

**Lee County Board Of County Commissioners  
Agenda Item Summary**

Blue Sheet No. 20020823

**1. REQUESTED MOTION:**

**ACTION REQUESTED:**

Adopt revisions to the following Lee County Policies: Drugs and Alcohol in the Workplace (#205), Hiring (#301), Probationary Period (#304), Transfer (#305), Promotion (#306), Bereavement & Civic Duty Leaves (#406) & Direct Bonus Program (#506). Adoption of the resolution to amend Administrative Code 6-1.

**WHY ACTION IS NECESSARY:**

Brings current policies up to date and unifies provisions.

**WHAT ACTION ACCOMPLISHES:**

Updates policies that did not meet the needs of the organization and brings unified policies into effect.

**2. DEPARTMENTAL CATEGORY:**

**COMMISSION DISTRICT #:**

Countywide **C6A**

**MEETING DATE:**

**10-08-2002**

**4. AGENDA:**

- CONSENT
- ADMINISTRATIVE
- APPEALS
- PUBLIC
- WALK ON
- TIME REQUIRED:

**5. REQUIREMENT/PURPOSE:**

*(Specify)*

- STATUTE
- ORDINANCE
- ADMIN. CODE **6-1**
- OTHER

**6. REQUESTOR OF INFORMATION:**

- A. COMMISSIONER
- B. DEPARTMENT **Human Resources**
- C. DIVISION
- BY: **George A. Williams, Director**

**7. BACKGROUND:**

Ongoing process to update and revise Policies and Procedures Manual.

**8. MANAGEMENT RECOMMENDATIONS:**

Adopt revisions.

**9. RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
		<i>George A. Williams 9/23/02</i>		<i>Budweiser</i>	OA	OM	Risk	GC	
					<i>RK 9/24</i>	<i>MS 9/25/02</i>	<i>GA 9/25/02</i>	<i>MS 9/24/02</i>	<i>[Signature]</i>

**10. COMMISSION ACTION:**

- APPROVED
- DENIED
- DEFERRED
- OTHER

**Rec. by CoAtty**  
**Date:** 9/24/02  
**Time:** 8:36AM  
**Forwarded To:**  
 9/24/02 1:35pm

**RECEIVED BY**  
**COUNTY ADMIN. RK**  
 9/24 2:30 PM  
**FORWARDED TO:** BH  
 9/26 3:00

**ADMINISTRATIVE CODE  
BOARD OF COUNTY COMMISSIONERS**

<b>CATEGORY:</b> Human Resources/Employees	<b>CODE NUMBER:</b> AC-6-1
<b>TITLE:</b>  Personnel Policies and Procedures Manual (Appendix "A")	<b>ADOPTED:</b> 8/3/88
	<b>AMENDED:</b> 5/11/94; 6/6/00; 6/27/00; 12/12/00; 12/19/00 5/08/01; 7/24/01; 2/12/02; 6/4/02; 7/9/02; 10/8/02
	<b>ORIGINATING DEPARTMENT:</b> Human Resources

**PURPOSE/SCOPE:**

This manual contains and describes all existing personnel policies, and was developed as a perpetual guideline for consistent interpretation of personnel policies.

This manual is part of this Administrative Code and is under separate cover as Appendix "A", Personnel Policies and Procedures Manual.

**POLICY/PROCEDURE:**

LEE COUNTY RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS RELATING TO AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE AS ADOPTED BY LEE COUNTY ORDINANCE NO. 97-23; PROVIDING FOR APPROVAL OF CERTAIN AMENDMENTS TO THE LEE COUNTY ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners is the governing body in and for Lee County, a political subdivision of the State of Florida; and,

**WHEREAS**, the Board of County Commissioners has previously enacted Lee County Ordinance No. 96-01, creating a charter form of government for Lee County pursuant to Section 125.80 and ff., Florida Statutes, and which was approved and ratified by the Electorate of Lee County on November 5, 1996; and,

**WHEREAS**, the Board of County Commissioners has previously enacted Lee County Ordinance No. 97-23, which adopted the Lee County Administrative Code pursuant to Section 2.2.E. of Ordinance No. 96-01, the Lee County Charter; and,

**WHEREAS**, Lee County Ordinance No. 97-23 at Section III allows and provides for amendments to the Lee County Administrative Code to be made by Resolution of the Board of County Commissioners at a regularly scheduled Board of County Commissioners' meeting; and,

**WHEREAS**, certain amendments to the Lee County Administrative Code are now being proposed, and the Board of County Commissioners finds that such proposed amendments are acceptable, serve a public purpose and are consistent with the terms

and conditions of Lee County Ordinance No. 96-01, the Lee County Charter.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS THAT:**

1. The above preamble is hereby accepted and approved as being true and accurate, and is adopted and incorporated herein as if set out further at length.
2. The proposed amendment(s) to the Lee County Administrative Code 6-1 (attached hereto as Exhibit A), is (are) approved, and are hereby directed to be incorporated into the Lee County Administrative Code as indicated in the amendment(s).
3. The provisions of this Resolution are severable, and it is the intention to confer to the whole or any part of this Resolution, the powers herein provided for. If any of the provisions of this Resolution shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the other remaining provisions of this Resolution. It is hereby declared to be the Board's legislative intent that this Resolution would have been adopted had such an unconstitutional provision not been included herein.
4. This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and,

being put to a vote, the vote was as follows:

ROBERT JANES	_____
DOUGLAS ST. CERNY	_____
RAY JUDAH	_____
ANDREW COY	_____
JOHN E. ALBION	_____

DULY PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**ATTEST:**  
**CHARLIE GREEN, CLERK**

**BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA**

By: \_\_\_\_\_  
**Deputy Clerk**

By: \_\_\_\_\_  
**Chairman**

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
**Office of the County Attorney**

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**Policy:**

Lee County recognizes that our employees are our most valuable resource. It is our goal to provide a healthy, safe and efficient working environment in which to provide our diverse services to the citizens of the County. It also recognizes that substance/alcohol abuse and/or addiction can pose serious risks to an employee's health and safety and can have detrimental effects on co-workers. The County acknowledges its responsibility to provide appropriate assistance to its employees to the extent possible. Therefore, it is the policy of the County to:

- a) Assure that employees are not impaired in their ability to perform assigned duties in a safe, healthy and productive manner;
- b) Create a workplace environment free from the adverse effects of substance abuse or dependency;
- c) Prohibit the unlawful manufacture, distribution, dispensing, possession, selling, using, buying or transferring of controlled substances and/or alcohol; and
- d) Provide an employee assistance program available to employees whose personal problems, including drug or alcohol abuse or dependency, adversely affect their ability to perform their duties.

