



# HUMAN RESOURCES POLICY MANUAL

This document is not intended to create any type of independent employment contract.

Approved by:

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David T. Harden  
City Manager

Date: \_\_\_\_\_

City of Delray Beach  
HUMAN RESOURCES POLICY MANUAL

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**SECTION 101 INTRODUCTION TO HUMAN RESOURCES POLICY MANUAL**

This Human Resources Policy Manual implements the City's Human Resources management system and conforms to the policies established by the City Manager and the City Commission of Delray Beach. This manual shall govern Human Resources related matters of the City unless superseded by other specific regulations established in the City Charter or Code, or Florida Statutes.

The purpose of this manual is to establish various policies, rules and regulations, fringe benefits and services provided to full-time employees, and where applicable part-time employees . As an employee of the City of Delray Beach, it is your responsibility to read and understand the information contained in this booklet.

A proper and efficient Human Resources system is indispensable and necessary to properly administer the business affairs of the City. Further, we insist upon a fair, equitable, and uniform system of public employment in order to attract the excellent caliber of employees our citizens demand and deserve. Department Heads are responsible to the City Manager for administration of the Human Resources Policies set forth herein within their departments.

The policies contained in this manual supersede any prior personnel policies of the City. They are provided to employees for information only and are subject to change at any time without advance notice. The City hopes that your time as a City employee is long, happy and productive. However, nothing in this manual constitutes or establishes a contract of employment of any particular duration or any other legal obligation granting continued employment.

**SECTION 102**

**MISSION STATEMENT**

The mission of the Human Resources Department is to provide ideas and best practices programs that enhance the City's ability to attract, develop and retain talented employees. Human Resources is committed to providing quality services in a professional and consistent manner. In providing these services we are dedicated to clear communication, motivating employees, and providing resources to meet the City's goals and objectives.

**SECTION 103**

**THE EMPLOYEE RELATIONS CONCEPT**

The basic approach to employee relations at the City of Delray Beach reflects the belief that each employee deserves the respect and trust of the City, its supervisors and their co-workers.

By creating an environment of honesty, respect and trust we believe that employees will be motivated to contribute to the goals and objectives of the City of Delray Beach. We recognize that individual contribution is related to individual needs and values. Our approach will be to emphasize individual contributions, where every employee is an active and valued member of the City of Delray Beach.

**SECTION 201                    HUMAN RESOURCES PROCEDURES**

**201.01    Human Resources Department Responsibilities:**

The Human Resources Department shall be responsible for:

1. Ensuring that all positions to be filled have been authorized and budgeted.
2. Ensuring that all employment openings are posted in the Human Resources department.
3. Recruitment and referral of qualified applicants to fill departmental vacancies.
4. Induction of newly hired personnel including completion of required personnel and payroll forms, arrangement of physical examinations and employee orientation.
5. Approval of all changes in employee status in accordance with personnel policies, along with City Manager, if applicable.
6. The Human Resources Department shall respond to all requests for verification of employment.

**201.02    Department Heads' Responsibilities:**

Department Heads shall promptly advise the Human Resources Director of all personnel changes and will be responsible for:

1. Ensuring that all job positions in their departments have been evaluated, rated and classified by the Human Resources Department in accordance with the pay and classification plans.
2. Submission of an employee requisition to the Human Resources Department when requesting a replacement.
3. Ensuring that all vacant positions have the necessary authorization and approval prior to making a job offer to a candidate for a position.

4. Filling positions from applicants which have been pre-screened and qualified by Human Resources as meeting the standards established by the hiring department.
5. Firefighter and Police Officer positions must be filled from applicants who have been pre-screened and qualified by the Fire and Police Departments and placed on the eligibility list.
6. Referral of selected applicants to the Human Resources Department for final processing, including completion of all necessary payroll forms, physical examination and orientation.
7. Providing on-the-job training to all new employees.

**SECTION 202**

**WORK WEEK/HOURS OF WORK  
RECORDING TIME WORKED/WORK BREAK**

**202.01**

**WORK WEEK**

The basic workweek for full-time, regular employees is 40 hours per week. The City Manager may approve deviations from the basic workweek for certain departments or individuals as permitted by law (such as for employees engaged in law enforcement or fire protection activities). Daily hours of work and workdays may vary according to the service requirements of the department. Generally speaking, most employees will work five, eight-hour days per week.

**202.02**

**HOURS OF WORK**

The workweek shall start at 12:01 a.m. Saturday and end at 12:00 midnight Friday.

All employees are required to be present on their assigned jobs for the total hours in the workweek unless absence from duty is authorized in advance by the supervisor. All absences shall be properly recorded and charged. City employees shall work forty (40) hours a week except where other provisions are specifically approved in advance by the proper authority. Normal workday for non-shift personnel shall be from 8:00 a.m. to 5:00 p.m., Monday through Friday, unless otherwise authorized by the City Manager. Lunch times may be scheduled at the discretion of the Department Head, shall be unpaid, and are a time free from work interruption while the employee is away from his or her work station.

The workday and work week for Fire, Police, Parks and Recreation, and Environmental Services Department employees shall be on a schedule approved by the City Manager to be compatible with department operations.

If an employee is absent without leave on a scheduled workday, the employee will be considered to be on non-pay status and may be subject to disciplinary action.

**202.03**

**RECORDING TIME WORKED**

It is the employee's responsibility to report correctly and accurately the hours he or she worked each day. To assure that each employee is paid accurately, each employee must be certain to understand how to report his or her time properly. The employee's supervisor will explain proper reporting procedures to the employee.

Non-exempt employees are required to document their start and stop time by either manual or automated means. Manual means may include a time clock, time card or by a record maintained on the City's approved time sheet. Automated means include badge or biometric terminals or web-enabled/browser-based modules. Employees who are assigned to a primary reporting work location must check in and out at that work location, except as otherwise directed by his/her supervisor. Where time clock time cards are used, employees shall use the time clock to enter their start and stop times on their time cards.

No one is permitted to punch a time card for anyone else. An employee may punch in 7 minutes or less before the start of the scheduled shift and not more than 7 minutes after the end of the shift, unless prior authorization has been given by the employee's supervisor. Employees must review their time card or time sheet on the last scheduled day of each pay period and sign the card or sheet to verify that the information on it is correct. If an employee who is required to use a time clock fails to punch in or out, the employee is required to (either later that day or the next morning) bring the time card to his/her immediate supervisor to advise the supervisor about the matter. Failure to do so, or repeated failure to use the time clock, may result in disciplinary action.

