



# **Employee Handbook**

Approved by  
AAAPP Board of Directors  
and Ann Marie Winter, Executive Director  
***Effective Date: November 21, 2023***

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# INTRODUCTION

## **WELCOME TO AREA AGENCY ON AGING OF PASCO-PINELLAS!**

We're very happy to welcome you to our Agency. Thanks for joining us! The Area Agency on Aging of Pasco-Pinellas, Inc. (AAAPP or the Agency) would like you to feel that your employment with us will be mutually beneficial and enjoyable.

You are joining an Agency that has established an outstanding reputation for quality service. Credit for this goes to every one of our employees and we hope that you will find satisfaction and take pride in your work here.

## **HISTORY**

The agency was created in 1974 under the federal Older Americans Act and is a designated as an Aging and Disability Resource Center. We are mandated to exist under both federal and state law and are one of 11 Florida agencies that work closely with the Florida Department of Elder Affairs to provide resources, information and services to seniors, adults with disabilities and caregivers in Pinellas and Pasco counties. There are more than 600 Area Agencies on Aging in the United States covering every county in every state as well as Puerto Rico, Guam and the US Virgin Islands.

## **MISSION AND VISION**

Our Mission is that AAAPP is a trusted resource to advocate, educate and empower seniors, adults with disabilities and caregivers which promotes independence, in partnership with the community.

Our Vision is our community will provide seniors, adults with disabilities and caregivers with the resources and services needed to maintain independences, promote healthy aging and live an optimal quality of life.

## **CORE VALUES**

AAAPP regards all seniors and adults with disabilities as valued members of our community who merit dignity, respect and the resources needed for an optimal quality of life.

## **HANDBOOK PURPOSE**

This employee handbook is presented as a matter of information and has been prepared to inform employees about the Agency's philosophy, employment practices, policies, and the benefits provided to our valued employees, as well as the conduct expected from them.

While this handbook is not intended to be a book of rules and regulations or a contract, it does include some important guidelines which employees should know. Except for the at-will employment provisions, the handbook can be amended at any time.

This employee handbook cannot cover every situation, nor will it answer every question employees may have about policies and benefits at the Agency. The Agency would not want to restrict the normal question and answer interchange among us. It is in our person-to-person conversations that we can better know each other, express our views, and work together in a harmonious relationship.

There are times we may need to change the handbook. The Agency has the right to add new policies, change policies, or cancel policies at any time. No one other than authorized management may alter or modify any of the policies in this employee handbook. No statement or promise by a supervisor, or designee is to be interpreted as a change in policy, nor will it constitute an agreement with an employee.

Should any provision in this employee handbook be found to be unenforceable and invalid, such a finding does not invalidate the entire employee handbook, but only the subject provision. Nothing in this handbook is intended to unlawfully restrict an employee's rights to engage in any of the rights guaranteed to them by Section 7 of the National Labor Relations Act, including, but not limited to, the right to engage in concerted protected activity for the purposes of their mutual aid and/or protection. Nothing in this handbook will be interpreted, applied or enforced to interfere with, restrain or coerce employees in the exercise of Section 7 rights.

The Area Agency on Aging of Pasco-Pinellas, Inc. can only be as good as the people who work with us. This is why we strive to employ the best-qualified people and take every opportunity to encourage them to reach their highest potential and goals. The primary objective of our employee-relations philosophy is to treat all employees with respect and dignity. The Area Agency on Aging of Pasco-Pinellas, Inc. is committed to a policy of providing equal employment opportunity in all areas of personnel practice including recruiting, hiring, training, promotion, compensation, benefits, and all other terms and conditions of employment.

We hope this guide will help employees feel comfortable with us. The Agency depends on its employees; their success is our success. Please do not hesitate to ask questions. Every supervisor will gladly answer them. We believe employees will enjoy their work and their fellow employees here. We also believe that employees will find the Agency a good place to work.

We ask that employees read this guide carefully, become familiar with the Agency and our policies, and refer to it whenever questions arise.

This version of the handbook supersedes all prior editions.

This handbook is effective immediately upon approval by Board of Directors.

# EMPLOYMENT

## **EQUAL OPPORTUNITY EMPLOYER**

The Area Agency on Aging of Pasco-Pinellas, Inc. is an Equal Employment Opportunity employer. The Agency provides equal employment and advancement opportunities to all people, we make employment decisions at the Agency based on each person's performance, qualifications, and abilities. The Agency does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, gender identity, sexual orientation, pregnancy, age, national origin, physical or mental disability, military or veteran status, genetic information or any other characteristic n protected by law. The Agency will make reasonable accommodations for qualified individuals with disabilities, for religious reasons and for pregnancy-related or childbirth-related medical conditions or disabilities as required by law. Our Equal employment opportunity policy covers all employment practices, including, selection, job assignment, compensation, discipline, termination, and access to benefits and training. The Agency takes allegations of discrimination, harassment, and retaliation seriously, and will promptly investigate when such behavior is reported.

If you have a question about any type of discrimination at work, talk with your immediate supervisor or the designated HR representative. You will not be retaliated against for asking questions about this. Also, if we find out that anyone was illegally discriminating, that person will be subject to disciplinary action, up to and including termination of employment. You have a requirement to report to your supervisor and/or Human Resources any discrimination in the workplace in accordance with the Anti-Harassment/Discrimination policy in this handbook.

## **AFFIRMATIVE ACTION PLAN**

Area Agency on Aging of Pasco-Pinellas, Inc. will provide affirmative action as required in accordance with federal contract and applicable laws and Executive Orders to ensure that minority group individuals, females, disabled veterans, recently separated veterans, other protected veterans, Armed Forces service medal veterans, and qualified disabled persons are introduced into our workforce and considered for promotional opportunities.

The Affirmative Action Officer has been assigned to direct the establishment and monitor the implementation of personnel procedures to guide our affirmative action program throughout Area Agency on Aging of Pasco-Pinellas, Inc. This notice explaining the Agency's policy will remain posted.

## **BACKGROUND CHECKS**

All employees must pass a Level II background screening prior to being hired. The Level II screening must either be through the Clearinghouse by the Department of Elder Affairs or through VECHS depending upon the position and whether it is funded in whole or in part by the Department of Elder Affairs. Current employees must also pass the Level II screenings every five

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years. If at any time, you are arrested for a disqualifying offense as defined by the Department of Elder Affairs, you must immediately inform H.R. Failure to do so will result in disciplinary action up to and including termination. If at any time you no longer qualify to pass a Level II screening, you shall be terminated.

The Agency may also conduct a background check on any applicant or current employee with their signed consent. The background check may consist of prior employment verification, reference checks, education confirmation, criminal background, credit history, or other information, as permitted by law. Third-party services may be hired to perform these checks. All offers of employment and continued employment are contingent upon a satisfactory background check, and drug testing. Refusal to consent to a background check may result in discipline, up to or including termination.

#### **AT-WILL NOTICE**

The employment relationship between the Agency and employees is at-will. This means that employees are not hired for any specified period of time and their employment may be terminated at any time, with or without cause, and with or without notice, by either the Agency or the employee. Agency policy requires that all employees are at-will; any implied, oral, or written agreements or promises to the contrary are void and unenforceable, unless approved by an officer with the power to create an employment contract. There is no implied employment contract created by this Handbook or any other Agency document or written or verbal statement or policy.