**Comments/Procedures:**

**205:1 SUBSTANCE ABUSE**

1. Abuse of alcoholic beverages or controlled substances, or the consumption of illegal substances by employees and potential employees is a significant problem both for the safety of the employee and the liability of the County.
2. Lee County has a responsibility to provide quality services to its citizens in a timely and cost effective manner. Employees at any and all levels in the organization who have drugs or alcohol in their systems may impair their ability to perform their duties at full, efficient capacity. Impaired judgement on their part may have serious consequences for the County through increased safety risks, potential accident liabilities, increased worker's compensation liabilities, and potential faulty decision making.
3. Employees who may be involved in the abuse of controlled substances or the use of illegal drugs, whether on or off the job, or who abuse alcohol off the job to such an extent that work performance is affected, have an adverse impact on the County's ability to maintain a safe work environment and to provide the services expected by its citizens.
4. Lee County, recognizing that drug and alcohol abuse is a growing problem within our nations' workforce, urges self-referral to the employee assistance program for any employee who is concerned that he or she may have a problem with substance abuse, and mandates managerial referral to the employee assistance program when job performance is affected.
5. Employee education and training programs shall provide information about the effects of drug and alcohol use and the detection of drugs and alcohol.

**205:2 SUBSTANCE TESTING**

1. Employees on or off duty are strictly prohibited from engaging in the manufacture, distribution, dispensing, possession, using, buying, selling or transferring of prohibited substances (controlled substances, illegal drugs) on or off County Property and during both

# DRUGS AND ALCOHOL IN THE WORKPLACE

Policy Number 205

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working and non-working hours. The use, possession, purchase, sale or transfer of alcohol during regular work hours, including breaks or meal periods, on County property is strictly prohibited. This includes in County vehicles or while in County uniform, working under the influence of drugs or alcohol or using drugs or alcohol on their own time in a way which causes them to report for work under the influence of drugs or alcohol.

2. Any employee who is convicted, pleads guilty or no lo contendre (no contest) to any criminal drug statute violation occurring in the workplace must notify the Director of Human Resources no later than five (5) days after such conviction. Failure to do so will be cause for appropriate disciplinary action, up to and including termination. Once the County receives such information, the County will make the appropriate determination as to what disciplinary action, if any, is to be taken.
3. Employees are required to report to work substance free and in a state of mind and physical condition so as to be able to perform their assigned duties safely and competently. Employees whose behavior or performance suggests the influence of alcohol, drugs, or controlled substances may be required to submit to a drug or alcohol test, if approved by the Human Resources Director, or designee. Refusal to submit to such test shall be considered insubordination.
4. An employee shall be subject to substance or alcohol tests if there is reasonable suspicion that he or she is impaired while on duty. Impairment is defined as being unable to perform duties safely and competently due to the use of alcohol or controlled or illegal substances. Reasonable suspicion is a belief based on objective facts sufficient to lead a reasonably prudent person to suspect that the employee's ability to perform the functions of the job is impaired or such that the employee's ability to perform the job safely is reduced.
5. Employees in safety sensitive positions, as determined by regulations of the Urban Mass Transportation Administration in 49 CFR Part 653, shall be subject to the following drug screening:
  - a) Pre-employment;
  - b) Reasonable cause;
  - c) Post-accident;
  - d) Return to duty; and
  - e) Random.
6. All applicants offered employment with the County will be required to take a drug test before being employed. A qualified laboratory chosen by the County will perform the test. Any applicant who refuses to take the test, or whose test results are positive, will be denied employment at that time. Applicants testing positive may be offered the opportunity for a retest at their own expense. If the retest is negative, the County will reimburse the cost of the test.
7. Failure of an employee to notify Employee Health Services before beginning work when taking medications or drugs which may interfere with the safe and effective performance of duties may result in disciplinary action. Employees may be required to provide a doctor's statement if the employee indicates that there is a need to use the prescription drug for an extended period.

**205:3 LEE COUNTY TRANSIT (LEE TRAN) SUBSTANCE ABUSE POLICY**

1. The Lee County Transit Substance Abuse Policy is included by reference herein and is available at the Lee Tran office for inspection.



**Policy:**

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***Adopted by the Lee County BOCC February 12, 2002 (Last Revised October 8, 2002)***

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**Policy:**

It is the policy of the County to be an equal opportunity employer and to hire individuals upon the basis of their qualifications, suitability and ability to successfully complete assigned work.

**Comments/Procedures:**

**301:1 GENERAL PROVISIONS**

- ~~1. The County will try to fill job vacancies above entry level by promoting from within if qualified applicants are known to be available internally.~~

Supervisors and department directors who need to fill a regular full or part-time job vacancy, ~~other than intra-department transfers or promotions~~, should submit a staffing requisition to Human Resources to request that the position be advertised and filled. All requisitions will be reviewed by Human Resources before the vacancy is posted.

On-call and temporary positions may be filled without the use of a staffing requisition form and do not need to be advertised, though all other employment procedures should be followed. If the hiring department elects to advertise a temporary or on-call position, a staffing requisition must be completed.