Non-exempt employees shall be recorded as tardy if they do not report ready for work at their scheduled starting time. Non-exempt employees reporting for work eight (8) minutes or more after the scheduled starting time shall be docked in increments of one-quarter (1/4) of an hour, unless the Department Head authorizes the employee to make up the lost time by working beyond the scheduled hours.

## **202.04**

### **WORK BREAK**

Each Department Head may allow employees one work break during the first half of their workday and one work break during the second half of their workday, provided that:

1. No single work break shall exceed a fifteen (15) minute absence from the employee's workstation.
2. Employees may not leave their work place without permission of the appropriate supervisor.
3. An employee may not accumulate unused work breaks. If a break is not taken, it is forfeited.
4. Work break time shall not be authorized for covering an employee's late arrival on duty or his/her early departure from duty.

**SECTION 203**

**ALTERNATIVE WORK SCHEDULE**

**203.01**

**FLEXTIME**

Employees are required to work the hours established for their position. If the employee has a need to request a different schedule on a long-term basis or believes the public can be better served by an alternate work schedule, the matter should be discussed with the immediate supervisor and department head.

Flexitime at the City of Delray Beach is a work schedule with time of arrival and departure that differs from the standard operating hours by not more than three hours. For example, a typical flexitime arrangement can be arrival at 10:00 a.m. and departure at 7:00 p.m.

Decisions shall be made on a case-by-case basis. Full-time employees who have completed at least six (6) months of employment are eligible for flexitime. The employee must first discuss possible flexitime arrangements with his/her supervisor and then submit a written request using the Flexitime/Compressed Work Schedule Request Form. The department head and supervisor will approve or deny the flexitime request based on the work requirements of the City, departmental staffing needs, the employee's job duties, the employee's work record and the employee's ability to temporarily or permanently return to a standard work schedule when needed.

The Department Head and the City Manager must approve all flexitime requests and changes.

A flexitime arrangement may be suspended or cancelled by the Department Head at any time, with or without notice. Exempt employees must depart from any flexitime schedule to perform their jobs as required by Management. Non-exempt employees may be asked to work overtime regardless of a flexitime schedule.

**203.02**

**COMPRESSED WORK SCHEDULE**

A compressed work week schedule permits employees to work 40 hours in four ten-hour days. The fifth day is a day off on a regular basis and the day will be chosen at the discretion of the supervisor and department head. Full-time employees who have completed at least six (6) months of employment are eligible for a compressed work schedule.

The employee must first discuss possible compressed work schedule with his/her supervisor and then submit a written request using the Flextime/Compressed Work Schedule Request Form. Approval will be based primarily upon consideration of the work requirement of the City, employee's job performance, departmental staffing needs, the employee's worked record and the employee's ability to temporarily or permanently return to a standard work schedule when needed. The Department Head and the City Manager must approve all compressed work schedule requests and changes.

Certain employees may not be eligible for a compressed work schedule due to the needs of their department or the job duties for the position.

Revised 11/17/08

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ALTERNATIVE WORK SCHEDULE 203

**Flextime/Compressed Work Schedule Request Form**

Employee Name: \_\_\_\_\_ Date: \_\_\_\_\_

Department: \_\_\_\_\_ Position: \_\_\_\_\_

Date of Hire: \_\_\_\_\_

Description of Flextime Arrangement/Compressed Work Schedule:

Hour of Arrival: \_\_\_\_\_

Hour of Departure: \_\_\_\_\_

Beginning Date for Flextime/Compressed Work Schedule: \_\_\_\_\_

I have read and understand the City of Delray Beach's Flextime/Compressed Work Schedule Policy. I understand this arrangement can end at any time, at the discretion of the City. If this flextime arrangement/compressed work schedule is suspended or cancelled, I will return to a standard work schedule.

Signature of Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Approval of Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_

Department Head: \_\_\_\_\_ Date: \_\_\_\_\_

City Manager: \_\_\_\_\_ Date: \_\_\_\_\_

Copy: Human Resources

**SECTION 204**

**EMPLOYMENT OF RELATIVES**

“Relative” as used herein, means a person who is related by blood, marriage or adoption, as father, mother, son, daughter, brother, sister, grandparent, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, step-father, step-mother, step-son, step-daughter, step-brother, step-sister, half-brother, half-sister or domestic partner.

A person who is a relative of a City official or employee may not be appointed, employed, promoted, or advanced in or to a position in any department/division, if the related City official or employee is, or would be the person’s supervisor or would exercise any authority or control over or otherwise regulate the duties and responsibilities of the person, or if the person would supervise or exercise any authority or control over or otherwise regulate the duties and responsibilities of the related City official or employee.

**SECTION 205****OUTSIDE EMPLOYMENT**

No employee of the City may hold outside employment unless such is recommended by the Department Head and approved by the Human Resources Director and/or the City Manager. The granting of such approval depends upon the following:

- Assurance that the employee's City position is of primary importance;
- Consideration of the effect the outside employment may have upon the efficiency of the requesting employee; and,
- Determination that the outside employment will not interfere with performance of City duties, will not create a conflict of interest, will not create a potential risk of liability on the part of the City, or otherwise be incompatible with the employee's City position.

Application forms for Outside Employment shall be provided by the City, and approval of such shall be for a maximum period of 12 months, renewable January 1<sup>st</sup> of each year. Should an employee, who has been approved for outside employment, change a position or employer listed on the approved Outside Employment form, such employee must resubmit for approval of the new position or employer. Outside employment shall be deemed to include, but shall not be limited to, actual employment by an outside person or entity, ownership or part-ownership of a business, as well as, independent contracts by employees to provide labor, services or materials.

**SECTION 206**

**PERFORMANCE REVIEWS**

Each performance review should be a positive and interactive process. Both the supervisor and the employee being reviewed, shall discuss his/her success in meeting the responsibilities of the job, and the supervisor can recognize the strengths and weaknesses of the employee. A performance review will be conducted of every employee during the initial third, sixth, ninth and twelfth month of employment, and annually thereafter.

An employee should receive his/her first Performance Appraisal increase in pay after the twelfth month of employment and annually thereafter.

Every effort will be made on the part of the supervisor to provide the performance review to the employee in a timely manner. However, if the supervisor is late in completing the performance review, it does not mean that the employee has completed the probationary period.

