SECTION II
EMPLOYEE CONDUCT

2.01 Equal Employment Opportunity

It has been the policy of the Leon County Board of County Commissioners to subscribe to the principle of Equal Employment Opportunity. This policy reaffirms the commitment and is implemented to ensure that:

All recruitment, hiring, training and promotion of persons employed by Leon County in all positions is accomplished without regard to race, color, religion, sex, sexual orientation, national origin, age, disability, ancestry, marital status, pregnancy, familial status, gender, or gender identity or expression.

Employment decisions are made consistent with the principle of Equal Employment Opportunity.

Units of Leon County Government comply with all federal, state, and other applicable laws prohibiting discrimination in employment based on race, color, religion, sex, sexual orientation, national origin, age, disability, ancestry, marital status, pregnancy, familial status, gender, or gender identity or expression.

All appointed officials, managerial and supervisory employees are responsible for supporting this policy and for the furtherance of the principle of Equal Employment Opportunity in all Human Resources matters.

Goals and objectives for the furtherance of the principle of Equal Employment Opportunity have been developed. These goals and objectives are periodically monitored.

The principle of Equal Employment Opportunity is applied to all other Human Resources activities including compensation, benefits, transfers, reassignments, promotions, demotions, layoffs, separations and disciplinary actions, as well as to education, training, social and recreational programs sponsored by Leon County Government.

A. **The Americans With Disabilities Act** protects any "Qualified individuals with a disability from employment discrimination on the basis of a disability."

B. Hiring of the Disabled

The following guidelines are followed by all departments of Leon County Government:

Physical standards for employment shall be fair, reasonable, and adapted to the realistic requirements of the job. These standards must reflect actual work conditions, hazards and essential physical requirements of the job. Such

standards shall not be used to eliminate Disabled persons from consideration. Reasonable accommodations will be made for the Disabled.

2.01.1 Procedure: Equal Employment Opportunity

All discrimination claims reported to a supervisor or any other management member shall be submitted to the Employee Relations Coordinator.

The Employee Relations Manager will work with line management to investigate all the facts of the situation.

An analysis of the facts shall be completed by the Employee Relations Manager with the results going to the Human Resources Director, the Department/Division Director and Administration. Should a recommendation(s) for corrective action be included, with approval of the County Administrator, the Human Resources Director will work with the Department/Division Director in implementing changes, when appropriate disciplinary measures will be taken.

In all cases a final summary of findings will be provided to all involved parties.

Claims of Discrimination may be filed directly with the Employee Relations Coordinator.

2.02 Workplace Harassment

The purpose of this policy is to provide a work environment free of workplace harassment which encourages mutual respect, cooperation and understanding amongst members of the Leon County Board of County Commissioners (hereinafter referred to as the "Board") and Board employees.

This policy applies to--

1. Members of the Leon County Board of County Commissioners and Board employees.
2. Claims of conduct defined as "harassment".
3. Harassing conduct committed by vendors, clients and members of the public will not be tolerated. Harassing conduct by non-employees will be addressed based on the County's control over and business relationship with the alleged harasser.

Policy:
The Board will not tolerate harassment whether it occurs in the workplace or outside the workplace.

Definition:
For purposes of this policy, harassment consists of unsolicited, offensive or retaliatory behavior based on race, sex, color, national origin, religion, age, disability, ancestry, marital status, pregnancy, familial status, gender, gender identity or expression, or sexual orientation or an employee's exercise of their constitutional or statutory rights. Sexual harassment consists of unsolicited, offensive behavior involving sexual overtures or conduct, either verbal or physical. Neither harassment nor sexual harassment refer to

occasional comments of a socially acceptable nature to a reasonable person. Harassment refers to behavior that is not welcome, that is personally offensive, that lowers morale, and that, therefore, interferes with the work environment.

Offensive comments about an employee's race, sex, color, national origin, religion, age, disability, ancestry, marital status, pregnancy, familial status, gender, gender identity or expression, or sexual orientation or an employee's exercise of their constitutional or statutory rights constitutes harassment when (1) submission to Such conduct is made either explicitly or implicitly a term of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an Intimidating, hostile or offensive working environment.

