pay the dependent coverage premium for any unpaid leave. Payment for dependent coverage must be received in the Group Insurance Office every payday in order to continue coverage. Failure to pay dependent coverage during this unpaid leave will result in termination of coverage.

2. In the event that the employee does not return to work at Monroe County following FMLA leave, the employee can be required to reimburse Monroe County for health insurance premiums paid to continue the employee's health coverage during FMLA leave, unless the employee is unable to return to work due to a continuation, recurrence, or onset of a serious health condition that would entitle the employee to FMLA leave or other circumstances beyond the employee's control.

Questions regarding the FMLA should be addressed to the Human Resources office.

8.06 DOMESTIC VIOLENCE LEAVE

Effective July 1, 2007, employees will be permitted to request and take leave in connection with domestic violence under certain circumstances. This new law applies to employees who have been employed for 3 or more months.

Eligible employees can take up to 3 working days of leave in any 12 month period if the employee, or family or household member of the employee, is the victim of domestic violence. Employees shall use annual or sick leave when available to cover this leave. This leave applies if the employee is:

-Seeking an injunction for protection against domestic violence or an injunction for protection in cases of repeated violence, dating violence or sexual violence;

-Obtaining medical care or mental health counseling, or both, for the employee or family or household member to address physical or psychological injuries resulting from the act of domestic violence;

-Obtaining the services from a victim-services organization, including, but not limited to, a domestic violence shelter or program or a rape crises center as a result of a domestic violence act;

-Making the employee's home secure from the perpetrator of the domestic violence or to seek new housing to escape the perpetrator; or

SEPARATIONS

SECTION 11

11.01 RESIGNATIONS

A resignation is defined as an action whereby an employee voluntarily leaves the County Service with or without the giving of notice and/or as any employee conduct which is stated herein to constitute a resignation. An employee wishing to leave the County Service in good standing shall file with the Department Head a written letter of resignation stating the date and reasons for leaving, 14 calendar days prior to the effective date of resignation. Failure to comply with this requirement may be cause for denying such employees re-employment rights and payment of unused leave. Unauthorized absences of three (3) days or more may be considered a resignation.

11.02 LAYOFFS

Should it become necessary to abolish a position or reduce the number of County employees because of lack of work, shortage of funds, re-organized and transferred functions to an existing County employee, or for other legitimate reasons, the County Administrator/Board of County Commissioners may lay off as many employees as required, after two weeks notice. There shall be no appeal except the internal grievance proceedings. No regular employee shall be laid off while there are temporary or probationary employees serving in the same class in the same department. Such laid off employees shall be given priority of re-hire, in the event the position(s) is/are re-established, based on seniority and previous performance evaluations, for a period of time to their length of continuous service, but not to exceed one year. Such employees will also be eligible for promotional opportunity privileges for a period of one year after date of lay-off.

11.03 RETIREMENT

Employee benefits upon retirement will be based upon the regulations of the State and County Government, Employees Retirement System Law, Social Security Act, and any other provisions which may be in effect at the time of retirement.

A. Retirement "Buy Out" Program

Open enrollment to participate in the program will be during the month of June each year. The employee must provide their official interest to Human Resources, in writing, to participate in the program. Upon receiving the employee's letter of interest, Human Resources will then provide the employee with the official approval letter.

OPTION 1:

- **INDIVIDUAL WILL REMAIN EMPLOYED FOR THREE MONTHS AND CLASSIFIED UNDER 'ADMINISTRATIVE LEAVE WITH PAY'.**
- **INDIVIDUAL WILL RECEIVE A 5% SALARY INCREASE AND WILL BE PAID A LUMP SUM OF 1/12 OF THE NEW ANNUAL SALARY AT THE END OF EMPLOYMENT.**
- **INDIVIDUAL WILL CONTINUE TO RECEIVE ALL BENEFITS FOR THE THREE MONTHS (UP UNTIL THE RETIREMENT DATE).**
- **THE INDIVIDUAL MUST RETIRE WITH THE FLORIDA STATE RETIREMENT SYSTEM AT THE END OF EMPLOYMENT.**

- INDIVIDUAL WILL RECEIVE 100% OF ACCRUED VACATION LEAVE.
- INDIVIDUAL WILL RECEIVE SICK LEAVE PAYOUT IN ACCORDANCE WITH POLICY.