**SECTION 301****DISCIPLINARY ACTIONS**

All employees of the City of Delray Beach, who have successfully completed their probationary period, are subject to the rules and regulations set forth in this Human Resources Policy Manual, the City's Civil Service Code of Rules and Regulations, and the Civil Service Act, except to the extent made inapplicable to certain members of the Fire Department by virtue of City/Local 2928 of the International Association of Fire Fighters' current contract, certain members of the Police Department by virtue of City/Police Benevolent Association's current contract, and certain other City employees by virtue of City/National Conference of Firemen & Oilers current contract, as well as being subject to any rules and regulations of the respective department supplementary to and not in conflict herewith. These rules and regulations are not intended to interfere with the rights of any personnel, but are designed to protect the mutual rights of each employee, as well as the citizens and the City of Delray Beach.

In order to ensure the rights of all, disciplinary action is hereby provided, to include discharge, demotion, suspension without pay, deduction from pay, reprimands and memoranda for personnel files advising of unsatisfactory performance of duty for any act considered to be contrary to the best interests of the City.

**301.01 Disciplinary Procedures**

The following procedures have been established for the processing of any disciplinary actions for non-probationary employees:

**Step 1**

Prior to any disciplinary action being instituted (unless not feasible), the employee shall receive written notification from his/her department head, that the department head is considering recommending to the City Manager that disciplinary action be taken against the employee. The notice shall set forth the grounds for the potential discipline and state what departmental rules, Human Resources policies and/or Civil Service Rules and Regulations form the basis for the recommended discipline.

## **Step 2**

The employee shall have three (3) working days from date of notice, in Step 1, to request, in writing, a conference with the department head prior to the department head making his/her final decision on the recommendations for disciplinary action that he/she is considering forwarding to the City Manager. If the request for a conference has not been made within the three (3) working days, the conference shall have been waived. In either case, the employee shall receive a copy of the department head's decision. The department head shall submit his/her recommendation to the City Manager within ten (10) working days from the day of the meeting.

## **Step 3**

In cases of disciplinary action (or recommendations for disciplinary action) not involving termination, if the employee waives the departmental conference or is not satisfied with the decision resulting from the conference, he/she may still request, in writing, a pre-disciplinary conference before the City Manager. The written request must be made to the City Manager within three (3) working days of the department heads decision (in Step 2) or the employee will have waived any rights to the City Manager's pre-disciplinary conference. Said written request should also clearly state the basis for the employee's dissatisfaction with the department head's decision or recommendation.

In cases where the recommended disciplinary action does involve termination, the City Manager shall initiate the hearing by notifying the employee in writing of the receipt of the department head's recommendation and the time and date set for such pre-disciplinary conference. Such notice shall set forth the grounds for the potential termination and state what departmental rules, Human Resources policies and/or Civil Service Rules and Regulations form the basis for the recommended discipline. If the employee does not wish to have such a pre-disciplinary conference, such decision should be given in writing to the City Manager prior to the date of conference.

The employee has the right at such pre-disciplinary conferences held before the City Manager to attend the conference with an attorney or representative of his own choice. Furthermore, the employee may call witnesses on his/her behalf.

The employee shall receive written notification of the City Manager's decision within a reasonable time following such pre-disciplinary conferences (as outlined in Step 3).

Any additional employee's rights of appeal are pursuant to the section "Right of Appeal/Non Probationary Employees" of this Human Resources Policy Manual.

For purpose of this Section, the term "working days" shall mean Monday through Friday, inclusive, but excluding the City's legal holidays.

**SECTION 302                      RIGHT OF APPEAL/NON-PROBATIONARY EMPLOYEES**

Any further rights of appeal of disciplinary matters shall be pursuant to Section 35.009 of the Code of Ordinances of the City of Delray Beach.

**SECTION 303 GRIEVANCE PROCEDURE FOR NON-DISCIPLINARY ACTIONS**

When an employee, excluding members of any bargaining unit, believes that he/she has been treated unfairly or otherwise discriminated against in any non-disciplinary matter, the employee may initiate formal action to secure a review of the grievance when, in the opinion of the employee, all efforts of an informal nature to resolve the problem to his/her satisfaction have failed. The following steps and procedures are established to facilitate fair settlement of grievances:

- A. Employee discusses the grievance with his/her immediate supervisor in an attempt to reach a satisfactory solution to the problem.
- B. If the grievance remains unsatisfied, the employee may then discuss the grievance with his/her department head. The department head shall make a written summary of the discussion and a copy shall be given to the employee.
- C. If no satisfactory settlement has been reached at the department head level, the employee may, within five (5) working days after his/her case has been heard by the department head, appeal his/her case to the City Manager in writing.
- D. If such an appeal is taken within the time and manner provided, the City Manager shall hold a conference relative to said grievance. Such conference will be conducted by the City Manager within five (5) days after receipt of the written appeal.
- E. The City Manager shall render a decision, as a result of such conference, within ten (10) working days after the conference date. The decision of the City Manager is final.

Time limits have been established in the interest of prompt adjustment of grievances. They may be extended within reason through the mutual consent of both parties involved. It is the spirit of this procedure that all grievances be settled quickly and fairly without any subsequent discrimination against an employee who may seek to adjust a grievance, real or imagined and without any recrimination on the part of the employee with regard to his/her superiors.

In order to provide an employee with the broadest possible legitimate avenue for airing and obtaining consideration of what he/she has to say, "Grievance" shall be defined for purposes of this section to include all non-disciplinary matters relating to his/her employment with the City.

See Administrative Policies and Procedure Manual, PER-6, "Policy Against Harassment" for prohibiting unlawful harassment and procedures for reporting, investigating, and resolving complaints of unlawful harassment.

**SECTION 401****OVERTIME/COMPENSATORY TIME****401.01****OVERTIME**

It is the policy of the City that overtime work is to be discouraged. All overtime must be approved in advance by the Department Head or designee. Overtime work may be required of an employee; but shall be limited to emergency conditions which endanger the public health, safety or welfare; or services required for the protection or preservation of public property; special events or essential functions of a department which cannot be deferred and which cannot be performed with the personnel available during normal working hours, either because of vacancies in authorized positions or because of abnormal circumstances in the activities of the department.

Hours worked by non-exempt employees in excess of 40 hours in a work week (or any hours worked above the designated overtime threshold for those employees scheduled on the basis of a longer work cycle) shall be paid at one and one half times the employee's regular rate of pay. In computing overtime hours, vacation days or holidays, which are paid but not actually worked, and which occur within the work week or work cycle will be credited as hours worked.

**PLEASE NOTE:** For payroll purposes, hours worked each day shall be rounded off to the nearest quarter hour.

The City Manager may require the Department Heads to submit reports, supplementary information or other data relative to the need for overtime work; may investigate the cause and justification for such overtime; and when deemed necessary, may prescribe additional rules and regulations to control and restrict overtime to emergency conditions.