2. During the recruitment, hiring and orientation process, no statement is to be made promising permanent or guaranteed employment and no document should be called a contract unless, in fact, a written employment agreement is to be used. All employees of the County should be made aware in writing that employment with the County is at-will and should exercise great care not to make any representations otherwise.
- ~~3. When candidates from outside the County are to be considered for job vacancies, the following procedures should be followed:~~
3. Any external candidate for employment must either: complete a Lee County Application for Employment, and return to Lee County Human Resources in person, by mail, or by fax; submit a resume containing the reference number for the appropriate position; or complete our online application. Please note that if applying with a resume, a Lee County Application for Employment is required to be completed prior to hire. ~~Internal candidates for employment must also complete a Lee County Application for Employment (See Promotion Policy 306 for further information).~~
4. Any candidate for a position requiring a certain typing speed must be able to demonstrate the ability to type the required correct words per minute on the typing test administered by the County.
5. The hiring department has the responsibility to determine whether an applicant meets the qualifications for the open vacancy. The decision whether to hire the applicant is to be made by the department. Human Resources will confirm that the candidate meets the minimum education and experience requirements.
6. If the background check or any other subsequent investigation discloses any misrepresentation on the application or information indicating that the individual is not suited for employment with the County, the applicant may be refused employment or, if already employed, may be dismissed.

## HIRING

Policy Number 301

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7. Human Resources is responsible for New Employee Orientation and for the processing of employment forms. The supervisor is responsible for any necessary job training.
8. When current employees in regular full-time or part-time positions approved by the Board of County Commissioners are to be considered for job vacancies, they must follow the same procedures as any other candidate. ~~other than intra-department transfers or promotions, the same procedures should be followed as outlined for external candidates. (See Transfer Policy 305 and/or Promotion Policy 306 for further information).~~

In extraordinary circumstances, indicated by the uniqueness of the position, if there is an equally unique internal candidate available for the position the vacancy may not be advertised. This rare circumstance must be accompanied by clearly demonstrated rationale and documentation to justify not posting a vacancy.

9. In all steps of the employment process, employees/applicants with disabilities, as that term is defined in applicable federal and state law, will be entitled to reasonable accommodation to permit the disabled person to perform the essential functions of the job, and/or to apply for the available job.
10. All applicants offered employment with the County will be required to successfully pass a pre-employment drug screening. A qualified laboratory chosen by the County will perform the test. Any applicant who refuses to take the test, or whose test results are positive, will be denied employment at that time. Please see Policy 205, Drugs and Alcohol in the Workplace, for additional information.

At the option of the County, applicants testing positive are offered the opportunity for a retest at their own expense. If the retest is negative, the cost of the test will be reimbursed by the County.

11. Applicants for employment with the County in selected classifications may undergo a criminal background check. Applicants for positions requiring the ability to drive are subject to review of motor vehicle records (see Lee County Board of County Commissioners Motor Vehicle Operator Authorization Policy).
12. A relative of an employee will be considered for employment by the County, provided the applicant possesses all the qualifications for employment. A relative will not be hired, however, if such employment would:
  - a) Create either a direct or indirect supervisor/subordinate relationship with a relative; or
  - b) Create either an actual conflict of interest or the appearance of a conflict of interest.

The following criteria will also be considered when assigning, transferring or promoting an employee. For the purposes of this policy "relative" shall be defined, in accordance with FL Statutes 112.3135, as an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

***Adopted by the Lee County BOCC February 12, 2002 (Revised July 9, 2002)***

13. Employees who marry or become members of the same household may continue employment as long as there is not:

- a) A direct or indirect supervisor/subordinate relationship between such employees; or
- b) An actual conflict of interest or the appearance of a conflict of interest.

Should one of the above situations occur, the County will attempt to find a suitable position within the County to which one of the affected employees may transfer. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign.

14. Former employees of the County who left in good standing may be considered for re-employment. A former employee who is re-employed will be considered a new employee from the date of re-employment. Employees who retire may be eligible, in certain circumstances, to be considered for rehire.

**Policy:**

It is the policy of the County to be an equal opportunity employer and to hire individuals upon the basis of their qualifications, suitability and ability to successfully complete assigned work.

**Comments/Procedures:**

**301:1 GENERAL PROVISIONS**

1. Supervisors and department directors who need to fill a regular full or part-time job vacancy, should submit a staffing requisition to Human Resources to request that the position be advertised and filled. All requisitions will be reviewed by Human Resources before the vacancy is posted.

On-call and temporary positions may be filled without the use of a staffing requisition form and do not need to be advertised, though all other employment procedures should be followed. If the hiring department elects to advertise a temporary or on-call position, a staffing requisition must be completed.

2. During the recruitment, hiring and orientation process, no statement is to be made promising permanent or guaranteed employment and no document should be called a contract unless, in fact, a written employment agreement is to be used. All employees of the County should be made aware in writing that employment with the County is at-will and should exercise great care not to make any representations otherwise.
3. Any candidate for employment must either: complete a Lee County Application for Employment, and return to Lee County Human Resources in person, by mail, or by fax; submit a resume containing the reference number for the appropriate position; or complete our online application. Please note that if applying with a resume, a Lee County Application for Employment is required to be completed prior to hire.
4. Any candidate for a position requiring a certain typing speed must be able to demonstrate the ability to type the required correct words per minute on the typing test administered by the County.
5. The hiring department has the responsibility to determine whether an applicant meets the qualifications for the open vacancy. The decision whether to hire the applicant is to be made by the department. Human Resources will confirm that the candidate meets the minimum education and experience requirements.
6. If the background check or any other subsequent investigation discloses any misrepresentation on the application or information indicating that the individual is not suited for employment with the County, the applicant may be refused employment or, if already employed, may be dismissed.
7. Human Resources is responsible for New Employee Orientation and for the processing of employment forms. The supervisor is responsible for any necessary job training.
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## HIRING

Policy Number 301

Page 2



In extraordinary circumstances, indicated by the uniqueness of the position, if there is an equally unique internal candidate available for the position the vacancy may not be advertised. This rare circumstance must be accompanied by clearly demonstrated rationale and documentation to justify not posting a vacancy.

9. In all steps of the employment process, employees/applicants with disabilities, as that term is defined in applicable federal and state law, will be entitled to reasonable accommodation to permit the disabled person to perform the essential functions of the job, and/or to apply for the available job.
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The following criteria will also be considered when assigning, transferring or promoting an employee. For the purposes of this policy "relative" shall be defined, in accordance with FL Statutes 112.3135, as an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

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**Policy:**

It is County policy that all new employees (full-time and part-time regular employees in Board-approved positions; does not include temporary or on-call employees) are to be carefully monitored and evaluated for an initial on-the-job probationary period of six months. The probationary period only relates to new hires, it does not apply to transferred nor promoted employees. After satisfactory completion of the probationary evaluation, such employees will be formally evaluated on an annual basis as provided for in the Performance Evaluation Program (See Performance Evaluation Policy 502 for further information).