The policies in this handbook are not intended to create a contract. The policies should not be construed to constitute contractual obligations of any kind or a contract of employment between the Agency and any employee. The provisions in the handbook have been developed at the discretion of management and, except for the policy of employment-at-will, may be amended or cancelled at any time, at the sole discretion of the Agency.

These provisions replace all other existing policies and practices and may not be changed or added to without the express written approval of the Executive Director of the Agency.

#### **ANTI-NEPOTISM POLICY**

The employment of family members can cause actual or perceived conflicts, such as favoritism or personal conflicts from outside the work environment which can be carried into the daily working relationship and can be detrimental to the productivity of the Agency. Thus, the Agency will not hire relatives of persons currently employed.

For purposes of this policy, a family member is defined as spouse, partner, parents, step-parents, siblings, step-siblings, aunts and uncles, nieces and nephews, grandparents, grandchildren, or cousins. In-laws (or partner's family) are also considered family as is anyone with whom an employee cohabits.



If two employees marry, cohabit, or become otherwise related, so as to qualify as family members under this policy, they must report the change in status to Human Resources. Only one of the employees may be permitted to remain with the Agency.

If family members are already employees of the Agency on the effective date of this policy, those individuals are grandfathered in both are permitted to remain with the Agency.

#### **ANNIVERSARY DATE AND SENIORITY**

The employee's date of hire is their official employment anniversary date. Seniority is the length of continuous service starting on that date. Should an employee leave the Agency and then be rehired, previously accrued seniority will be lost and seniority will begin to accrue again on the date of rehire. With the exception of certain protected leaves and paid time off, seniority does not accrue during leaves of absence that exceed 30 calendar days.

#### **IMMIGRATION LAW COMPLIANCE**

The Area Agency on Aging of Pasco-Pinellas, Inc. is committed to employing only people who are legally authorized to work in the United States. We do not discriminate because of a person's citizenship or national origin.

Because we comply with the Immigration Reform and Control Act of 1986 and F.S. 448.095, every new employee at the Agency is required to complete the Employment Eligibility Verification Form I-9 and show documents that prove identity and employment eligibility at their time of hire. The Agency will also use the U.S. Department of Homeland Security's E-Verify system to verify the work authorization of all newly hired employees. If your employment authorization documentation expires, the Agency is required to reverify your work authorization to ensure that you are still authorized to work. If you leave the Agency and are rehired, you may be required to complete another Form I-9.

#### **INTRODUCTORY PERIOD**

The employee's first 90 days of employment with the Agency are considered an introductory period. This introductory period will be a time for getting to know fellow employees, supervisors and the tasks involved in the position, as well as becoming familiar with the Agency's products and services. The supervisor will work closely with each employee to help them understand the needs and processes of their job.

This introductory period is a try-out time for the employee and the Agency. However, employment for 90 days is not guaranteed. During this introductory period, the Agency will evaluate employees' suitability for employment and employees can evaluate the Agency as well. At any time during this first 90 days, employees may resign. If, during this period, employee work habits, abilities, attitude, attendance, performance or other relevant factors do not measure up to our standards, the Agency may terminate employment.

At the end of the introductory period, the supervisor will discuss each employee's job performance with them. During the course of the discussion, employees are encouraged to give their comments and ideas as well.

Completion of the introductory period does not guarantee continued employment for any specified period of time, nor does it require that an employee be discharged only for cause. Completion of the introductory period also does not imply that employees now have a contract of employment with the Agency, other than at-will. Successful completion of the introductory period does not alter the at-will employment relationship. The Agency reserves the right to extend the introductory period in its sole discretion for any reason whatsoever. This could happen either during or at the end of the introductory period.

When employees satisfactorily complete the introductory period, they are assigned to the "regular" employment classification.

A former employee who has been rehired after a separation from the Agency of more than one year is considered an introductory employee during their first 90 days following rehire.

#### **EMPLOYMENT CLASSIFICATIONS**

The Agency has established the following employee classifications for compensation and benefit purposes only. An employee's supervisor will inform the employee of their classification, status, and responsibilities at the time of hire, re-hire, promotion or at any time a change in status occurs. These classifications do not alter the employment at-will status.

Employees are classified as follows:

##### Regular Employee

An employee who has successfully completed the introductory period.

##### Regular Full-Time Employee

An employee who is scheduled to work no less than 100% of the scheduled work hours in a workweek on a fixed work schedule (not less than 37.5 hours). The employee may be exempt or non-exempt and is generally eligible for all employment benefits offered by the Agency except as provided by law. Benefits will, in some cases, be determined according to the amount of earning and hours worked.

##### Regular Part-Time Employee with Benefits

An employee who is scheduled to work at least 30 hours or more per workweek and may be eligible for some benefits offered by the Agency on a pro-rata basis except as provided by law.

##### Regular Part-Time Employee without Benefits

An employee who works less than 30 hours per workweek and is not eligible for benefits offered by the Agency, except as specifically provided.

### Temporary Employee

An employee who is scheduled to work on a specific need of the Agency and appointed for a short-term basis of less than six months. The employee will not receive any benefits except where provided by law.

### Exempt

Employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and applicable state law and who are exempt from overtime pay requirements. The basic premise of exempt status is that the exempt employee is to work the hours required to meet their work responsibilities and the salary paid compensates the employee for any and all hours worked in a workweek and the employee does not receive additional compensation for working more than 40 hours in a workweek.

### Non-Exempt

Employees whose positions do not meet FLSA and state exemption tests and who are paid 1.5 times their regular hourly rate for hours worked over 40 in a workweek. Only hours actually worked count towards computation of overtime. You will be advised whether your position is exempt or non-exempt.

### **PERSONNEL RECORDS**

The Agency maintains various employment files while an individual remains an employee of the Agency. Such files may include employee personnel files, attendance files, I-9 files, and files for medical purposes.

An individual Personnel Record is created following new employee orientation and systematically maintained by the designated HR representative in accordance with the established records retention schedule.

Florida Statutes, Chapter 119 of the Public Records Law makes all personnel records of the Agency open to the public upon request. All requests should be directed to the designated HR representative. When a personnel record is pulled for review the HR representative Director or designate will remain with the individual reviewing the record.

Only the designated HR representative may add or temporarily remove personnel records. Materials may not be permanently removed from a personnel record. Medical records or information are maintained in a separate file from the individual's personnel file.

Employees are required to notify their supervisor and HR should any of their personal information change (i.e. address, phone numbers, last name, etc.) so the appropriate updates can be made to the files. The Agency will take reasonable precautions to protect employee files and employees' exempt information in its records.

**EMPLOYEE REFERENCES**

All employee reference check requests should be forwarded to Human Resources; only authorized members of management or Human Resources may provide this information. When the Agency is contacted for a reference check or employment verification, generally only positions held, and dates of employment will be confirmed.

**JOB TRANSFERS**

The Agency aspires to promote qualified internal candidates to fill open positions whenever possible and practical. When job openings occur, current employees are encouraged to apply.