When an employee is called back to duty after regular hours for emergency work, he/she shall receive credit for a minimum of two hours of work. Whenever the hours required for emergency work exceed the two hour minimum, only total actual time worked shall be considered in computing overtime.

**401.02****COMPENSATORY TIME**

Compensatory Time is defined as time off from work, in lieu of monetary payment for overtime.

**Eligibility:** All non-exempt employees not in a bargaining unit.

A. In order to be eligible for compensatory time, non-exempt employees who are not in a bargaining unit are required to execute a "Compensatory Time Eligibility Form." The City will provide forms for this purpose.

- B. After the "Compensatory Time Eligibility Form" has been signed, the employee and the Department Head or designee may agree to an award of compensatory time in lieu of overtime pay any time that overtime work is scheduled, subject to the other requirements of this policy.
- C. The conversion of overtime to compensatory time will be at the rate of one and one half hours of compensatory time for each hour of work for which overtime compensation is due.
- D. Compensatory time may be accrued by an employee up to a maximum of sixty (60) hours inclusive of conversion to time and one half.
- E. Requests to use compensatory time shall be reviewed on a first come, first served basis, and approved based on the operational needs of the department for the time period requested, as determined by the Department Head or designee, so that department's operations are not unduly disrupted by the use of compensatory time. Unduly is defined as imposing an unreasonable burden on the department's ability to provide service of acceptable quality and quantity to the public without the use of the employee's services. However, employees who request the use of compensatory time shall be permitted to use such time within a reasonable period after making the request. The request will be deemed to have been granted within a reasonable time period if the City offers to allow the employee to take compensatory time within one hundred eighty (180) days of the final date requested by the employee. If the City is unable to grant a request for compensatory time off within that time frame, the employee may elect to be paid for the amount of compensatory time requested.
- F. Request for compensatory time off should be submitted and approved in the same manner as requests for vacation.
- G. Once compensatory time has been earned and accrued, it may not be cashed in for monetary payment until employment with the City ends, except upon request of the employee in those cases when the City is unable to grant the request for compensatory time off within one hundred eighty (180) days.

**Eligibility: Exempt Employees**

Exempt employees are not entitled to overtime pay, and therefore are not eligible for compensatory time off in lieu of overtime. However, nothing in this policy shall be interpreted to prevent a Department Head, the City Manager, or designee from allowing an exempt employee to occasionally take time off when the exempt employee has worked an extraordinary number of hours or similarly exceeded the expected norm.

## **COMPENSATORY TIME ELIGIBILITY FORM**

The City of Delray Beach allows certain employees to elect to receive compensatory time off in lieu of overtime pay. Employees who wish to be eligible to receive compensatory time off should indicate their intent by signing and dating this form.

### **Information about Compensatory Time**

- Compensatory Time is paid time off from work, which is granted to employees instead of monetary payment for overtime hours worked. After an employee signs this form, the employee and the Department Head or designee may agree to an award of compensatory time instead of overtime pay any time that overtime work is scheduled. Both the employee and the Department Head or designee have to agree in order for the employee to be given compensatory time instead of overtime pay.
- Employees will earn one and one half hours of compensatory time for each hour of overtime worked. The maximum amount of compensatory time that an employee can accrue is sixty hours.
- Employees can use accrued compensatory time by submitting a request to their Department Head or designee. The City will review requests to use compensatory time on a first come, first served basis.
- The requests may be approved based on the operational needs of the department for the time period requested, as determined by the Department Head or designee, so that department's operations are not unduly disrupted by the use of compensatory time. Unduly is defined as imposing an unreasonable burden on the department's ability to provide service of acceptable quality and quantity to the public without the use of the employee's services. However, employees who request the use of compensatory time shall be permitted to use such time within a reasonable period after making the request. The request will be deemed to have been granted within a reasonable time period if the City offers to allow the employee to take compensatory time within one hundred eighty (180) days of the final date requested by the employee. If the City is unable to grant a request for compensatory time off within that time frame, the employee may elect to be paid for the amount of compensatory time requested.
- Employees will be paid for all accrued compensatory time at the time they leave employment with the City. Once compensatory time has been earned and accrued, it may not be cashed in for monetary payment until employment with the City ends (except upon request of the employee in those cases when the City is unable to grant the request for compensatory time off within one hundred eighty {180} days.)

### **Signature of Employee:**

I have reviewed the above information about the City's Compensatory Leave Policy, and I agree to be included in the Compensatory Leave Program.

Employee's Name: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SECTION 402                    LUMP SUM BONUS – GENERAL EMPLOYEES****402.01**

When a general employee (exempt and non-exempt) receives an annual Performance Appraisal, a recommended performance increase is used. This process results in one of the following actions:

- A full percentage increase in the hourly/annual rate; or,
- No percentage increase (because the employee is either at the maximum of the pay grade and a Lump Sum Bonus is appropriate or the employee is not deserving of an increase because their Performance Appraisal is Unsatisfactory); or,
- Partial percentage (to reach the maximum rate for the grade), along with a possible Lump Sum Bonus.

**402.02 Eligibility**

An employee must have an average or above average Performance Appraisal. The employee can not have had any discipline resulting in demotion or disciplinary suspension imposed upon them during the evaluation year for which the bonus would be paid and can not have had any at fault accidents in excess of the current deductible observed by the City.

**402.03 Process**

During the annual Performance Appraisal process, an employee who reaches or is at the maximum amount of the salary range and who receives only a portion of the recommended annual Performance Increase may be eligible for a Lump Sum Bonus. The bonus awarded shall be the amount the Performance Appraisal recommended and not received, but in no case shall the combined Performance Increase amount and the bonus exceed five percent (5%) of the base annual salary. Such bonus amount shall be paid at the time of the employee's Performance Appraisal.

Revised 8/8/07

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LUMP SUM BONUS 402

**SECTION 403****SICK LEAVE**

Sick Leave is defined as leave of absence with pay, which is taken for medical reasons. Should a leave for medical reasons be necessary but the employee does not have accrued sick leave benefits, the employee may request to use any accrued vacation or the employee may request leave without pay.

**403.01 Use of Sick Leave**

Sick Leave shall be used only with the approval of the employee's supervisor and shall not be authorized prior to the time it is earned and credited to the employee. It shall be allowed only under the following circumstances:

1. For an employee's injury, illness, or quarantine due to exposure to contagious disease.
2. For actual illness of a member of an employee's immediate family (wife, husband, parent, step-parent, child, step-child, domestic partner or qualified dependents of a domestic partner) where care by the employee is required.
3. Maternity Leave

Employees who desire to take sick leave shall report their illness or disability to their supervisor within the guidelines established by each Department Head or where department guidelines have not been established, not later than 30 minutes after the start of the first work day of their illness or disability. Otherwise, they shall be considered as absent without leave. Under extenuating circumstances, an exception to this rule may be granted by the City Manager.