Harassment may also take the form of adverse employment actions such as termination, Demotion, or other adverse employment decisions which effect an employee's working conditions, if such actions are taken on the basis of an employee's race, sex, color, national Origin, religion, age, disability, ancestry, marital status, pregnancy, familial status, gender, gender identity or expression or sexual orientation or an Employee's exercise of their constitutional or statutory rights. Employment actions that are based on an employee's performance or other legitimate reasons are not harassment.

Complaint Procedure:

Any employee who believes he or she has been subjected to workplace harassment must promptly bring the problem to the attention of the County. If you believe that you have been harassed, you should immediately report the problem to your supervisor. If the complaint involves your supervisor, or you are uncomfortable presenting this issue to your supervisor, then you should inform the Human Resources Director or Employee Relations Manager in the Human Resources Division.

If a complaint of harassment/discrimination involves a County Commissioner, you should immediately report the problem to the Human Resources Director, the Employee Relations Manager in the Division of Human Resources, or the Chairman of the County Commission. If the complaint involves the Chairman of the County Commission or you are uncomfortable presenting the issue to the Chairman, then you should inform the Vice-Chairman of the County Commission, the Human Resources Director, or the Employee Relations Manager in the Human Resources Division. At that time, the Director will refer the complaint to a private law firm or private entity outside the County's political jurisdiction, previously retained, to investigate the claim (this should be complied with prior to any notification to the Board, County Administrator or County Attorney). Once the complaint has been referred to the outside private agency or law firm for investigation, then the party involved in the complaint is notified.

Each complaint will be immediately and thoroughly investigated in a professional manner. All harassment complaints reported to a supervisor or any member of management, shall

be promptly reported to the Employee Relations Manager or the Human Resources Director.

Actions taken to investigate and resolve harassment complaints shall be conducted confidentially to the extent practicable, appropriate and legal in order to protect the privacy of persons involved. The person who is accused of engaging in harassing behavior will be notified and given an opportunity to respond verbally and/or in writing. Investigation may include interviews with parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have relevant knowledge.

You will be notified of a decision or the status of the investigation in a timely manner. There will be no discrimination or retaliation against any individual who files a good-faith harassment complaint, even if the investigation produces insufficient evidence to support the complaint, and even if the charges cannot be proven. There will be no discrimination or retaliation against any other individual who participates in the investigation of a harassment complaint.

If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. Disciplinary action, which may include discharge, will also be taken against individuals who make false or frivolous accusations, such as those made maliciously or recklessly.

If deemed to be in the County's best interest, the complainant, the respondent or both, may be placed on leave with pay during the investigation process. This decision will be made by the County Administrator or designee (for a Board employee), the County Attorney or designee (for a County Attorney employee), the Chairperson (for another Commissioner's Aide or Board Appointee), or the Vice Chairperson (for the Chairperson's Aide)

2.03 Violence Prevention and Intervention Policy

STATEMENT OF POLICY

Violence in the workplace can have a devastating effect on the productivity of organizations and the quality of life of employees. All across America today we are seeing an increase in acts of violence that occur within the workplace. Recognizing this problem, Leon County has developed procedures to identify, report, intervene and prevent workplace violence.

It is the policy of Leon County to provide a work environment that is reasonably safe, secure, and free from threats, intimidation, abusive behavior and physical violence. Acts of physical violence, direct or indirect verbal threats, stalking, aggressive or intimidating behavior, or provocation, which could lead to violence, will not be tolerated.

SCOPE AND APPLICABILITY

This policy shall apply to all Leon County employees and volunteers:

-in the performance of their assigned duties;
-while on Leon County property; or
-in County vehicles, or in personal vehicles on premises defined as Leon County property.

In addition, the County reserves the right to review any incident of violent behavior involving a County employee, on or off duty, and take appropriate disciplinary and/or legal action to discourage future violent behavior and to protect the safety of employees and the public.