**Comments/Procedures:**

**304:1 GENERAL PROVISIONS**

1. Supervisors are responsible for department orientation of new employees, including establishment of performance standards, work schedules and expected employee behavior.
2. Supervisors are to observe carefully the performance of each employee in a new position. Strengths and weaknesses in performance, attendance, conduct or attitude are to be brought to the employee's attention.
3. Supervisors are encouraged to shall prepare a written evaluation of the employee's job performance by the end of the first three months on the new job. The evaluation should be forwarded to the department director for comment/signature and then to Human Resources for inclusion in the employee's personnel file. A copy should be provided to the employee.
4. After six months, a an additional written evaluation of the employee's performance must be completed. The evaluation is to include a recommendation as to whether the employee should continue in the position. The evaluation should be forwarded to the department director for comment/signature and then to Human Resources for inclusion in the employee's personnel file. A copy should be provided to the employee.
5. Employees will be encouraged to continue in their new positions if they are given both a satisfactory evaluation by the end of their initial six-month employment period and receive their supervisor's endorsement to continue in the job. In rare circumstances, employees not receiving such satisfactory evaluation and endorsement may be given additional time to demonstrate their ability to do the job, if the supervisor feels additional time is warranted in order to achieve acceptable job performance (not to exceed three months).
6. During the probationary period, an employee may be disciplined, laid off, suspended, or terminated, and such action shall not be subject to the grievance procedure set forth in this Manual.
7. Newly hired employees accrue sick and vacation hours beginning the first day of employment (see Sick Leave Policy 401, Vacation Leave accrual Policy 402). Sick leave may be taken during the probationary period if available. Vacation leave may be taken only after the employee has successfully completed their probationary period and been recommended for continued employment.

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3. Supervisors shall prepare a written evaluation of the employee's job performance by the end of the first three months on the new job. The evaluation should be forwarded to the department director for comment/signature and then to Human Resources for inclusion in the employee's personnel file. A copy should be provided to the employee.
4. After six months, an additional written evaluation of the employee's performance must be completed. The evaluation is to include a recommendation as to whether the employee should continue in the position. The evaluation should be forwarded to the department director for comment/signature and then to Human Resources for inclusion in the employee's personnel file. A copy should be provided to the employee.
5. Employees will be encouraged to continue in their new positions if they are given both a satisfactory evaluation by the end of their initial six-month employment period and receive their supervisor's endorsement to continue in the job. In rare circumstances employees not receiving such satisfactory evaluation and endorsement may be given additional time to demonstrate their ability to do the job, if the supervisor feels additional time is warranted in order to achieve acceptable job performance (not to exceed three months).
6. During the probationary period, an employee may be disciplined, laid off, suspended, or terminated, and such action shall not be subject to the grievance procedure set forth in this Manual.
7. Newly hired employees accrue sick and vacation hours beginning the first day of employment (see Sick Leave Policy 401, Vacation Leave Policy 402). Sick leave may be taken during the probationary period if available. Vacation leave may be taken only after the employee has successfully completed their probationary period and been recommended for continued employment.

**Policy:**

It is the policy of the County that it may, at its discretion, initiate or approve employee job transfers from one position to another or from one location to another. The classification and corresponding salary range may be the same or lower than the current position.

**Comments/Procedures:**

**305:1 GENERAL PROVISIONS**

1. The County may require employees to make either a temporary or long-term job transfer in order to accommodate the County's business needs.
2. Employees may request a voluntary job transfer. To be eligible for a voluntary transfer, employees must meet the minimum requirements of the new position, and must have held their current position for at least six (6) months if the position sought is outside their current department.
3. Employees requesting voluntary job transfers, ~~other than intra-department transfers or promotions,~~ must complete a Lee County Application for Employment, and are subject to the same provisions set forth in Policy 301, Hiring.
4. Employees transferring into different positions/classifications shall be paid within the salary range of the new position/classification.

**Policy:**

It is the policy of the County that it may, at its discretion, initiate or approve employee job transfers from one position to another or from one location to another. The classification and corresponding salary range may be the same or lower than the current position.

**Comments/Procedures:**

**305:1 GENERAL PROVISIONS**

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2. Employees may request a voluntary job transfer. To be eligible for a voluntary transfer, employees must meet the minimum requirements of the new position, and must have held their current position for at least six (6) months if the position sought is outside their current department.
3. Employees requesting voluntary job transfers, must complete a Lee County Application for Employment, and are subject to the same provisions set forth in Policy 301, Hiring.
4. Employees transferring into different positions/classifications shall be paid within the salary range of the new position/classification.

**Policy:**

It is the policy of the County to provide training and development opportunities for employees and to offer employees promotions to higher level positions when appropriate.

**Comments/Procedures:**

**306:1 GENERAL PROVISIONS**

1. All employees are encouraged to seek advancement opportunities and to obtain career guidance and skill development counseling from their supervisor, department/division director and/or Human Resources.
2. An employee's basic eligibility for promotion will be determined by the minimum requirements of the new job. In addition, the employee should have held his/her current position for at least six months, if the position sought is outside their current department.
  - a) As regular vacancies occur, the hiring department is expected to review the position requirements and determine the necessity of filling the position.
  - b) If it is determined that a position must be filled, the hiring department then reviews the position duties, responsibilities and minimum qualifications, including the essential functions of the job, and updates and revises the job description with the assistance of Human Resources staff, if necessary.
  - c) ~~If the position is not filled by an intra-department transfer or promotion,~~ the position is then posted and filled in accordance with Hiring Policy 301.
3. Current employee candidates for promotion will normally be considered and selected on the basis of job-related qualifications, tests where appropriate (demonstrated ability), attendance, work records, and performance evaluations. In addition, to the extent permitted by law, such employees may be required to have a medical examination.

**Policy:**

It is the policy of the County to provide training and development opportunities for employees and to offer employees promotions to higher level positions when appropriate.