The Department Head may investigate such absences to determine their validity and may require the employee to provide a certificate from a physician, certifying to the actual illness or disability of the employee, or may require a letter from the employee explaining the reasons for such absences. All sick leaves in excess of five (5) consecutive working days may require a physician's statement certifying to the actual medical necessity for the employee's continued absence, at which time, additional leave may be granted.

Disability arising from pregnancy and childbirth shall be treated as any other illness and accrued sick leave may be used for such disability in accordance with these policies.

Employees working a compressed work schedule will be charged ten (10) hours sick leave per scheduled work day, as requested and approved.

**403.02 Accrual of Sick Leave**

Except as otherwise provided, all regular, full-time employees shall be credited for sick leave at the following monthly rates:

Scheduled Work Hours Per Week	Sick Leave Hours Per Month	Maximum Hours Accumulated
40	8.0	1120
48	9.6	1344

Employees starting to work on or before the 15<sup>th</sup> of the month will accrue sick leave for that month. Employees starting to work after the 15<sup>th</sup> of the month begin accruing sick leave the following month.

Sick Leave shall not be granted until completion of six months of continuous service unless injury or disability is incurred in the line of duty, as ascertained by the establishing of eligibility for workers' compensation.

If an employee works less than half of the normal workdays during a month for reasons other than holidays, vacation and leaves with pay, sick leave shall not be credited for that month. Exception to this shall be absence due to an on the job injury, qualified as such under Workers' Compensation, when such absence is ordered by the City's physician or his/her designee, in which case sick leave will be credited.

**403.03 Payment for Unused Accrued Sick Leave**

Upon resignation in good standing, employees who provide the City with a two (2) weeks written notice shall be paid at their then regular hourly rate for the portion of their accrued sick leave as stated below, not to exceed the maximum payment of five hundred sixty (560) hours (or 672 for non-union shift personnel working alternate shifts of 24 hours on and 48 hours off). When it is determined to be in the best interests of the City, the City Manager may waive the requirement for two weeks notice.

<u>Years of Service</u>	<u>% of Accrued Sick Leave to be Paid</u>
0-5	-0-
5-10	25% of up to 560 hours
10-15	50% of up to 560 hours
15-20	75% of up to 560 hours
20 or more	100% of up to 560 hours

Employees who retire from the City, after twenty (20) or more years of service and are vested under the City of Delray Beach General Employees Retirement Plan or the City of Delray Beach Police and Firefighter's Retirement system or a deferred compensation retirement system, shall receive pay at their then regular hourly rate for their total amount of accrued sick leave not to exceed the maximum allowed accrual of 1120 hours for non-shift personnel or 1344 hours for non-union shift personnel working alternate shifts of twenty-four hours on and forty-eight hours off.

1. Employees who will have twenty or more years of service on their retirement date, and who properly notify the City in writing of their intent to retire at least two years prior to their retirement date, may elect to be paid for one-third of their accrued sick leave during each of the two years prior to their retirement. The final payment shall be made when the employee retires. The amount of the payments shall be calculated based on the employee's accrued sick leave as of two years prior to the employee's planned retirement date, not to exceed 1120 hours (1344 hours for Fire-Rescue shift personnel).
2. Employees shall have two options for payment:
  - a. The one-third payments may be made in cash each year.
    1. The first payment will be made 2 years from the date of termination.
    2. The second payment will be made 1 year from the date of termination.
    3. The third payment will be made at termination.
  - b. The one-third payment may be deposited tax free into the employees deferred compensation (457) account if the annual limit on the employee's 457 contributions has not been reached.

Sick leave accrued shall be forfeited if the employee is discharged or is not in good standing at the time of termination.

In case of death of an employee, payment for unused Sick accruals (according to the above table) shall be made to the employee's beneficiary, estate or as provided by law.

In case of death of a DROP Plan participant with twenty (20) or more years of service, payment for unused sick leave shall be made at their then regular hourly rate for their total amount of accrued sick leave not to exceed 1120 hours for non-shift personnel (or 1344 hours for non-union shift personnel working alternate shifts of twenty-four hours on and forty-eight hours off). Such payment shall be made to the employee's beneficiary, estate or as otherwise provided by law.

**SECTION 404                      WORKING OUT OF CLASSIFICATION**

An employee who is temporarily and continuously assigned in writing to perform the duties of a higher classification for more than ten (10) working days, will be compensated for the time spent in the higher classification from the 1<sup>st</sup> day in the higher classification once the employee works ten (10) consecutive working days in the higher classification at a rate which is five percent (5%) above his/her regular base salary.

Such working out of classification shall be considered temporary. The employee should be returned to his/her former position as soon as is reasonably possible, as determined by the Department Head.

When the employee is returned to his/her former position, his/her rate of pay shall be reduced by dividing the compensation received in the higher classification by 1.05.

## SECTION 501

## HOLIDAYS

The following are official holidays observed by the City of Delray Beach. Departmental functions shall discontinue to the extent possible without adversely affecting required services to the public.

New Years Day	January 1
Martin Luther King, Jr. Day	January – 3 <sup>rd</sup> Monday
Presidents Day	February – 3 <sup>rd</sup> Monday
Memorial Day	May – Last Monday
Independence Day	July 4
Labor Day	September – 1 <sup>st</sup> Monday
Thanksgiving Day	November - 4 <sup>th</sup> Thursday
Thanksgiving Friday	November- Friday after Thanksgiving Day
Christmas Eve	December 24
Christmas Day	December 25
Personal Holiday	

When a holiday falls on Saturday, the preceding Friday shall be observed as a holiday. When a holiday falls on Sunday, the following Monday shall be observed as a holiday.

**501.01 Personal Holiday**

The following criteria shall be met before the use of a personal holiday is approved by the appropriate Department Head:

- An Employee's request to use a personal holiday must be approved by the appropriate Department Head at least three (3) working days prior to the desired time off.
- The personal holiday may be taken only when it does not disrupt the essential services of departmental operations.
- If the employee has not used the personal holiday within the fiscal year, the personal holiday shall be considered lost and forfeited.
- During the initial six (6) months of employment, an employee is not entitled to a personal holiday.