This policy, as stated, shall also apply to members of the public including vendors/contractors who engage in violent behaviors directed against County employees or Leon County facilities. This policy, as stated, shall also apply to applicants for employment as referenced in Section 00.12-Criminal History Screening.

COMMUNICATION OF POLICY

The Human Resources Division shall be responsible for developing a training and education plan for the organization.

REPORTING

All occurrences of violent behaviors shall be taken seriously, and situations of imminent danger should be reported directly to law enforcement.

All County employees are responsible for immediately notifying their supervisors, division or department management, following the chain of command, of any actual or potential violent behaviors which occur in the workplace that they have witnessed, been the victim of, or have knowledge of. Factual information on behaviors observed, the nature and type of violent behaviors, any observed or potential weapons, person(s) involved, time, locations, witness information, and any other relevant information should be reported through the employee's chain of command using the Workplace Violence Report Form and related procedures. Employees should report the threat to their immediate supervisor or another member of management.

Upon being notified of actual or potential acts of violent behaviors, supervisors and managers shall immediately notify the Human Resources division to ensure that the matter is evaluated, appropriate disciplinary action is initiated, and any potential victim(s) receive appropriate assistance regarding their safety, security, referral to counseling and if necessary, other referrals.

Reports of suspected violations of this policy shall be kept confidential to the extent permitted by law, and employees who report such violations will not be retaliated against.

Any employee or volunteer who is convicted of any felony or a misdemeanor of a violent nature, shall within one (1) business day of such action notify his/her supervisor in writing of the occurrence. Failure to make such notification shall be grounds for disciplinary action up

to and including termination.

CONSEQUENCES OF VIOLATIONS

Any employee who commits an act of violent behavior in the workplace shall be subject to disciplinary action up to and including termination. In addition, such individual may be immediately removed from the premises and suspended without pay, as quickly as safety permits (Reference Leon County Board of County Commissioners Personnel Policy and Procedures Manual (LCBCC PP&PM), Section 10.03.5- Suspension for policy guidance). The suspended employee shall remain off County property pending the outcome of an investigation to determine if further action is warranted. Such further action may include a fitness for duty referral through the EAP program, mandatory counseling, reassignment of job duties, progressive discipline, suspension, termination from employment, and/or criminal prosecution of the person(s) involved.

When a situation requires an investigation in order to determine an employee's involvement in an alleged act of violence in the workplace, the employee(s) under formal investigation or employee(s) participating in a formal investigation, may be placed on Administrative Leave, with or without pay (reference LCBCC PP&M, Section 7.19G-Formal Investigations).

Other acts of actual violent behaviors, or violations of this policy, and other matters that are reported shall be fully evaluated by the Human Resources division in coordination with the affected department to determine the appropriate management response.

When any other non-County employee exhibits threatening behavior which places employees or other citizens in fear for their safety, brandishes or utilizes a weapon to create fear or intimidation, or engages in violent behaviors on County property, the appropriate law enforcement agency shall immediately be notified. The County may take whatever legal action is appropriate and necessary to prosecute such person(s) and ensure that they are not permitted back in the facility or on County property where the violation occurred.

2.04 Political Activities

Every employee will have the right to express his or her views as a citizen, to cast his or her vote as he or she chooses, to hold membership in and to support a political party, or maintain political neutrality. Employees may also attend political meetings and take an active part in political campaigns during off duty hours. However, every employee is prohibited from:

A. Using his/her official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office.

B. Directly or indirectly coercing, attempting to coerce, commanding, or advising a County employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

C. Participating in political activities during scheduled work time.
D. Participating as a candidate for public elective office in a partisan primary, general, or special election, will prohibit a person from being principally employed in a federally funded program.

2.05 Nepotism

Notwithstanding the protection under this policy for marital status and familial status, the following policy shall apply regarding the employment of relatives with the County.
For purposes of this policy, "relative" means an individual who is related to an employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, ***domestic partner***, ***children of the domestic partner***, 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.