Management reserves the right to place an employee in whatever job it deems useful or necessary. All job transfers, reassignments, promotions, or lateral transfers are at the discretion of the Agency.

# CONDUCT AND BEHAVIOR

## GENERAL CONDUCT GUIDELINES

Employees are expected to exercise common sense and courtesy at all times, for the benefit of clients, co-workers, and the Agency as a whole. Professionalism is expected, as is respect for the safety and security of people and property. Failure to meet these expectations may be grounds for discipline, up to and including termination. The following are examples of unacceptable conduct, but this is not an exhaustive list.

- Failure to follow the policies outlined in this handbook.
- Negligent, careless, or inconsiderate treatment of clients or their information.
- Theft, misappropriation, or unauthorized possession or use of any property that does not belong to the employee.
- Unauthorized removal of Agency property from the premises.
- Accessing, without authorization, confidential information pertaining to clients or employees.
- Disclosing confidential information that is not a public record.
- Improperly destroying a public record.
- Falsifying or changing any type of Agency, client, or employee document or record without authorization.
- Willfully, negligently, or carelessly damaging, defacing, or mishandling property of the Agency, a client, or an employee.
- Taking or giving bribes of any nature.
- Entering Agency premises without authorization.
- Violating security, safety, or fire prevention regulations, or tampering with safety equipment.
- Violation of safety or health rules.
- Fighting, threatening violence or violence in the workplace.
- Conduct that is illegal under federal, state, or local law.
- Disruptive activity in the workplace.
- Use of abusive language.
- Any rude, discourteous, or unbusinesslike behavior, on or off Agency premises, which is not protected by Section 7 of the National Labor Relations Act and that adversely affects the Agency services, operations, property, reputation, or goodwill in the community, or interferes with work.
- Insubordination or refusing to follow instructions from a supervisor.
- Leaving during scheduled work hours without permission; unauthorized absence from assigned work area during regularly scheduled work hours.
- Sleeping during regular working hours.
- Recording time for another employee or having time recorded by another employee.
- Tobacco use in prohibited areas.
- Sexual or other unlawful or unwelcome harassment.

- Excessive absenteeism or any absence without notice.
- Unauthorized absence from workstation during the workday.
- Unauthorized use of telephones, mail system, or other employer-owned equipment.
- Unauthorized disclosure of confidential information.
- Violation of personnel policies.
- Unsatisfactory performance or conduct.
- Possession, distribution, sale, transfer or use of alcohol or illegal drugs or legal drugs in an illegal or inappropriate manner in the workplace, while on duty, or while operating employer-owned vehicles or equipment or on Agency premises at any time.
- Use of alcohol or illegal drugs or legal drugs in an illegal or inappropriate manner during working hours or working under the influence of intoxicants.
- Possession of dangerous or unauthorized materials, such as explosives, weapons or firearms, in the workplace or on company property except as authorized by law including, but not limited to F.S. 790.251 which permits a legally owned firearm if locked inside or in the employee's vehicle.
- Illegal gambling on Agency premises.
- Soliciting, collecting money, vending, and posting or distributing bills or pamphlets during working hours in work areas. Such activity by employees during non-working time, including meal and rest periods, is not restricted so long as such activity does not interfere with the regular operation of business, is orderly, lawful, in good taste, conducted in an orderly manner, and does not create a safety hazard or a mess. Non-employees are prohibited from all forms of solicitation on Agency property at all times.

#### **ETHICS**

We expect Agency employees to be ethical in their conduct. It affects our reputation and success. The Agency requires employees to carefully follow all laws and regulations and have the highest standards of conduct and personal integrity. Employees owe a duty to the Agency to act in ways that will earn the continued trust and confidence of the public.

As an organization, the Agency will comply with all applicable laws and regulations. We expect all employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to not do anything that is illegal, dishonest, or unethical. If you use good judgment and follow high ethical principles, you will make the right decisions. However, if you are not sure if an action is ethical or proper, you should discuss the matter openly with your supervisor. If necessary, you may also contact the HR representative for advice and consultation.

It is the responsibility of every Agency employee to comply with our policy of business ethics and conduct. Employees who ignore or do not comply with this standard of business ethics and conduct may be subject to disciplinary action, up to and including termination of employment.

#### **UNLAWFUL HARASSMENT/DISCRIMINATION**

It is the long established policy of the Area Agency on Aging of Pasco-Pinellas, Inc. to extend equal employment and advancement opportunities to all qualified individuals regardless of their race,

color, age, sex, pregnancy, gender, disability, religion, national origin, veteran status, marital status, citizenship, sexual orientation, gender identity, genetic information, or any other characteristic protected by law. All personnel are reminded that each employee is at all times to be treated courteously by fellow employees so that he or she is free from harassment, interference and/or discrimination based on factors such as those mentioned above. This policy applies to all aspects of your employment. Any form of harassment or discrimination will not be tolerated.

Harassment is defined as unwelcome or unsolicited verbal, physical or sexual conduct that interferes with an employee's job performance or which creates an intimidating, offensive or hostile work environment. Some examples include, but are not limited to:

- Questions or comments that unnecessarily infringe on personal privacy or offensive, sexist, off-color or sexual remarks, jokes, slurs, propositions, or comments that disparage a person or group on the basis of race, color, age, sex, pregnancy, gender, creed, disability, religion, national origin, ethnic background, military service or citizenship.
- Derogatory or suggestive posters, cartoons, photographs, calendars, graffiti, drawings, other materials or gestures. Inappropriate touching, hitting, pushing or other aggressive physical contact or threats to take such action.
- Unsolicited sexual advances, requests or demands, explicit or implicit, for sexual favors.

Sexual Harassment is prohibited by state and federal laws. Sexual harassment will not be tolerated. It is a violation of Agency policy for any supervisor or employee, male or female, to engage in sexual harassment as defined below. Such conduct will result in disciplinary action up to and including dismissal.

Some examples of harassment include; but are not limited to:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Retaliation or threats of retaliation for refusing advances or requests for favors;
- Visual conduct such as leering, making sexual gestures or jokes, or displaying or sharing sexually suggestive objects, photographs/pictures, drawings, cartoons, or posters;
- Verbal conduct such as making derogatory comments, epithets, slurs, sexually explicit jokes or comments about an employee's body or dress;
- Verbal sexual advances or propositions;
- Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual or suggestive or obscene letters, notes, or invitations;
- Ongoing teasing about an employee's religious or cultural practices;
- Ongoing teasing about an employee's sex, sexual orientation, or gender identity;
- Physical conduct such as touching, assault, or impeding or blocking movements.

Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a supervisor, or harassment by persons doing business with or for the Agency, such as clients, customers, or vendors.

#### Enforcement

All supervisors are responsible for:

- Implementing the Agency's harassment policy;
- Ensuring that all employees they supervise have knowledge of and understand the Agency policy;
- Reporting any complaints of misconduct to the designated agency representative, the HR designee, so they may be investigated and resolved internally;
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with the policy; and
- Conducting themselves in a manner consistent with the policy.

#### Addressing Issues Informally

Employees who witness offensive behavior in the workplace - whether directed at them or another employee - are encouraged, though not required, to immediately address it with the employee whose behavior they found offensive. An employee who is informed that their behavior is or was offensive must stop immediately and refrain from that behavior in the future, regardless of whether they agree that the behavior could have been offensive.