### **501.02 Eligibility for Holiday Pay**

Employees on the active payroll as full-time employees on the date of the holiday shall be eligible for holiday pay at their base hourly rate of pay. Employees who regularly work five (5) eight (8) hour days (forty hours per week), will receive eight (8) hours of pay for each holiday. Employees who regularly work four (4) ten (10) hour day (forty hours per week), shall convert to a five (5) eight (8) hour day (forty hours per week) during the week of the holiday and will receive eight (8) hours of pay for each holiday. Employee may elect, with Department Head's approval, to use two (2) hours of vacation time during the week of the holiday. Fire department shift personnel who are not part of a bargaining unit shall receive 9.6 hours of pay for each holiday.

### **501.03 Work During Holidays**

Employees whose work schedules require that they work on designated holidays will be paid regular pay plus holiday pay for each holiday worked. With the exception of Fire Department shift personnel, when an official holiday falls on a day that an employee is not scheduled to work, the employee shall be allowed a day's leave of absence with pay at a later time approved by the Department Head. If, however, the Department Head finds that granting such leave of absence would adversely affect the operation of the department, then upon prior approval of the City Manager, said employee may be paid holiday pay for the leave time not allowed.

### **501.04 Holidays During Leave**

Employees on vacation or sick leave on a designated holiday shall be paid holiday pay and not charged with vacation or sick leave for the day. Employees on leave with-out pay both the day before and the day after a holiday shall be considered as on leave without pay on the holiday and shall not be paid for the holiday. Similarly, employees absent without leave either the day before or the day after a holiday shall be considered absent without leave on the holiday and shall not receive pay for the holiday.

## SECTION 502

## VACATION LEAVE

## 502.01 Accrual of Vacation Leave

All regular employees shall earn vacation leave. Temporary and part-time employees shall not be eligible to accrue vacation leave. Employees become eligible to use accrued vacation after one year of continuous service, and may then use vacation as it is earned. Vacation will be earned at the following monthly rates:

## VACATION ALLOWANCE CHART

Minimum Length Of Continuous Service	Fire Department Shift Personnel Vacation Hours	Other Full-Time Personnel Vacation Hours
0 years	12.00/month	8.00/month
3 years	14.00/month	9.33/month
7 years	16.00/month	10.66/month
11 years	18.00/month	12.00/month

Continuous service shall mean any period of employment by the City in which there has been no interruption by resignation, or involuntary separation or lay off in excess of one year. Absence due to military service, injury in line of duty or leaves of absence with pay shall not serve to interrupt continuous service. Absence due to leave without pay shall not be construed as an interruption of continuous service, but vacation benefits shall not be accrued during such leave for any month in which the employee does not work during a period of 15 calendar days or more.

The maximum number of vacation hours allowed to be accumulated at any time are as follows:

<b>Average Scheduled Work Hours Per week</b>	<b>Maximum Accumulated Hours</b>
40	288
48	432

Employees starting to work on or before the 15<sup>th</sup> of the month will accrue vacation leave for that month. Employees starting to work after the 15<sup>th</sup> of the month begin accruing vacation leave the following month.

Any vacation time earned in excess of the above maximums will be forfeited. No additional accrual or payment in lieu of taking vacation is authorized unless prior approval is granted by the City Manager. When an extraordinary workload, such as might be caused by special projects or position vacancies, precludes an employee taking vacation, the City Manager may approve accrual of excess vacation. In such cases, the excess vacation must normally be used during the next quarter of the year.

### **502.02 Advance Pay Due to Vacation**

An employee may request to receive his/her paycheck in advance, if he/she will be on vacation on the day biweekly paychecks are to be issued. Such request must be submitted on the appropriate form and received by the Finance Department one week prior to the payday in which the employee will be receiving the paycheck in advance. The Finance Department will hold the "advance" paycheck and release it to the employee on the day prior to his/her scheduled vacation.

### **502.03 Use of Vacation Leave**

Vacation Leave shall be used only with the prior approval of the Supervisor and/or Department Head. Scheduling of Department Head's vacation is subject to approval of the City Manager.

Subject to the requirement of maintaining essential services as determined by the Department Head, departmental seniority shall govern scheduling of vacation.

Upon reasonable notice, the supervisor may require an employee to use any part of his or her accrued vacation leave for vacation purposes.

Vacation leave will be charged at the number of regularly scheduled daily hours, for example, employees working a compressed work schedule would be charged ten (10) hours leave per scheduled work day for vacation purposes.

\*\*The minimum charge for vacation leave shall be units of one-half hour.

VACATION LEAVE 502

#### **502.04 Payment for Earned Vacation Leave**

In case of death of an employee, payment for unused vacation leave shall be made to the employee's beneficiary, estate or as provided by law.

Upon termination of employment, an employee who has completed one (1) year of continuous service, who gives at least two (2) weeks written notice of intent to separate and is in good standing with the City, shall receive payment for unused earned vacation leave.

1. Employees who will have twenty or more years of service on their retirement date, and who properly notify the City in writing of their intent to retire at least two years prior to their retirement date, may elect to be paid for one-third of their accrued vacation leave during each of the two years prior to their retirement. The final payment shall be made when the employee retires. The amount of the payments shall be calculated based on the employee's accrued vacation leave as of two years prior to the employee's planned retirement date, not to exceed 288 hours (432 hours for Fire-Rescue shift personnel).
2. Employees shall have two options for payment:
  - a. The one-third payments may be made in cash each year.
    1. The first payment will be made 2 years from the date of termination.
    2. The second payment will be made 1 year from the date of termination.
    3. The third payment will be made at termination.
  - b. The one-third payment may be deposited tax free into the employees deferred compensation (457) account if the annual limit on the employee's 457 contributions has not been reached.

**SECTION 503****LEAVE OF ABSENCE WITH PAY**

Employees may be granted leave of absence with pay upon approval of the Department Head and/or the City Manager or his/her designee for the following:

**503.01 Court Leave**

If an employee receives a subpoena as a trial witness or to give a deposition regarding matters which arose in the scope and course of City employment, the employee should notify the City Attorney for further direction. The employee will be granted leave with pay. Any witness fees including mileage received will be endorsed to the City and deposited into the City's General Fund. An employee who does not receive a car allowance or have access to a City vehicle for travel to and from the trial may submit their mileage for reimbursement as set forth in the City's travel reimbursement policies.

If an employee receives a subpoena to testify in or is a party to or is a prospective beneficiary of litigation that is not job related, the employee shall not be granted leave with pay. In such cases the employee shall use vacation leave, personal holiday, compensatory time or leave without pay.