There shall be the following restrictions on the employment of employee relatives with the County: A relative of any County employee with supervisory responsibility shall not be eligible for employment in or advancement to any position which reports directly to the supervisory employee. Likewise, a County employee shall not be eligible for advancement to any position with direct supervisory responsibility over a position in which a relative is employed.

2.06 Outside Employment

Employees shall not engage in any employment activity or enterprise which has been or may be determined to be inconsistent, incompatible, or in conflict with the duties, functions, or responsibilities of their County employment.

2.06.1 Procedure: Outside Employment

Employees who desire to accept outside employment in addition to their regular County position shall inform their respective Department/Division Director in writing of the nature and extent of such outside employment. The Department/Division Director shall thereupon determine whether or not such employment conflicts with the duties and responsibilities of said County employee. If the Department/Division Director does determine there is a conflict with the duties and responsibilities of the County employee and the outside employment they are seeking, the Department/Division Director shall then submit that determination to the County employee in writing within two weeks of submittal.

2.07 Smoking Cross-reference County Policy #93-17, Section 2.10.
At no time are lighted tobacco products allowed in a Leon County facility. Additional guidelines for EMS employees are found in the Emergency Medical Services Operating Guidelines Manual.

2.08 Solicitation Cross-reference County Policy #93-18, Section 2.11.

No employee or other person may solicit or be solicited during working hours or in work areas.

No employee may distribute literature in his\her work area or during work hours.

No person may distribute literature to an employee in that employee's work area or during that employee's working hours.

No group insurer or provider of County Benefits may be permitted access to employee work sites except with prior permission from the County Administrator or designee. Such access, if granted, shall be limited to communication and implementation of new plans and/or administration of existing group policies and shall not be used for the purpose of unapproved solicitation.

Exception - Charitable solicitations may be permitted upon approval of the County Administrator and subject to the following:

Solicitation may take place only for charitable purposes and not for private gain, and only on behalf of generally recognized and reputable charitable organizations.

The specific activities to be utilized in the charitable solicitation must be communicated to and approved by the County Administrator prior to any activity taking place.

2.09 **Access to County Property** Cross-reference County Policy #93-5, Section 6.05.

Employees shall have access to County property and facilities during their normally scheduled hours of work, and outside their normal hours of work when on County business. However, when not engaged in County business, access shall be limited to public areas.

Employees or other persons, not specifically authorized, shall not be permitted to post materials on bulletin boards which are intended for official County business.

Employees shall not be permitted to use County facilities, meeting rooms, or conference rooms, or County equipment for other than County business, unless such facilities or equipment are available in accordance with established policy on a regular basis to the general public in which instance the use of such shall be on the same conditions as for the general public.

2.09.1 **Telephone Use** Cross-reference Personnel Policy 2.09 & 10.05 (B)

Employees are advised that the telephone equipment utilized by Leon County has the capability to electronically record all telephone numbers and any touch pad numbers which are placed from phone units within County facilities. These electronic memories are only produced for purposes of quality assurance and for

employment related matters and shall only be utilized by the county for such purposes and in compliance with all applicable laws.

2.09.2 Public Access to E-Mail Cross-reference County Policy #96-4, Section 10.03

The public shall have access to records produced by the county including "E-Mail". All employees shall comply with the County Policy #96-4, Section 10.03 in making E-Mail transactions available for public inspection.

2.09.3 Procedure: Public Access to E-Mail

See County Policy #96-4, Section 10.03 for public access to E-Mail.

2.09.4 Use of E-Mail and Internet

This policy is designed to protect the County, its employees and its resources from the risks associated with use of E-Mail and Internet. Therefore, E-Mail and Internet are to be used to facilitate County business and only highly-limited, reasonable personal use is permitted. Employees are permitted to briefly visit other non-sensitive Internet sites during
non-work time, such as break, lunch, and before or after work hours (with prior permission
of his or her supervisor). The County's E-Mail or Internet access systems may NEVER be used in any of the following ways:

To harass, intimidate, or threaten another person.
To access or distribute obscene, abusive, libelous, or defamatory material.
To distribute copyrighted materials that are not authorized for reproduction/distribution.
To impersonate another uses or mislead a recipient about your identity.
To access another person's E-Mail, if not specifically authorized to do so.
To bypass the systems' security mechanisms.
To distribute chain letters
To participate in political or religious debate
To automatically forward messages (e.g., with mailbox rules) to Internet E-Mails addresses.
To communicate the County's official position on any matter, unless specifically authorized
To make such statements on behalf of the County.
For any purpose which is illegal, against County policy, or contrary to the County's best interests.
To pursue an individual's business interests that are unrelated to the County.
To conduct any type of personal solicitation.