#### Harassment/Discrimination Complaint Procedure

Any incident of discrimination or harassment, including work-related harassment by Agency employees or any other person, must be reported immediately to the employee's manager and the HR Department who will investigate the matter in a sensitive and discreet manner. In the case of Agency employees, if harassment is established, the offender will be disciplined up to and including discharge and appropriate action will be taken to correct the effects of the harassment/discrimination in order to deter any such future harassment/discrimination.

#### Retaliation

Any form of retaliation against someone who has expressed concern about any form of harassment, refused to partake in harassing behavior, made a harassment complaint, or cooperated in a harassment investigation, is strictly prohibited. A complaint made in good faith will under no circumstances be grounds for disciplinary action. Individuals who make complaints that they know to be false may be subject to disciplinary action, up to and including termination.

#### DOMESTIC/SEXUAL VIOLENCE LEAVE

1. Pursuant to F.S. 741.313, any employee who has been employed by the Agency for 3 months or more may request and take up to 3 working days of unpaid leave in any 12-month period if the employee or a family member of household member of an employee is the victim of domestic violence or sexual violence in order to:



- a. Seek an injunction for protection against domestic violence or an injunction for protection in a case of repeat violence, dating violence, or sexual violence;
  - b. Obtain medical care, mental health counseling, or both for the employee or a family or household member to address physical or psychological injuries resulting from the act of domestic violence or sexual violence;
  - c. Obtain services from a victim-services organization, including, but not limited to, domestic violence shelter or program or rape crisis center as a result of the act of domestic violence or sexual violence;
  - d. Make the employee's home secure from the perpetrator of the domestic violence or sexual violence or to seek new housing to escape the perpetrator; or
  - e. Seek legal assistance in addressing issues arising from the act of domestic violence or sexual violence or to attend and prepare for court-related proceedings arising from the act of domestic violence or sexual violence.
2. The employee must request the leave to his/her supervisor with appropriate advance notice of the leave as required by AAAPP policy with sufficient documentation of the act of domestic violence or sexual violence. This requirement of advance notice is waived, in cases of imminent danger to the health or safety of the employee or to the health or safety of a family or household member.
  3. Before receiving unpaid leave under this section, the employee must exhaust all annual, flex and sick leave that is available to the employee.
  4. Personal identifying information contained in records documenting an act of domestic or sexual violence submitted by the employee to the Agency is confidential and exempt from public records disclosure. In addition, a written request for leave submitted by an employee under this section any time sheet reflecting such a request are confidential and exempt from public records disclosure until 1 year after the leave has been taken.
  5. Any employee exercising rights under this section will not be discharged, demoted, suspended discriminated against or retaliated against for exercising rights under this section.

#### **COMPLAINT PROCEDURE**

The Agency has established a procedure for a fair review of complaints related to any workplace controversy, conflict, or harassment. However, employees are not required to follow this procedure for harassment/discrimination but may follow the policy in the harassment/discrimination section. Employees may take their complaint directly to the person or department listed in Step 2 if the complaint is related to their supervisor or if the employee feels the supervisor would not provide an impartial resolution to the problem.

### Step 1

The complaint should be submitted in writing to a supervisor within three working days of the incident or as soon as possible. Sooner is better, as it will assist in a more accurate investigation, but complaints will be taken seriously regardless of when they are reported. Generally, a meeting will be held within three business days of the employee's request, depending upon scheduling availability. Attempts will be made to resolve the issue during the meeting, but regardless of whether there is an immediate resolution, the supervisor will give the employee a written summary of the meeting within three business days. Resolution may take longer if further investigation of the complaint is required. If the employee is not satisfied with the resolution, they may proceed to Step 2.

### Step 2

The employee may submit an oral or written request for review of the complaint and Step 1 resolution to the HR designee. This request should be made within three working days following the receipt of the Step 1 resolution. The HR designee will review the complaint and resolution and may call an additional meeting to explore the problem. If warranted, additional fact-finding will be undertaken. A final decision will be rendered within 10 working days after receiving the Step 2 request, and a written summary of the resolution will be provided to the employee who filed the complaint.

### **CORRECTIVE ACTION**

A high level of job performance and professionalism is expected from each employee. In the event that an employee's job performance does not meet the standards established for the position, they violate agency policies or procedures, or their behavior is otherwise unacceptable, corrective action may ensue. Corrective action may include, but is not limited to: coaching, oral or written warnings, performance improvement plans, paid or unpaid suspension, demotion, and termination. The type and order of actions taken will be at management's sole discretion and the Agency is not required to take any disciplinary action before making an adverse employment decision, including termination.

# COMPENSATION

## COMPENSATION PHILOSOPHY

The Agency is committed to supporting our employees to thrive in service of our organization's mission. We have established compensation that represents our organizational values by committing to paying a living wage and meeting IRS requirements regarding compensation for nonprofit employees. We hold equity as a core organizational value and strive to make the compensation process fair and straightforward. To attract, maintain, and support our staff, we target our compensation to exceed the median compensation of staff in similar positions in similar organizations. We also value supporting the whole person with generous retirement, health, and wellness benefits and paid time off. As an organization, we also live within budget constraints to ensure the long-term sustainability of the organization. Nothing herein is the guarantee of any wage or benefit and all wages and benefits are at the sole discretion of the Agency.

## PAY PERIODS/TIME SHEETS

Employees are paid every two weeks. Timesheets are required to be completed online on the last workday (Friday) of the payroll period. Pay day is normally the Wednesday following the Friday that time sheets are submitted. Except as otherwise provided, if any date of paycheck distribution falls on a weekend or holiday, employees will be paid on the preceding scheduled workday.

## TIMEKEEPING/TIME SHEETS

All non-exempt employees are required to use the timekeeping system to record their hours worked. For the purpose of this policy, all forms of timekeeping will be referred to as clocking in or out.

Employees should clock in no sooner than five minutes before their scheduled shift and clock out no later than five minutes after their scheduled shift. Additionally, employees are required to clock in and out for their designated lunch periods. The length of the lunch period will be designated by the employee's supervisor; alteration or waiver of the lunch period requires supervisor approval. Lunch periods are unpaid time when employees are relieved of all duties. Waiver of the lunch period requires prior approval of the employee's supervisor. Under no circumstance may the waiver of the lunch period result in overtime work.

Accurate timekeeping is a federal and state wage and hour requirement, and employees are required to comply. Failing to enter time into the timekeeping system in an accurate and timely manner is unacceptable job performance. Employees may not ask another employee to clock in or out for them. Should an employee miss an entry into the timekeeping system, they must notify their supervisor as soon possible for correction.

Non-exempt employees are not permitted to work unscheduled time without prior authorization from their supervisor. This includes clocking in early, clocking out late, or working through

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scheduled break or lunch periods. Falsification of timesheet is prohibited, and violation may result in disciplinary action, up to and including termination. Employees are required to record all hours worked.