**503.02 Jury Duty**

If an employee is summoned for jury service the employee will be granted leave with pay. Any fees received will be retained by the employee. In order for the employee to receive pay during periods of jury duty, the employee shall provide documentation of services to his/her immediate supervisor.

The employee should continue to report for work on those days or parts of days when excused from jury duty and when three hours or more remain on his/her scheduled workday.

When a second shift employee serves on a jury, the employee will not be required to work on the day that jury duty or trial duty occurs. When a third shift employee serves on a jury, the employee will not be required to work the third shift that begins on the day prior to the day that jury duty or witness duty occurs.

**503.03 Training Courses**

Official training courses such as conferences, conventions, workshop or similar meetings which have been approved by the City.

#### **503.04 Bereavement Leave**

For purpose of this subsection a domestic partner shall be considered the same as a spouse.

When a death occurs in the family of a regular full-time employee, (family to be defined as follows: father, mother, brother, sister, spouse, child, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandchild, grandparents or foster parents, foster child, step-mother, step-father, or step-child) of an employee, the employee may be allowed three (3) days of bereavement leave with pay for in state (Florida) deaths and five (5) days of bereavement leave with pay for out of state deaths. Fire Department non-unit certified shift personnel may be allowed twenty-four (24) hours duty bereavement leave with pay for in state (Florida) deaths and forty-eight (48) hours duty bereavement leave with pay for out of state deaths. Bereavement leave will not be charged against sick leave, vacation or holiday time. Any additional time, which may or may not be granted in addition to the three (3) days or five (5) days, shall be charged against accumulated sick leave, vacation or personal holiday time.

#### **503.05 Parent-Teacher's Conferences – School Board**

For attendance at parent-teacher meetings, employees are permitted to take up to two (2) hours leave with pay. Such leave must be approved in advance by the employee's immediate supervisor. Two (2) meetings per fiscal year are the maximum allowable under this policy. Official documentation from the school that the meeting occurred is required.

#### **503.06 Military Leave**

Employees, who are members of the reserves of any branch of the armed forces of the United States, shall be entitled to up to 240 working hours of leave per fiscal year, with pay to engage in training exercises. For periods in excess of the 240 hours leave of absence, per fiscal year, the employee will be permitted to treat such additional leave of absence at the option of the employee, as:

1. Vacation to the extent the employee is entitled to on the basis of time worked, or
2. Leave of absence without pay.

Upon the return of any employee from Military Leave, as described above, the temporary services of the employee filling his/her position shall be terminated or said temporary employee moved elsewhere in the City's service, at the City's sole discretion. If the position has been filled by promotion, the employee so promoted shall be returned to his/her former position.

Employees may be required, by their Department Head, to furnish evidence of the facts justifying the use of the aforementioned leaves.

Under these provisions, with the exception of work-related leave (official training courses), leave of absence with pay, will not be considered as hours worked in computation of time and a half payment of overtime.

Revised 8/13/10

LEAVE OF ABSENCE WITH PAY 503

**SECTION 504****LEAVE OF ABSENCE WITHOUT PAY****504.01 Military Leave**

Any full-time, regular, employee shall be granted leave without pay, to be considered military leave, to serve in the armed forces of the United States by enlistment, draft or the call-up of a reserve unit of which the employee is a member. Upon return of such employee from active service, the employee shall be restored to his/her former position or a position having a similar character, duties and compensation provided:

- The employee presents a certificate or other evidence that he/she has satisfactorily and honorably completed his/her period of active service.
- The employee is still qualified to perform the duties of such position.
- The employee makes application for reinstatement within 90 days after being relieved from active service.

**504.02 Educational Leave**

Leave without pay, not to exceed one year, may be granted by the City Manager to any employee who has entered upon a course of training or study for the purpose of improving the quality of the employee's service to the City or fitting himself/herself for promotion.

**504.03 General Leave**

Upon written request of an employee, the City Manager may grant a leave of absence without pay for personal or medical reasons, when it will not result in undue prejudice to the interest of the City, as determined solely by the City Manager.

Any month in which an employee, while on leave of absence without pay, works less than half of the normal work days will not be considered for the purpose of accruing sick leave, vacation or other fringe benefits, based on continuous service. Employees who are on leave of absence without pay on the day preceding and the day following a holiday shall not be compensated for the holiday.

While on leave of absence without pay for 30-days or more, excluding approved Family and Medical Leave, the monthly group insurance premiums for a covered employee and any covered dependants must be paid by the employee. Failure to pay insurance premiums may result in cancellation of coverage. Payment will be due on the first day of the month and a 30-day grace period is permissible.

**SECTION 505**

**ABSENCE WITHOUT LEAVE**

An absence of an employee from duty, including any absence for a single day that is not authorized by a specific grant of leave of absence under the provisions of these rules, shall be deemed to be an absence without leave. Any such absence shall be without pay and may subject the employee to disciplinary action; including suspension, demotion or dismissal in appropriate cases.

The absence of any employee from duty for three successive work days, or in the case of shift personnel for three consecutive calendar days or in either case for a longer period, without notice to his/her Department Head (or where applicable, to the shift officer) of the reason for such absence and his/her intention to return, shall be considered in effect a voluntary resignation without notice.

Failure of an employee to report for work at the expiration of a leave of absence or vacation, or upon the physician's return to work release for full or light duty in cases of work related injuries, shall separate the employee from the City's service and shall be considered in effect a voluntary resignation.

## SECTION 506

## ON THE JOB INJURY

As approved by the City Manager, employees who are absent from work because of a work-related injury or illness as defined under the Florida Workers' Compensation Law can receive their full pay during a period of ninety (90) consecutive calendar days, beginning at the employee's discretion. The employee must execute a "90-Day Benefit Form" and the Administrative Assistant will distribute as indicated, no later than the Friday proceeding the next payday. If not received on time, payroll will assume the start date to be the date of the accident. By electing the 90-day benefit, the employee will not be charged sick time while out due to a work-related injury or illness. The 90-day benefit will protect their sick time accrual as long as time off is authorized by the workers' compensation treating physician for no work status, doctor visits or physical therapy. After the ninety (90) calendar days have ended, employees will be allowed to use accrued sick and/or vacation leave, which together with Workers' Compensation benefits, will provide the employee with a salary or wage equal to the employee's normal base rate of pay. An employee receiving Workers' Compensation benefits who exhausts accrued sick and vacation leave will receive Workers' Compensation payments only.

Revised 11/10/09

ON THE JOB INJURY 506

**SECTION 601 SOLICITATION/DISTRIBUTION/POSTING**

Unless specifically authorized in advance by the Department Head and City Manager, no employee may solicit other employees during his/her working time. No employee may distribute any written material in working areas at any time or non-work areas (restroom, hallway) during his/her working time. Solicitation by "e-mail" is not permitted.