The County has not forbidden all personal use of E-Mail. Acceptable uses of E-Mail can be compared to those involving the telephone: the communication must be brief, must not interfere with work, must not subject the County to any additional costs, and must be consistent with the requirements set forth in this Internet and E-Mail policy.

No guarantee can be made for privacy of any communication on the network; however, authorized system administrators may access private correspondence and files if use, is believed to be in violation of this policy.

Adherence to this policy in neither voluntary nor optional. Violation of this policy is grounds for disciplinary action up to, and including, termination of employment.

2.10 Conflict of Interest

The County's policy in regard to conflict of interest shall be in accordance with the regulations specified in Sections 112.311-43 of the Florida Statutes. The intent of this law is to prohibit any public official or employee from having interests, from engaging in business activities, and from incurring any obligation "which is in substantial conflict with the proper discharge of his or her duties in the public interest."

The law prohibits the following:

A. The solicitation or acceptance by any County employee of any gift, loan, favor, reward, or service that would cause a reasonably prudent person to be influenced in the discharge of official duties, or that is based upon any understanding that the action and/or judgment of the official or employee "would be influenced thereby."

B. A County employee from transacting business on behalf of the County with any agency in which either the employee or a member of the employee's immediate family has a "material interest."

C. A County employee from accepting compensation to influence any action in his/her official capacity with the County.

D. A County employee from using his/her position to secure a special privilege, benefit, or exemption for him/herself or others.

E. A County employee from holding any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, Leon County Government.

F. A County employee from disclosing or using information not available to the general public for his/her personal gain or for the gain of any other person or business entity.

All contractors and suppliers engaging in business transactions with Leon County Government shall be hereby advised of these prohibitions. This policy shall not be interpreted to prevent an employee from engaging in a bona fide business transaction for goods and services from a firm doing business with the County when no special privilege or benefit is granted or sought by the employee because of his or her status as a County employee.

This law also requires that any County employee who is "an officer, director, partner, proprietor, associate, or general agent" of or who has a material interest in any business entity regulated by the county or doing business with the County, must file a disclosure of such with the Clerk of the Circuit Court.

Other employees may be required to file disclosure statements at the request of the County Administrator.

2.11 Substance Abuse

A. Use, sale, dispensing or possession of illegal drugs, narcotics, and alcoholic beverages are prohibited on County premises.

B. Appropriate disciplinary action will be taken against employees who are in possession of or under the influence of alcohol or illegal drugs while on County premises.

2.12 Dress Code

Policy Statement:

It is the intent of this policy that work attire should compliment the Leon County Core Values which reflect a customer oriented and professionally operated organization. In order to balance the County's image with the employee's freedom to make his or her own wardrobe choices, casual business wear will be acceptable in the office environment during regular business hours . A division's policy may vary based on safety regulations (see County Policy 94-5), the tasks they perform, and the customers they serve.

Guidelines:

The general parameters for casual business wear include using good judgment about what to wear during work days. Casual Business wear means comfortably fitting, clean, neat clothing, in good condition, that communicates a professional attitude. Dress standards apply to both women's and men's attire.

The following items are inappropriate for office wear: apparel typically worn to the beach or for work in the yard or gym; clothing that is excessively revealing (transparent, or that overly exposes areas of the body such as the midriff or chest); bedroom slippers or flip flops; garments meant to be worn as underwear; T-shirts; or, attire with graphics or text endorsing gang membership, obscenity, illegal activities, violence, drugs, alcohol or tobacco.