**Comments/Procedures:**

**306:1 GENERAL PROVISIONS**

1. All employees are encouraged to seek advancement opportunities and to obtain career guidance and skill development counseling from their supervisor, department/division director and/or Human Resources.
2. An employee's basic eligibility for promotion will be determined by the minimum requirements of the new job. In addition, the employee should have held his/her current position for at least six months, if the position sought is outside their current department.
  - a) As regular vacancies occur, the hiring department is expected to review the position requirements and determine the necessity of filling the position.
  - b) If it is determined that a position must be filled, the hiring department then reviews the position duties, responsibilities and minimum qualifications, including the essential functions of the job, and updates and revises the job description with the assistance of Human Resources staff, if necessary.
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3. Current employee candidates for promotion will normally be considered and selected on the basis of job-related qualifications, tests where appropriate (demonstrated ability), attendance, work records, and performance evaluations. In addition, to the extent permitted by law, such employees may be required to have a medical examination.

**Policy:**

It is the policy of Lee County Government to provide time off to employees for bereavement to attend funerals or memorial services, and for civic duty leave (jury duty, witness duty, and voting and military duty).

**Comments/Procedures:**

**406:1 BEREAVEMENT**

1. Regular employees may be granted, upon request and with the approval of the Department Director, bereavement leave with pay due to a death in the family. Leave may be granted for:
  - a) The death of the employee's Spouse, Child, Foster Child, Parent, Guardian, Sibling, Grandparent, Grandchild, Stepparent, Stepchild, Stepbrother, or Stepsister.
  - b) The death of the employee's spouse's Child, Foster Child, Parent, Guardian, Sibling, Grandparent, or Grandchild.
2. Paid bereavement leave is intended to provide sufficient time, within reasonable guidelines, for an employee to attend a funeral or memorial service for a loved one. The County recognizes that individuals have their own private way to mourn members of the family and may grant paid bereavement leave as follows:
  - a) For the death of an employee's immediate family (spouse, child, or parent or sibling), the County at its sole discretion may grant **up to** one (1) normal week's work schedule for bereavement.
  - b) For all other individuals listed in 406:1(1)(a & b), the County may grant **up to**:
    - i) Three (3) days paid leave of absence for local bereavement.
    - ii) An additional day for travel to and from the location 50 or more miles from Fort Myers (i.e. up to a total of five (5) days paid bereavement leave).
3. An employee requesting bereavement leave shall provide a statement in writing to his/her immediate supervisor giving the name of the deceased and his/her relationship to the employee, as well as the location (city & state) of the memorial. This information shall be attached to the leave request form kept in the official personnel record for the employee located in the Department of Human Resources.
4. Additional bereavement leave or bereavement leave for individuals not specifically listed in this policy shall require the use of accumulated vacation or sick leave, or otherwise, the bereavement leave will be considered an unpaid leave of absence.
5. Abuse of bereavement leave shall be subject to disciplinary action.
6. Falsification of the need for bereavement leave shall result in immediate termination.

**406:2 CIVIC & MILITARY DUTY LEAVES**



## **BEREAVEMENT & CIVIC DUTY LEAVES**

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### **406:2.1 JURY DUTY –**

1. When a regular employee is required to serve on jury duty, the employee shall be relieved of responsibility for his/her normal work shift, and the County shall pay the employee the amount that would have normally been received had the employee worked the time served for jury duty (plus travel time from and/or back to the work site if the employee reported to work prior to jury duty and/or after being dismissed).
2. An employee who is required to serve on jury duty shall notify his/her supervisor or Department Director of the requirement within twenty-four (24) hours of receiving the notification to report for jury duty whenever possible, but in no event later than the beginning of the next work shift.
3. When an employee is released or excused from jury duty, the employee shall notify his/her supervisor as quickly as possible of his/her ability to return to work. At that time, the supervisor will make a determination if the employee shall return to work immediately, or for the next scheduled work shift.
4. A certification of attendance from the Clerk of Courts is required when returning to work from jury duty.
  - a) It is the employee's responsibility to request a certification of attendance from the Clerk of Courts upon dismissal from jury duty and prior to returning to work.
  - b) The certification of attendance must be submitted to the employee's supervisor, along with a leave request indicating absence due to jury duty, immediately upon returning to work.
  - c) Failure to provide a certification of attendance from the Clerk of Courts shall result in the employee not being paid for the time spent on jury duty, and that time being considered an unexcused absence from work.
5. Payment received by the employee for jury duty, except for meals, travel, and lodging expenses, shall be endorsed to the County.
6. Abuse of this leave may result in disciplinary action.
7. Falsification of the need to attend jury duty, or any documents relating to the jury duty, shall result in immediate termination.

### **406:2.2 WITNESS DUTY**

1. Any regular employee, who during his/her normal work schedule, upon the request and for the benefit of the County attends any legal proceedings involving the County, or is subpoenaed to any court proceeding involving the County, shall be paid as if the employee were engaged in his/her normal work.
2. Any regular employee who is subpoenaed to appear as a witness in any civil or criminal matter in which the employee is not personally involved nor has a monetary interest in the outcome, shall be paid as if the employee were engaged in his/her normal work.

3. A certification of attendance from the Clerk of Courts is required when returning to work from witness duty, whether paid by the County or not, for that time.
  - a) It is the employee's responsibility to request a certification of attendance from the Clerk of Courts upon dismissal from witness duty and prior to returning to work.
  - b) The certification of attendance must be submitted to the employee's supervisor along with a leave request indicating absence due to witness duty immediately upon returning to work.
  - c) Failure to provide a certification of attendance from the Clerk of Courts shall result in the employee not being paid for the time spent on witness duty, and that time being considered an unexcused absence from work.
4. Payment received by the employee for witness duty, except for meals, travel, and lodging expenses, shall be endorsed to the County.
5. Abuse of this leave may result in disciplinary action.
6. Falsification of the need to attend witness duty, or any documents relating to the witness duty, shall result in immediate termination.