Non-employees may not distribute materials or solicit employees on City premises at any time unless approved by Human Resources or City Manager.

All non-City materials posted on City property must be approved before posting by the Department Head, or designee, of the department affected. Materials approved for posting shall be initialed and dated by the Department Head, or designee. Materials not approved for posting in accordance with this rule will be taken down.

Solicitation includes, but is not limited to, appeals to employees for contributions, donations or support in any form for charitable, commercial or employee organizational activities. This rule applies to solicitation by City employees as well as by persons not employed by the City.

Exceptions to this are employee soft benefits, approved by Human Resources, and City sanctioned charity drives such as United Way Campaign, Relay for Life, etc. At the Department Head's discretion, money may be raised to benefit individual employees or other established charities. Examples include collections to purchase retirement gifts, funeral flowers and donations to assist a fellow employee with family or medical hardship.

Employees, who violate this solicitation, distribution and posting rule, will be subject to disciplinary action.

**DEFINITIONS:**

Solicitation is any activity conducted for the purpose of advertising, promoting or selling any product or service or encouraging membership in any group, association or organization.

**SECTION 701****EMPLOYMENT REHIRE/REINSTATEMENT****701.01 Rehire**

An employee's anniversary date is defined as his/her first day of employment. Employees who are re-hired after termination will lose their original anniversary date and be assigned a new date corresponding to their first day on the job after re-employment.

**701.02 Reinstatement**

Employees who leave the City of Delray Beach voluntarily, and in good standing are eligible for reinstatement. A former employee is eligible for reinstatement if he/she has been separated from the City of Delray Beach and is rehired within twelve (12) months of his/her separation.

An employee who is reinstated will receive credit for prior service if reinstated in the same position as the last position held prior to termination. An employee will receive credit for prior eligible City service as follows:

1. The salary will remain the same as on the termination date, except as modified by the City Manager.
2. Group insurance benefits will require the same enrollment process as a newly hired employee, including any "waiting period" which delays the start of a benefit. The two exceptions are:
  - a. An employee who is rehired within the same month as the employment termination would not have their group insurance benefits terminated and therefore would not incur a waiting period delay;
  - b. An employee who has elected the COBRA option upon separation for health, dental, and vision insurance effectively would not have terminated their group policy and therefore would not incur a waiting period delay.
3. Vacation Accrual Rate (hours earned – but not paid out at termination) will be restored based on the rate in effect at the time of termination and accruals will begin as soon as is appropriate based on the reinstatement date. There will be no waiting period for vacation accruals. No time is accrued for the period of absence.

4. Sick Leave Accrual Rate (hours earned – but not paid out at termination) will be restored based on the rate in effect at the time of termination and accruals will begin as soon as is appropriate based on the reinstatement date. There will be no waiting period for sick leave accruals. No time is accrued for the period of absence. If the employee did not use his/her Personal Holiday for the fiscal year in which he/she is reinstated, the holiday will be restored upon completion of 6-months of service. If the employee used his/her Personal Holiday for the fiscal year in which the reinstatement occurs, then he/she will not receive another holiday upon reinstatement.
  
5. A reinstated employee is not subject to the 12-month probationary period. The reinstated employee's performance appraisal compensation should be received after 12-months of completed service after his/her reinstatement date.

All individuals who return to the City of Delray Beach in a position other than their original position are considered NEW HIRES.

**SECTION 702**

**RETIREMENT**

There is no mandatory retirement age. Employees approaching retirement are encouraged to plan accordingly and to investigate the availability of their retirement benefits. Any employee planning retirement must notify the Finance Department at least one-month prior to retirement. The continuation of employment for any employee is dependent upon his or her ability to adequately perform, physically and mentally, the required job duties.

**SECTION 703 PERSONAL APPEARANCE/DRESS CODE**

Employees are expected at all times to present a professional, businesslike image to citizens. Courtesy, appearance, body language and manners are all important in projecting a positive professional image. Employees are expected to dress and groom in a neat, clean and businesslike manner consistent with the position and work location, and demonstrate pride in their job. The following is a guideline of appropriate appearance and attire:

Hair should be clean, combed and neatly trimmed or arranged. Unkempt hair is not permissible regardless of length. Sideburns, moustaches, and beards should be neatly trimmed. Tattoos and body piercings (other than earrings) should not be visible.

Administrative personnel who work in offices and any employees who have regular contact with the public must wear clothing that is businesslike in appearance, such as a business suit, business shirt with or without a tie; polo shirt; City logo shirt; slacks such as Dockers or similar style; business dress or skirt with a blouse/sweater; or non-denim Capri pants. The length of a dress/skirt is to be no shorter than 3" above the knee.

Clothing is not considered businesslike in appearance if it is:

- Casual sportswear, such as cargo pants, stirrup pants, or stretch pants
- Ripped or disheveled clothing or athletic wear
- Skorts or Shorts
- Garments made of blue denim, Lycra or other form-fitting material
- Low Rise, low cut, hipster or hip-huggers pants, which leads to exposure of the mid-section
- Exposure of boxer shorts
- Sweatshirts, T-Shirts (with the exception of City of Delray Beach Logo items) or Halter Tops
- Skirts and Culottes that are greater than 3 inches above the knee
- Flip-Flops or Athletic shoes
- Shirts that show any part of an undergarment
- Shirts that inappropriately expose cleavage or the mid-section
- Shirts unbuttoned more than the 2<sup>nd</sup> button from the top
- See through, mesh, or clothing that is too tight

Each Friday has been designated as dress down day for those employees who regularly follow the office dress code (non-uniformed, clerical, etc). It is a privilege which permits a relaxation of the normal business attire described above. The same guidelines for businesslike attire apply on Fridays, dress down day, with the exception that jeans, tee shirts, and athletic shoes are allowed to be worn. Clothing should be neat in appearance and without tears or holes (even if it is the style). Tee shirts must not have anything that has advertising on it.

There are times when traditional business attire should be worn on days when casual attire is permitted. Employees should take the day's schedule into account when they dress. If a meeting is scheduled with visitors, or if there are visitors with whom the employee will come in contact, business attire may be more appropriate. The City's primary object is to have employees project a professional image while taking advantage of more casual and relaxed fashions.

Any employee who does not meet the standards of this policy will be required to take corrective action, which may include leaving the premises. Non-exempt employees will not be compensated for any work time missed because of failure to comply with this policy. Violations of this policy also will result in disciplinary action.