#### **OVERTIME**

The Agency complies with all applicable federal and state laws with regard to payment of overtime work. Non-exempt employees are paid overtime at the rate of one and one-half times the regular rate of pay for all hours worked over 40 in a workweek. Time off for Sick leave, holiday, Annual leave and other paid or unpaid leaves of absence is not counted as hours worked when calculating overtime.

There may be times when we cannot meet our operating requirements or other needs during the regular working house. If this happens, employees are required to work overtime when assigned. When possible, we will try to give you advance warning of mandatory overtime assignment. Exempt employees are not eligible for overtime pay and do not receive additional compensation beyond their salary as they are expected to work as many hours as needed to complete the requirements of the job.

Non- exempt employees may not work more than 37.5 hours in a work week without the prior written consent of their supervisor or manager. Working unauthorized overtime or the refusal or unavailability to work overtime is not acceptable work performance, and is subject to discipline, including but not limited to termination.

#### **PAYROLL DEDUCTIONS**

The Agency complies with the salary basis requirements of the Fair Labor Standards Act (FLSA) and does not make improper deductions from the salaries of exempt employees. There are, however, certain circumstances where deductions from the salaries of exempt employees are permissible. Such circumstances include:

- When an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability.
- When an exempt employee is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide Sick leave plan that provides compensation for salary lost due to illness.
- To offset amounts received as witness or jury fees, or for military pay.
- For disciplinary suspensions of one or more full days imposed in good faith for serious workplace policy violations.
- For penalties imposed in good faith for serious safety infractions.
- When an employee is on unpaid leave under the Family Medical Leave Act.
- During an employee's first and last week of employment, if they work less than a full week.

## **SAFE HARBOR POLICY**

The Agency follows the guidelines set forth by the Fair Labor Standards Act and it is the Agency's policy to prohibit improper deductions to be taken from exempt employees' salaries. In the event that you feel an improper deduction has been taken from your salary, please contact your immediate supervisor or the HR representative. In the event that it is determined that an improper deduction has been taken from an exempt employee, the Agency will reimburse the employee for the amount of the improper deduction and will continue to make a good faith commitment to comply in the future with the Fair Labor Standards Act. In the event that an improper deduction is taken, your status as an exempt employee will not be changed.

Additionally, if you are a non-exempt employee and you believe you have worked any hours that have not been paid properly, you are required to report this to Human Resources upon your discovery. Reports of uncompensated or undercompensated work time will be promptly investigated. In the event it is determined that you have not been paid properly, the Agency will compensate you for the amounts of uncompensated or undercompensated work time at the appropriate rate(s) of pay and will continue to make a good faith commitment to comply in the future with the Fair Labor Standards Act.

## **FEDERAL WITHHOLDING TAXES**

The Agency withholds and pays taxes as required under the Federal Insurance Contributions Act (FICA). FICA taxes pay for old-age, survivor, and disability insurance benefits (OASDI), as well as health insurance for the elderly and disabled.

## **DIRECT DEPOSIT**

The Agency has direct deposit payroll. Newly hired employees are provided a form to participate in direct deposit. All staff are paid through direct deposit and can access their payroll statement online through our payroll provider. Employees may change their direct deposit information by completing and submitting the appropriate form to Finance. Employees are encouraged to use direct deposit but will not be terminated or retaliated against for failing to do so.

## **PAY ADJUSTMENTS, PROMOTIONS AND DEMOTIONS**

All pay increases are based upon merit, market factors, and the profitability of the Agency. There may not be an automatic annual cost of living or salary adjustment. Employees pay also may be adjusted downward. Pay decreases may take place when there is job restructuring, job duty changes, job transfers, or adverse business economic conditions. Demotion is a reduction in responsibility, usually accompanied by a reduction in pay. If demotion occurs, employees will maintain their seniority with the Agency.

## **Business Travel Expenses - Expense Reimbursement**

The Agency has established travel procedures are governed in large part by the Department of Elder Affairs. The procedures detail conditions and rates for reimbursement for business travel expenses, both local as well as out-of-area and overnight travel. Any travel outside of the regular area for which expenses are incurred must be approved in advance. If you are involved in an accident while on business travel, immediately report the accident to your supervisor.

The travel procedures will be given to new employees during their first week of employment. All staff will receive travel procedures periodically via email, as the procedures change and/or are updated.

Travel expense reports must be submitted by employees once a month. See your supervisor for help and questions about business travel, expense reports, or any other travel issues. It is a terminable offense to record false or misleading information on your expense report. You may not request reimbursement for expenses that you did not have or that were not business-related. Employees who do not follow this business travel policy could be subject to disciplinary action, up to and including termination of employment.

*Agency will cover all reasonable, business-related expenses. Employees may not be reimbursed for expenses that were not approved in advance and are deemed unnecessary or extravagant.*

*The following types of expenses may be reimbursable under this policy:*

- *Lodging*
- *Travel expenses including airfare, reasonable airline luggage fees, train fare, bus, taxi, and related tips*
- *Meals, including tips up to 20% unless per diem is claimed*
- *Car rental, parking fees, and tolls*
- *Mileage on a personal vehicle at the then current AAAPP reimbursement rate*
- *Conference and convention fees*

*The following expenses are examples of expenses not reimbursable under this policy:*

- *Airline club dues*
- *Traffic fines*
- *Tips in excess of 20%*
- *In-flight movies, mini-bar expenses, and other forms of personal entertainment*
- *Anything other than economy class airfare*

*No policy can anticipate every situation that might give rise to legitimate business expenses. Reasonable and necessary expenses not listed above may be reimbursable. When prior approval is required, supervisors should use their best judgment to determine if an unlisted expense is reimbursable under this policy.*

#### Credit Cards

Agency-issued credit cards are to be used for purchases on behalf of The Agency and for any travel expenses incurred while traveling on agency business only. At no time may an employee use an Agency credit card for purchases intended for personal use; such expenses will require that the Agency be reimbursed and may lead to revocation of credit card privileges and other

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discipline. Credit card expenses require the same reimbursement documentation as other expenses.

### Documentation

*Requests for reimbursement of business expenses must be submitted on the correct form. In order to comply with IRS regulations, all business expenses be supported with adequate records; employees are responsible for keeping these records as expenses are incurred. These records must include:*

- *The amount of the expenditure*
- *The time and place of the expenditure*
- *The business purpose of the expenditure*
- *The names and the business relationships of individuals for whom the expenditures were made*

*Requests for reimbursement lacking this information will not be processed and will be returned to the employee. Original receipts are required for all expenses. Requests for exceptions to this policy should explain why the exception is necessary and be approved by the Executive Director.*

### Approvals

*Expense reimbursement forms, together with required documentation, must be submitted to the employee's supervisor for review and approval. Once the expense reimbursement has been approved, it should be submitted for processing no more than 30 days after the expenses occurred. Supervisors approving expense reports are responsible for ensuring that the expense reports have been filled out correctly with the required documentation and that the expenses submitted are allowable under this policy.*

### **AUTOMOBILE USE**

The Agency maintains a list of all positions that require driving as a regular component of the job. Based on the Agency's liability insurance, staff who hold positions requiring driving are required to provide the HR Department a copy of their driver's license for a Motor Vehicle Report (MVR); a copy of their driver's insurance card; and to take an online driving course.