**406:2.3 TIME OFF TO VOTE**

1. Any County employee whose work schedule does not allow the employee at least two (2) hours before or two (2) hours after work while the polls are open to vote outside normal working hours may be granted sufficient time off with pay to vote (up to one hour) on all designated federal, state, and local election days.
2. Time off to vote must be requested in advance and shall be scheduled by the employee's supervisor.
3. Abuse of this leave may result in disciplinary action.

**406:2.4 MILITARY DUTY LEAVES (In accordance with Chapter 115, Florida Statutes)**

1. An employee who is a member of the National Guard or a reserve component of the Armed Forces of the United States shall, upon presentation of a copy of the employee's official orders to the employee's supervisor, be granted leave with full pay and without loss of benefits (including retirement) during periods in which the employee is ordered to active duty for training, and that time will be considered continuous service.
  - a) Requests for military leave under this subsection shall be submitted in writing with proper documentation at least one (1) month prior to the commencement date of the orders.
  - b) Whether continuous or intermittent, such paid leave under this subsection shall not exceed seventeen (17) working days in any twelve (12) month period.
    - i) Each 12-hour shift or less shall equal one (1) working day leave of absence.

## **BEREAVEMENT & CIVIC DUTY LEAVES**

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- ii) All other shifts over twelve (12) hours and up to twenty-four (24) hours shall equal two (2) working days leave of absence.
  - c) Any absence in excess of seventeen (17) working days under this subsection may be covered by accrued and available vacation leave, or be an excused absence without pay.
2. Any employee who is ordered to report for a physical examination with the Selective Service System shall, upon presentation of official orders, be granted paid leave for this purpose.
  3. Any County employee who is also a member of the National Guard or a reserve component of the Armed Forces of the United States may be granted leave of absence from their respective duties to perform active military service, the first thirty (30) days of any such leave will be with full pay. During such leave of absence the employee shall be entitled to preserve all benefits and retirement privileges, and such time will be treated as continuous service.
  4. After the 30-day period described in 406:2.4(3) above, the County shall supplement, if required or at its discretion, the military pay to bring the employee's pay to the level earned at the time he/she was called to active duty.
  5. Abuse of the provisions set forth for military leaves shall result in disciplinary action.
  6. Falsification of the need for, or any records relating to, military leave shall result in immediate termination.

**Policy:**

It is the policy of Lee County Government to provide time off to employees for bereavement to attend funerals or memorial services, and for civic duty leave (jury duty, witness duty, voting and military duty).

**Comments/Procedures:**

**406:1 BEREAVEMENT**

1. Regular employees may be granted, upon request and with the approval of the Department Director, bereavement leave with pay due to a death in the family. Leave may be granted for:
  - a) The death of the employee's Spouse, Child, Foster Child, Parent, Guardian, Sibling, Grandparent, Grandchild, Stepparent, Stepchild, Stepbrother, or Stepsister.
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2. Paid bereavement leave is intended to provide sufficient time, within reasonable guidelines, for an employee to attend a funeral or memorial service for a loved one. The County recognizes that individuals have their own private way to mourn members of the family and may grant paid bereavement leave as follows:
  - a) For the death of an employee's immediate family (spouse, child, parent or sibling), the County at its sole discretion may grant **up to** one (1) normal week's work schedule for bereavement.
  - b) For all other individuals listed in 406:1(1)(a & b), the County may grant **up to**:
    - i) Three (3) days paid leave of absence for local bereavement.
    - ii) An additional day for travel to and from the location 50 or more miles from Fort Myers (i.e. **up to** a total of five (5) days paid bereavement leave).
3. An employee requesting bereavement leave shall provide a statement in writing to his/her immediate supervisor giving the name of the deceased and his/her relationship to the employee, as well as the location (city & state) of the memorial. This information shall be attached to the leave request form kept in the official personnel record for the employee located in the Department of Human Resources.
4. Additional bereavement leave or bereavement leave for individuals not specifically listed in this policy shall require the use of accumulated vacation or sick leave; otherwise, the bereavement leave will be considered an unpaid leave of absence.
5. Abuse of bereavement leave shall be subject to disciplinary action.
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**406:2 CIVIC & MILITARY DUTY LEAVES**

## **BEREAVEMENT & CIVIC DUTY LEAVES**

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### **406:2.1 JURY DUTY**

1. When a regular employee is required to serve on jury duty, the employee shall be relieved of responsibility for his/her normal work shift, and the County shall pay the employee the amount that would have normally been received had the employee worked the time served for jury duty (plus travel time from and/or back to the work site if the employee reported to work prior to jury duty and/or after being dismissed).
2. An employee who is required to serve on jury duty shall notify his/her supervisor or Department Director of the requirement within twenty-four (24) hours of receiving the notification to report for jury duty whenever possible, but in no event later than the beginning of the next work shift.
3. When an employee is released or excused from jury duty, the employee shall notify his/her supervisor as quickly as possible of his/her ability to return to work. At that time, the supervisor will make a determination if the employee shall return to work immediately, or for the next scheduled work shift.
4. A certification of attendance from the Clerk of Courts is required when returning to work from jury duty.
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5. Payment received by the employee for jury duty, except for meals, travel, and lodging expenses, shall be endorsed to the County.
6. Abuse of this leave may result in disciplinary action.
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### **406:2.2 WITNESS DUTY**

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  - a) Requests for military leave under this subsection shall be submitted in writing with proper documentation at least one (1) month prior to the commencement date of the orders.
  - b) Whether continuous or intermittent, such paid leave under this subsection shall not exceed seventeen (17) working days in any twelve (12) month period.
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## **BEREAVEMENT & CIVIC DUTY LEAVES**

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2. Any employee who is ordered to report for a physical examination with the Selective Service System shall, upon presentation of official orders, be granted paid leave for this purpose.
  3. Any County employee who is also a member of the National Guard or a reserve component of the Armed Forces of the United States may be granted leave of absence from their respective duties to perform active military service, the first thirty (30) days of any such leave will be with full pay. During such leave of absence the employee shall be entitled to preserve all benefits and retirement privileges, and such time will be treated as continuous service.
  4. After the 30-day period described in 406:2.4(3) above, the County shall supplement, if required or at its discretion, the military pay to bring the employee's pay to the level earned at the time he/she was called to active duty.
  5. Abuse of the provisions set forth for military leaves shall result in disciplinary action.
  6. Falsification of the need for, or any records relating to, military leave shall result in immediate termination.