OPTION 2:

- INDIVIDUAL WILL RECEIVE 25% OF THEIR ANNUAL SALARY IN A LUMP SUM PAYMENT.
- IF APPLICABLE, INDIVIDUAL WILL ALSO RECEIVE A LUMP SUM PAYOUT OF ANY CAR ALLOWANCE, HOLIDAY PAY, YEARS OF SERVICE AWARD, MERIT INCREASE, ETC. THAT WOULD HAVE BEEN PAID TO HIM/HER UP UNTIL THE RETIREMENT DATE.
- INDIVIDUAL WILL RECEIVE 100% OF ACCRUED VACATION LEAVE.
- INDIVIDUAL WILL RECEIVE SICK LEAVE PAYOUT IN ACCORDANCE WITH POLICY.
- INDIVIDUAL WILL RECEIVE A 5% SALARY INCREASE AND WILL BE PAID A LUMP SUM OF 1/12 OF THE NEW ANNUAL SALARY.
- ONCE NOTIFIED OF THE APPROVAL, THE EMPLOYEE MUST SUBMIT A RESIGNATION LETTER WITHIN 3 WORKING DAYS. IN ADDITION, MUST COMPLETE THE PROCESS FOR RETIREMENT WITH THE FLORIDA STATE RETIREMENT SYSTEM.

11.04 DISCHARGES

A discharge occurs when an employee has been involuntarily separated from County Service, usually for cause. Employees discharged for disciplinary reasons may not be eligible for re-hire and may lose all seniority and reinstatement privileges.

11.05 EXIT INTERVIEWS

It is the desire of the County to determine why good employees leave the County Service. An exit interview program has been established for the purpose of determining the causes and possible solutions of turnover among County personnel.

If an employee wishes, he or she may request an exit interview with Employee Services by contacting the Human Resources office. The Employee Services Division Director or County Administrator may also request an interview with an employee who has made known his or her intention to leave the County Service. The information obtained during the interview will be used solely for the purpose of identifying or solving problem areas and will not become part of the employee's personnel record unless authorized in writing by the employee.

to and including termination. If the harassment involves a third party such as a contractor, vendor, supplier, or other visitors to County buildings or the workplace, that person may be barred from the premises.

The County prohibits any form of retaliation against an employee or third party for lodging a bona fide complaint under this policy or for assisting in the investigation of a claim of harassment.

F. If one believes that the County has violated the equal opportunity policy, as stated in this section, he/she should submit a written complaint to the EEO Coordinator. The EEO Coordinator shall investigate the complaint and respond to the complaint.

2.15 EMPLOYEE RECOGNITION (See Section 2-15.6, Monroe County Code)

A - EMPLOYEE OF THE MONTH/YEAR PROGRAM

Monroe County has established an Employee ~~of the Month/Year Program~~ Service Award which is designed to recognize employees who demonstrate superior performance and dedication to their work which is above and beyond the call of duty. (See Monroe County Administrative Instruction Series 4000.) The employee selected for the month of the month shall be awarded a \$100 United States Savings Bond and an appreciation plaque. The employee of the year shall receive a 4% increase, and an appreciation plaque.

B - YEARS OF SERVICE PROGRAM

Monroe County has established a program to recognize County employees who have been in the County Service for Five, Ten, Fifteen, Twenty, Twenty-five and Thirty years. Grant and part-time employees will be eligible for the years-of-service program.

At the employee's anniversary date, or as soon thereafter as is feasible, the Human Resources office must cause a letter to be placed in the employee's personnel file noting the years of service and must deliver the following, in a lump sum payment, to the employee:

- a - For 5 years of service, a decorative pin and a 1% of the annual salary in a lump sum payment;
- b - For 10 years of service, a decorative pin and a 2% of the annual salary in a lump sum payment;
- c - For 15 years of service, a decorative pin and a 3% of the annual salary in a lump sum payment;
- d - For 20 years of service, a decorative pin and a 4% of the annual salary in a lump sum payment;
- e - For 25 years of service, a decorative pin and a 5% of the annual salary in a lump sum payment;
- f - For 30 years of service, a decorative pin and a 6% of the annual salary in a lump sum payment.