Regardless of whether you hold a position requiring driving regularly on business or not, you must maintain appropriate insurance coverage for your vehicle and upon request must provide proof of coverage to the Agency. The Agency does not provide auto insurance if you use your vehicle as part of your job. You must make sure your auto is in good working order and that you follow all laws, rules, and regulations at all times. The Agency is not responsible for any damage sustained to your vehicle or any other property damage to you or anyone else or any injuries to you or anyone else that occur while you are using your personal auto.

### **ADVANCES AND LOANS**

The Agency does not give advances or loans to employees.

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# BENEFITS

## HOLIDAYS

The Agency gives time off to all employees on the following holidays observed by the Agency:

- New Year's Day (January 1)
- Martin Luther King, Jr. Day (Third Monday in January)
- Memorial Day (last Monday in May)
- Juneteenth Day (June 20)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Veteran's Day (November 11)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving
- Christmas Day (December 25)

Other days or parts of days may be designated as holidays. No holiday pay will be paid to an employee who is on an unpaid status, on any leave, or absent due to workers' compensation. If a holiday falls on a Sunday, the holiday may be observed on the following Monday. If the holiday falls on a Saturday, the holiday may be observed on the preceding Friday. Staff who work less than 37.5 hours per week will be paid on a pro-rata basis for observed holidays.

## FLEX LEAVE

After completing three (3) months of continuous service, full-time regular employees will be eligible for one (1) paid Flex leave day. Thereafter, full-time regular employees are eligible for one (1) paid flex day after each three (3) months of continuous service during their first continuous year of employment. Thereafter, at the beginning of each calendar year, Full-time regular employees will be eligible for four (4) paid flex days per calendar year. For the purposes of this policy, days will be regarded as equaling an employee's regularly scheduled working hours per day.

Regular employees who work less than 37.5 hours per week will receive Flex leave on a pro-rata basis for each three (3) months of continuous service.

Regular employees who work less than 25 hours per week are not eligible for paid flex time.

Flex time must be used in increments equal to no less than one of the employee's regular scheduled shift and not to exceed 7.5 hours (i.e. if scheduled for 7.5 hours, employees must take personal time in increments of 7.5 hours) in one day. Flex time may be used for any reason in the employee's discretion.

In order to be eligible for paid Flex leave, employees must contact their Supervisor at least twelve (12) hours before the start of their scheduled shift. Employees who do not call within the twelve (12) hours will not be eligible for paid Flex leave except in the event of an emergency.

Flex days must be taken within the year it is available and may not accumulate from year to year. Employees are not eligible to use any Flex leave once they have provided their notice of resignation.

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Upon employment separation for any reason whatsoever employees will not be paid for unused Flex leave.

### **ANNUAL LEAVE**

Annual leave provides a break beneficial to both the Agency and the employee. Therefore, employees are encouraged to use their Annual leave each year. Annual leave may be used for vacation time or personal time. All full and part time employees are eligible-

Full-time employees will accrue vacation according to the following schedule:

- 0-4 years: 12 days/90 hours/3.47 hours accrued each pay period
- 5-9 years: 18 days/135 hours/ 5.19 hours accrued each pay period
- 10+ years: 24 days/ 180 hours / 6.92 hours accrued each pay period

Regular part-time employees who work less than 37.5 hours per week will accrue Annual leave on a pro-rata basis. During any type of a leave of absence, paid or unpaid, Annual leave does not accrue. Annual leave requests must be submitted on the Request for Leave Form for approval prior to taking leave. Leave may be requested in increments of 30 minutes or more. Approval will be based on the employee's workload and accrued leave bank.

Unused Annual leave will be carried over each year up to the maximum accrual bank of 100% of the employee's Annual leave rate to the next calendar year. Accrued Annual leave in excess of the maximum shall be forfeited if not taken before December 31<sup>st</sup> of each year. Employees are informed of their accrued leave on their bi-weekly payroll statement. The employee's responsibility is to utilize Annual leave in accordance with this policy so forfeiture of leave will not be necessary.

The Agency will provide payment of 100% of all unused accrued Annual leave to employees with at least one (1) year or more of continuous service at time of resignation or death. Resigning employees must satisfy all aspects of the resignation policy to qualify for payment including the requirement of 4 weeks notice of resignation. If an employee does not have 1 year or more of continuous service at the time of resignation or death, they will not be paid for unused accrued Annual leave.

All employees who are involuntarily terminated by the Agency will not be paid for accrued but unused Annual leave unless the termination is due to a reduction in workforce. If the termination is due to a reduction in workforce, the Employee will be paid for accrued but unused Annual leave so long as the terminating Employee has completed 1 year or more of continuous service.

Annual leave needs to be scheduled with the appropriate supervisor with sufficient notice so as to not disrupt the workplace.

Employees are not eligible to take Annual leave once they have provided their notice of resignation.

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## **SICK LEAVE**

The Agency provides paid Sick leave. Paid Sick leave may be used for the following reasons: FMLA leave, leave pursuant to the PWFA, Domestic/Sexual Violence Leave; or for non-FMLA qualifying illnesses, injury, or medical appointments for employee or immediate family member which means, spouse, child or parent. Sick leave may not be used for planned vacation time or any other purpose other than that set forth above. All full and part time employees are eligible.

Full-time employees will accrue at the rate of one day per calendar month (or 3.47 hours per pay period) as of their first day of employment. Employees who work less than 37.5 hours per week will receive Sick leave on a pro-rata basis. Employees will not earn Sick leave during any type of a leave of absence paid or unpaid. To be eligible for paid Sick leave, employees must provide proper notification of absence as discussed under the Attendance and Tardiness policy or pursuant to FMLA or as otherwise legally required. Employees must give this notification for each day they are absent unless an extended leave has been granted in writing. Employees may be required to submit, in writing, the reason or reasons for their Sick leave, and the estimated date of return. In the case of absences in excess of three consecutive workdays, the Agency may require Employee provide verification from the employee's doctor. Agency may deny any leave that is not legally required in order to ensure continuity of Agency operations.

If an employee's approved or legally required absence that qualifies for paid Sick leave under this policy extends beyond the period of accrued paid Sick leave, the employee must exhaust all Annual and Flex leave before the remaining leave is unpaid. Use of all accrued Sick, Annual and Flex leave is required as part of any extended leave including, but not limited to FMLA Leave or PWFA leave. The Agency may require medical certification before granting leave, and/or a fitness for duty examination before returning to duty. In such cases a written statement from the treating doctor may be required stating whether the employee is able to return to their regular duties or if they have any work-related restrictions in which case the Agency will consider whether an accommodation is needed and is reasonable. During the course of Sick leave employees may be required to submit periodic reports/recertification regarding status and intent to return, on a weekly basis.

Having the total number of hours of paid Sick leave does not guarantee that the Agency will grant that amount of leave. To the extent that leave is not mandated by law, the Agency will determine whether the leave is reasonable with respect to Agency operations with respect to other family members or if for the employee's own condition whether the leave causes an undue hardship on the Agency.

Paid Sick leave will not be authorized prior to accrual. Employees are not eligible to take Sick leave once they have provided their notice of resignation. **Unused Sick leave is forfeited upon separation of employment for any reason whatsoever.**

The maximum accrual of paid Sick leave for all employees is 248 hours. Once an Employee reaches 248 hours of Sick leave accrued, Sick leave will stop accruing.