Additional guidelines for EMS employees are found in the Emergency Medical Services Standard Operating Guidelines Manual.

Exceptions:
In an effort to have a work-friendly environment, Leon County employees shall observe a ***Summer Dress Code,*** effective Monday through Friday, from Memorial Day to Labor Day. During the warm weather season, employees shall have the opportunity to come to work in a more casual and relaxed atmosphere. An employee's schedule may dictate a more traditional attire, such as attendance at Board or other business related meetings.

Other than a ***Summer Dress Code,*** employees shall observe a ***Dress Down Day*** each week, which will be designated by the Department Director. The Department Director may approve certain Dress Code exceptions on Dress Down Day.

Enforcement:
Each Department Director shall interpret Dress Code Policy in light of the appropriateness to the work environment. Immediate supervisors shall be responsible for ensuring that their staff dress in accordance with this policy. When an employee disagrees with the supervisor's interpretation of the Dress Code, the employee shall consult with the Department Director to determine if clothing meets the Dress Code standards. The Department Director's decision is final. For the first violation, inappropriately dressed employees shall be given a verbal warning and be sent home. For the second violation, inappropriately dressed employees shall be given a written reprimand and be sent home. Any employee sent home shall use annual leave to dress properly and return to work. Future violations shall result in progressive disciplinary actions.

2.13 Safety

Leon County is interested in the safety and well-being of its employees and continuously monitors working conditions and equipment for compliance with safety requirements.

Safety equipment and devices are provided to protect employees in potentially hazardous jobs. All employees are encouraged to act in a safe manner.

2.14 Employee Transitioning Sex or Gender

Transitioning is the process through which a person modifies his/her physical characteristics and/or manner of expression to satisfy the standards of membership in a gender other than the one he/she was assigned at birth. Leon County has outlined the following guidelines for employees transitioning sex or gender:

A. Transitioned Sex or Gender Prior to Employment with the County
An employee who has undergone sex or gender transition prior to the time of employment with the County and obtained a legal change of sex or gender shall: (1) adhere to the same dress or grooming standards for the sex or gender to which the employee has legally changed: and (2) utilize the private areas, such as rest rooms,

shower rooms and similar facilities which are by their nature simply private (hereinafter referred to as "Private Areas"), that are not inconsistent with the employee's legally changed sex or gender.

B. Transitioning Sex or Gender While a County Employee

An employee who has given proper written notice that they are transitioning their sex or gender and receiving opposite from birth sex hormones under the care of a licensed therapist or other medical professional shall: (1) be allowed to adhere to the same dress or grooming standards for the sex or gender to which the employee is transitioning; and (2) be provided reasonable access to Private Areas that are not inconsistent with the employee's sex or gender to which the employee is transitioning.

Such proper written notice shall: (1) include attestation from the employee's attending licensed therapist or other employee's attending medical professional that the employee is undergoing sex or gender transition and receiving opposite from birth sex hormones; specifics of the process that the employee is pursuing shall not be requested or required by the County; and (2) be presented to the employee's supervisor or, if the employee is uncomfortable presenting such written notice to their supervisor, such written notice shall be presented to their Department Director, or Human Resources Director or Employee Relations Manager in the Human Resources Division.

C. Completed Gender Reassignment While a County Employee

An employee who has obtained a legal change of sex or gender shall: (1) provide proper documentation such legal change to the Human Resources Director or Employee Relations Manager in the Human Resources Division; (2) adhere to the same dress and grooming standards for the employee's legally changed sex or gender; and (3) utilize the Private Areas that are not inconsistent with the employee's legally changed sex or gender.

D. Proper Documentation of Legal Change of Sex or Gender

The following shall constitute proper documentation of a legal change of sex or gender: (1) a letter or affidavit from the employee's attending physician certifying that the employee has completed sex reassignment surgery and that the employee is now the reassigned sex or gender; or (2) a legally amended gender marker on the employee's driver's license or State of Florida ID card; or (3) a legally amended marker on the employee's birth certificate.