**Policy:**

It is the policy of the County to consider a bonus for employees who demonstrate superior accomplishments. This award is specifically designed to recognize outstanding performance without employee expectation of continual receipt of an award. All employees under the Board of County Commissioners, including regular full-time and part-time, temporary, and on-call employees, are eligible to receive bonuses under this program. Direct bonuses are approved by Department/Division Directors or the County Manager.

**Comments/Procedures:**

**506:1 GENERAL PROVISIONS**

1. Awards up to \$2,500 will be approved by Department/Division Directors.
2. Awards between \$2,501 - \$5,000 will be approved by the County Manager in writing.
3. All regular County employees under the administrative jurisdiction of the County Manager, or the County Attorney are eligible recipients of a bonus.
4. To receive maximum impact, awards under this program will be made as a one-time lump sum payment. An award may be made at any time during the year.
5. The Department/Division Director, designee or County Manager will determine the amount of the bonus for each recipient.
6. Nominations for employees are to be initiated through the employee's supervisor. The nomination must state the reasons the employee is being nominated and full justification of the award, including a statement indicating the financial impact upon the department/division.
7. There are three categories of awards which an employee may be eligible to receive. They are Superior Team Accomplishment, Individual Incentives and Operational Improvements.

**506:2 SUPERIOR TEAM ACCOMPLISHMENT**

**1. We Made a Difference**

Definition: Recognition given at anytime to a work unit or team in each service area for meeting unexpected customer needs in an exceptional manner.

The criteria for this award are: Must have completed a project (assignment) during an emergency or crisis (unexpected or critical event) and received a high rating in any of the following:

- a) Timeliness;
- b) Quality (meets or exceeds accepted standards); or
- c) Customer satisfaction.

**2. Team Progress Achievement**

Definition: Recognition given at any time to a team for achieving progress toward the completion of a project.

Criteria: Must have accomplished any of the following:



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- a) Exceeded timeframes in the project action plan;
- b) Thoroughly researched project;
- c) Recommended innovative and achievable actions; or
- d) Displayed team unity and initiative.

### 3. Outstanding Team Project Completion

Definition: Recognition given to one or more teams in each service area for completing a project which resulted in significant savings/cost avoidance in time/money or improvements in efficiency/effectiveness.

Criteria: Must have accomplished any of the following:

- a) Exceeded timeframes in the project action plan;
- b) Demonstrated team unity and efficiency;
- c) Standardized improvement within the department or County government; or
- d) Instituted a system to continuously improve the process.

## 506:3 INDIVIDUAL INCENTIVES

### 1. Leadership

Definition: Recognition given to an employee who demonstrates exceptional leadership skills in meeting customer requirements.

Criteria: Must have accomplished any of the following:

1. Demonstrated the ability to inspire or empower subordinates or co-workers;
2. Demonstrated initiative and willingness to accept responsibility; or
3. Provided regular feedback and treated subordinates or co-workers with dignity and respect.

Actions were mainly responsible for the success of the work group or team:

- a) Meeting deadlines;
- b) Improving work processes;
- c) Saving time/money, generating new revenue, or increasing efficiency/effectiveness; or
- d) Achieving customer satisfaction.

### 2. Exceptional Achievement

Definition: ~~This is~~ Recognition given when the employee's efforts have resulted in a special achievement of significant importance to the County.

Criteria: Must have accomplished any of the following:

1. Consistent, exceptionally high level of productivity with repeated successful implementation of progressive and up-to-date systems within the employee's area of responsibility;
2. Innovative solutions to problems or innovative program development which result in significant, definable cost savings or improvements in County services and efficiency;
3. Development of management or operational programs which may be applied in units other than the one in which the employee works;
4. Demonstration of effective crisis management;
5. Unusual job interest which enhances the morale and productivity of the employee's peers;

6. Demonstration of exceptional positive community relations outside the normal relations of the employee's job; or
7. Contributions that draw State or National recognition to the County.

**3. I Made a Difference**

Definition: Recognition given anytime to an employee for meeting customer needs in an exceptional manner.

Criteria: Must have received a high rating in any of the following:

1. Dependability;
2. Timeliness;
3. Efficiency; or
4. Customer satisfaction.

**506:4 OPERATIONAL IMPROVEMENTS**

Definition: Recognition to encourage employees to make constructive suggestions for the improvement of operations. Can be given as an individual or team award.

Criteria:

1. A suggestion is a written original idea proposed by an employee or group of employees that clearly identifies a device or method to do a job, system or procedure better, quicker, easier, safer or at less cost or increased revenue.
2. All employees are eligible to submit suggestions. However, an employee shall not normally be eligible for an award for a suggestion which relates to the employee's assumed duties and responsibilities as outlined in his/her job classification description. Key elements to consider in determining employee eligibility for a cash award are:
  - a) Is the employee expected or required to make suggestions of the type under consideration?
  - b) Can the suggestion be implemented by the employee without consulting higher authority?
3. All suggestions are eligible. If a suggestion is not implemented, it is not eligible for a cash award. Suggestions which are directly related to the following subjects are not eligible for awards:
  - a) Personal grievances;
  - b) Classification and pay of positions;
  - c) Matters previously or currently under study or review by management during the past three years per documentation provided by the evaluator or suggestion system coordinator;
  - d) A duplicate of another suggestion already under consideration within the past three years;
  - e) Matters which are the result of assigned or contracted auditing, studies, surveys, reviews or research;
  - f) Matters requiring legislative or court action other than by County ordinance;

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- g) Matters requiring the initiation of routine clerical operations, maintenance activities or adherence to prescribed safety practices. Minor safety problems such as loose carpeting, frayed electrical wiring, etc. should be reported through normal channels;
  - h) Stricter enforcement of already existing rules, regulations and laws ~~with~~ within the County;
  - i) Applications of existing procedures and processes to other areas in the County;
  - j) Routine computerization of manual processes; or
  - k) New or newly modified or designed equipment (that part of which is exclusively new), systems, procedures or forms shall not be open to suggestions.