### **EFFECT OF EXTENDED SICK LEAVE ON INSURANCE BENEFITS**

During the periods of extended Sick leave the employee's current medical insurance will continue to be provided to the extent the employee continues to pay his/her portion of the insurance premium as required, and so long as health insurance contract provisions are met. Should the employee be unable to return to work and terminated he/she may qualify for COBRA.

### **BONUSES**

From time to time, the Agency may have funds to award bonuses to employees. All employees in good standing with a current satisfactory performance evaluation, at least six months of continuous employment and not in their resignation period, may be eligible for a bonus. This is nonrecurring additional compensation that is at the discretion of the Executive Director and the AAAPP Board of Directors.

### **HEALTH BENEFITS**

The Agency sponsors a benefits program for all eligible employees. In addition to receiving and having an equal opportunity for professional development and advancement, you may be eligible to enjoy other benefits that will enhance your job satisfaction. A good benefits program is a solid investment in the Agency employees. The benefits program described in this Employee Manual represents a very large investment by the Agency.

The Agency complies with all applicable federal and state laws with regard to benefits administration. All regular employees scheduled and generally working at least 30 hours a week are entitled to health insurance and other agency-sponsored health benefits, when in effect.

The Agency will periodically review the benefits program and will make modifications as appropriate.

The Agency reserves the right to modify, add or delete the benefits it offers at any time and without prior notice to its employees.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) policy for more information.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Premiums for the health insurance will be paid by the Agency and the employee. The employees' contributions will be determined on an annual basis. Contact the designated HR representative for more information about health insurance benefits.

New qualifying employees will be eligible for coverage the 1st of the month following 30 days.

### **HEALTH, DENTAL AND VISION INSURANCE**

At this time, the Agency provides health, dental and vision insurance to regular employees who are scheduled to work at least 30 hours a week and their eligible dependents. Insurance commences following a thirty-day waiting period. Premiums for the health insurance will be paid by the Agency and the employee. The employees' contributions will be determined on an annual basis. The Agency reserves the right to discontinue this or any benefit offered to employees within the Agency's sole discretion.

### **Additional Benefits:**

See HR for any additional benefits that may be available. The plan document for any available benefits will control. The Agency reserves the right to discontinue any benefit at any time within the Agency's sole discretion.

### **COBRA CONTINUATION OF BENEFITS**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) helps employees and their dependents to continue their health insurance even if they are no longer eligible under our health plan.

There are strict rules about when you can use COBRA. COBRA lets an eligible employee and dependents choose to continue their health insurance when a "qualifying event" happens. Qualifying events include the employee's resignation, termination, leave of absence, shorter work hours, divorce, legal separation, or death. Another qualifying event is when a dependent child stops being eligible for coverage under your health insurance.

If you continue your insurance under COBRA, you will pay the full cost of the insurance at the Agency's group rates plus an administration fee. When you become eligible for our health insurance plan, we will give you a written notice describing your COBRA rights. Because the notice contains important information about your rights and what to do if you need COBRA, be sure to read it carefully.

See Human Resources for additional information.

### **SECTION 125 PLAN-FLEXIBLE SPENDING ACCOUNT**

At this time, for the benefit of the Agency employees, the Agency currently provides a Section 125 Plan (also known as a Flexible Spending Account-FSA). This allows employees who contribute toward the cost of specific expenses to pay on a pre-tax basis. This has the potential to reduce actual out-of-pocket costs by 20% or more, depending on your particular tax bracket. New employees are eligible for participation following 30 days of service. Election forms for the 125 Plan are available every plan year renewal, and you must maintain this election for one full year. There are certain changes in family circumstances that the IRS will consider as valid reasons to

make mid-year plan changes. Please refer to the Section 125 Summary Plan Description for more specific information and a listing of those categories of benefits that are eligible for pre-tax contributions. The Agency reserves the right to discontinue this or any benefit offered to employees within the Agency's sole discretion.

#### **HIPAA PORTABILITY**

HIPAA - The Health Insurance Portability and Accountability Act of 1996 HIPAA was signed into law on 10/28/96. HIPAA's provisions limit exclusions for preexisting conditions; prohibit discrimination against employees and dependents based on their health status; guarantee renewability and availability of health coverage to certain employers and individuals; and protect many workers who lose health coverage by providing better access to individual health insurance. Your Insurance Carrier will probably handle most of HIPAA's rules and regulations. See your Plan Administrator for more details.

HIPAA Special Enrollment (Federal Register Section 54.9801-6T) - The special enrollment rights apply without regard to the dates on which an individual would otherwise be able to enroll under the plan. Special Enrollment periods are to apply to you and/or your spouse and/or your child/ren if you have a new dependent as a result of marriage, birth, adoption or the placement for adoption. Under these rules, a group health plan is required to provide a special enrollment period for these individuals should they request enrollment within 30 days after a special enrollment event has occurred.

HIPAA Special Enrollment for Declining Enrollment - If you are declining enrollment for yourself or your dependents (including your spouse) and you state in writing that you and/or your dependents have coverage under another group health plan or health insurance coverage as the reason for declining to enroll, then special enrollment rules may apply to you and/or your spouse and/or your child/ren in the event you and/or your dependents have lost this other coverage due to the loss of eligibility.

Annual Open Enrollment – The Agency offers an Annual Open Enrollment giving you the opportunity to enroll yourself and/or your dependents if you have previously declined/waived coverage for you and/or dependents. Additional information and forms can be requested from your designated HR representative

#### **401(k) RETIREMENT BENEFITS**

The Agency participates in a 100% employer allocated 401(k) retirement plan. All full-time and regular part-time employees who work at least 1000 hours annually may participate in the plan after completing a three-month waiting period. Eligibility will begin on the first of the month following a three-month waiting period.

Employees direct the investment of the funds. Refer to the Summary Plan Description of the 401(k) Plan for more information. The terms of the Plan will always prevail and may be changed from time to time. Employer reserves the right at any time to change the terms or discontinue any such Plan in its sole discretion.

## **DEFERRED COMPENSATION**

Deferred-compensation programs are authorized by the Internal Revenue Code. This plan is a tax-deferred supplemental retirement program that allows employees to contribute a portion of their salary, before federal taxes, to a retirement account.

All full-time and regular part-time employees who work at least 1000 hours annually are eligible to participate after a **three-month waiting period at the 1st of the month.**

Employees who choose to participate may authorize to defer a portion of their gross income to the plan. Employees may direct the investment of those funds.

Loans on **the employee's elective deferrals** can be made only for specified hardship reasons with the consent of the employer. Minimum requirements and conditions of the loan are specified in the Summary Plan Description of the 401(k) Plan. The terms of the Plan will always prevail and may be changed from time to time. Employer reserves the right at any time to change the terms or discontinue any such Plan in its sole discretion

## **ERISA**

As a participant of the Agency's plan, you are entitled to certain rights and protections under the Employee Retirement Income Security Act of 1974 (ERISA).