**Policy:**

It is the policy of the County to consider a bonus for employees who demonstrate superior accomplishments. This award is specifically designed to recognize outstanding performance without employee expectation of continual receipt of an award. All employees under the Board of County Commissioners, including regular full-time and part-time, temporary, and on-call employees, are eligible to receive bonuses under this program. Direct bonuses are approved by Department/Division Directors or the County Manager.

**Comments/Procedures:**

**506:1 GENERAL PROVISIONS**

1. Awards up to \$2,500 will be approved by Department/Division Directors.
2. Awards between \$2,501 - \$5,000 will be approved by the County Manager in writing.
3. All regular County employees under the administrative jurisdiction of the County Manager, or the County Attorney are eligible recipients of a bonus.
4. To receive maximum impact, awards under this program will be made as a one-time lump sum payment. An award may be made at any time during the year.
5. The Department/Division Director, designee or County Manager will determine the amount of the bonus for each recipient.
6. Nominations for employees are to be initiated through the employee's supervisor. The nomination must state the reasons the employee is being nominated and full justification of the award, including a statement indicating the financial impact upon the department/division.
7. There are three categories of awards which an employee may be eligible to receive. They are Superior Team Accomplishment, Individual Incentives and Operational Improvements.

**506:2 SUPERIOR TEAM ACCOMPLISHMENT**

**1. We Made a Difference**

Definition: Recognition given at any time to a work unit or team in each service area for meeting unexpected customer needs in an exceptional manner.

The criteria for this award are: Must have completed a project (assignment) during an emergency or crisis (unexpected or critical event) and received a high rating in any of the following:

- a) Timeliness;
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- c) Customer satisfaction.

**2. Team Progress Achievement**

Definition: Recognition given at anytime to a team for achieving progress toward the completion of a project.

Criteria: Must have accomplished any of the following:

## **DIRECT BONUS PROGRAM**

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Page 2



- a) Exceeded timeframes in the project action plan;
- b) Thoroughly researched project;
- c) Recommended innovative and achievable actions; or
- d) Displayed team unity and initiative.

### **3. Outstanding Team Project Completion**

Definition: Recognition given to one or more teams in each service area for completing a project which resulted in significant savings/cost avoidance in time/money or improvements in efficiency/effectiveness.

Criteria: Must have accomplished any of the following:

- a) Exceeded timeframes in the project action plan;
- b) Demonstrated team unity and efficiency;
- c) Standardized improvement within the department or County government; or
- d) Instituted a system to continuously improve the process.

## **506:3 INDIVIDUAL INCENTIVES**

### **1. Leadership**

Definition: Recognition given to an employee who demonstrates exceptional leadership skills in meeting customer requirements.

Criteria: Must have accomplished any of the following:

1. Demonstrated the ability to inspire or empower subordinates or co-workers;
2. Demonstrated initiative and willingness to accept responsibility; or
3. Provided regular feedback and treated subordinates or co-workers with dignity and respect.

Actions were mainly responsible for the success of the work group or team:

- a) Meeting deadlines;
- b) Improving work processes;
- c) Saving time/money, generating new revenue, or increasing efficiency/effectiveness; or
- d) Achieving customer satisfaction.

### **2. Exceptional Achievement**

Definition: Recognition given when the employee's efforts have resulted in a special achievement of significant importance to the County.

Criteria: Must have accomplished any of the following:

1. Consistent, exceptionally high level of productivity with repeated successful implementation of progressive and up-to-date systems within the employee's area of responsibility;
2. Innovative solutions to problems or innovative program development which result in significant, definable cost savings or improvements in County services and efficiency;
3. Development of management or operational programs which may be applied in units other than the one in which the employee works;
4. Demonstration of effective crisis management;
5. Unusual job interest which enhances the morale and productivity of the employee's peers;

***Adopted by the Lee County BoCC February 12, 2002 (Last Revised October 8, 2002)***

6. Demonstration of exceptional positive community relations outside the normal relations of the employee's job; or
7. Contributions that draw State or National recognition to the County.

**3. I Made a Difference**

Definition: Recognition given anytime to an employee for meeting customer needs in an exceptional manner.

Criteria: Must have received a high rating in any of the following:

1. Dependability;
2. Timeliness;
3. Efficiency; or
4. Customer satisfaction.

**506:4 OPERATIONAL IMPROVEMENTS**

Definition: Recognition to encourage employees to make constructive suggestions for the improvement of operations. Can be given as an individual or team award.

Criteria:

1. A suggestion is a written original idea proposed by an employee or group of employees that clearly identifies a device or method to do a job, system or procedure better, quicker, easier, safer or at less cost or increased revenue.
2. All employees are eligible to submit suggestions. However, an employee shall not normally be eligible for an award for a suggestion which relates to the employee's assumed duties and responsibilities as outlined in his/her job classification description. Key elements to consider in determining employee eligibility for a cash award are:
  - a) Is the employee expected or required to make suggestions of the type under consideration?
  - b) Can the suggestion be implemented by the employee without consulting higher authority?
3. All suggestions are eligible. If a suggestion is not implemented, it is not eligible for a cash award. Suggestions which are directly related to the following subjects are not eligible for awards:
  - a) Personal grievances;
  - b) Classification and pay of positions;
  - c) Matters previously or currently under study or review by management during the past three years per documentation provided by the evaluator or suggestion system coordinator;
  - d) A duplicate of another suggestion already under consideration within the past three years;
  - e) Matters which are the result of assigned or contracted auditing, studies, surveys, reviews or research;
  - f) Matters requiring legislative or court action other than by County ordinance;

## **DIRECT BONUS PROGRAM**

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- g) Matters requiring the initiation of routine clerical operations, maintenance activities or adherence to prescribed safety practices. Minor safety problems such as loose carpeting, frayed electrical wiring, etc. should be reported through normal channels;
  - h) Stricter enforcement of already existing rules, regulations and laws within the County;
  - i) Applications of existing procedures and processes to other areas in the County;
  - j) Routine computerization of manual processes; or
  - k) New or newly modified or designed equipment (that part of which is exclusively new), systems, procedures or forms shall not be open to suggestions.