ERISA provides that all plan members shall be entitled to:

- Examine all plan documents, at the plan administrator's office, without charge. This includes insurance contracts and copies of all documents filed by the plan with the U.S. Department of Labor. Examples of this include detailed annual reports and plan descriptions.
- Obtain copies of all plan documents and other plan information upon written request to the plan administrator. The administrator may make a reasonable charge for the copies.
- Receive a summary of the plan's financial report. The plan administrator is required by law to furnish each member with a copy of this summary annual report.

In addition to creating rights for plan members, ERISA imposes duties upon the people who are responsible for the operation of the employee benefit plan. The people who operate your plan, called "fiduciaries" of the plan, have a duty to do so prudently and in the interest of you and other plan members and beneficiaries. No one, including your employer, may terminate you or otherwise discriminate against you in any way to prevent you from obtaining a welfare benefit or exercising your rights under ERISA. If your claim for a welfare benefit is denied in whole or in part, you must receive a written explanation of the reason for denial. You have a right to have the plan reviewed and your claim reconsidered.

If you have any questions about your Plan, you should contact the Plan Administrator. If you have any questions about this statement or about your rights under ERISA, you should contact

the nearest Area Office of the U.S. Labor-Management Services Administration, Department of Labor.

## **LEAVES OF ABSENCE**

### **MILITARY LEAVE**

If employees are on an extended military leave of absence, they are entitled to be restored to their previously held position or similar position, if available, without loss of any rights, privileges or benefits provided the employee meets the requirements specified in the Uniformed Services Employment and Reemployment Rights Act (USERRA).

An employee who is a member of the reserve corps of the armed forces of the United States or of the National Guard or the Naval Militia will be granted temporary leave of absence without pay while engaged in military duty as required by state employment law. A letter from the employee's commanding officer is required to establish the dates of duty.

### **JURY DUTY**

The Agency encourages you to fulfill your civic responsibilities by serving jury duty if you get a summons. The Agency expects you to provide sufficient notice of required jury duty as soon as you are summoned, so as to help plan for your possible absence from work. If you are selected to serve, you are required to come to work whenever the court schedule permits.

Either you or the Agency may request ask the court to excuse you from jury duty service, or request postponement, if necessary. We may ask that you be relieved from going on jury duty if we think that your absence would cause serious operational problems for the Agency.

The Agency follows the FLSA and Florida law with respect to leave for jury duty. You will not be terminated or retaliated against for serving on a jury.

The Agency provides paid jury duty leave as set forth below income protection while an employee carries out the civic responsibility of serving on a jury.

#### **Eligibility:**

Full-time and regular, part-time employees are eligible to receive jury duty pay.

#### **Amount of pay:**

The Agency will provide employees' regular day's pay, for a maximum of five workdays. Jury duty absences of more than five days will be considered for payment under this policy on a case-by-case basis. The Agency will follow the FLSA with respect to exempt employees who may miss multiple parts of workweeks due to jury duty.

#### **Responsibility:**



Upon receipt of notification from the state or federal courts of an obligation to serve on a jury, the employee should notify his or her supervisor. The employee is required to provide copies of the jury duty notice to his or her supervisor and to HR who will send authorization to the payroll department.

The supervisor may verify the documentation by contacting the office issuing the jury duty notice and making scheduling adjustments to accommodate the employee's absence in the payroll portal. The supervisor will also provide the court documentation to payroll for processing.

**Exempt and non-exempt employees may use any available Annual leave, to be paid for any unpaid portion of jury duty leave.**

Employees must submit a copy of the original summons to their supervisor as soon as it is received. Employees are required to bring in a confirmation or certificate of attendance from the court stating time and date(s) of jury duty service. For periods of service longer than two days, the Agency may require proof that the employee attended jury service. Employees should report for work on any day, or partial day, not actually spent attending jury duty.

#### **BEREAVEMENT LEAVE**

The Agency provides bereavement leave to all regular-full time and part-time employees who need to take time off because an immediate family member died. The Agency may give regular full-time and part-time employees 3 days off with pay (pro-rated for part time employees) to attend the funeral and/or make any necessary arrangements associated with the death with the Executive Director's approval. You may be able to use any available Annual leave if you need more time off subject to the approval of the Agency. Documentation of the death may be required.

For bereavement leave, "immediate family" means your spouse, parent, child(ren), sibling, step-parent, step-child, step-sibling, grandchild, grandparent, parent-in-law, son/daughter-in-law, your spouse's parent, or any other person residing within your household. Bereavement leave is of a special nature and may not be deferred or converted to any other purpose. It is not accumulated in the manner of Annual or Sick leave. Payment in lieu of bereavement leave is not authorized.

#### **FAMILY AND MEDICAL LEAVE ACT**

##### Leave Entitlements on FMLA

Under the Family and Medical Leave Act (FMLA), an eligible employee can take up to 12 weeks of unpaid, job-protected leave in a 12-month period. To be eligible, an employee must meet the following three criteria:

- Have worked for the Agency for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and

- Work at a location where the Agency has at least 50 employees within 75 miles of the employee's worksite.

Eligible employees can take leave for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform their job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

#### Using Leave

An employee does not need to use leave in one block. When it is medically necessary or otherwise require by law, employees may take leave intermittently or on a reduced schedule. Employees on FMLA leave may be required to report periodically to the Agency regarding their status and intent to return to work. An employee who fails to return to work at the expiration of the leave without an approved extension will be considered to have resigned.

Employees must inform the Agency if the need for leave is for a reason for which FMLA leave was previously taken or certified.

The Agency requires employee use all available accrued paid leave concurrently while taking FMLA leave. This means that an employee must exhaust all available Sick, Annual and Flex leave while on FMLA leave. If the employee does not have enough Sick, Annual and Flex leave available to cover the entire FMLA leave, then the balance of the FMLA leave is unpaid.

Employees must give 30 days' advance notice of the need for FMLA leave. If it is not possible to give 30 days' notice, an employee must notify their supervisor as soon as possible.

#### Documentation FMLA

The Agency may require a certification from a health care provider, and periodic recertification, supporting the need for leave. If certification is requested, employees will have 15 days to provide it. If we determine that the certification is incomplete, we will provide a written notice indicating what additional information is required.

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Employees do not have to share a medical diagnosis but must provide enough information so that the Agency can determine if the leave qualifies for FMLA protection. Sufficient information could include a doctor's note informing the Agency that the employee is or will be unable to perform their job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary.

If we become aware that an employee's need for leave is for a reason that may qualify under the FMLA, we will notify the employee if they are eligible for FMLA leave and, if eligible, provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, we will provide a reason for ineligibility. The Agency will notify employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

#### Benefits while on FMLA

While employees are on FMLA leave, health insurance coverage will continue as if the employees were not on leave. Employees are responsible for their portion of the medical insurance premium cost, if any. If paid leave is used, Agency will deduct your portion of the health insurance premium as a regular payroll deduction. If your FMLA leave is unpaid, you must pay your portion of the premium through arrangements with HR. If your payment is more than 15 days late, we will send you a letter to this effect. If we do not receive your premium payment within 15 days after the date of said letter, your coverage may cease. If you elect not to return to work for at least 30 calendar days at the end of the FMLA leave period, you will be required to reimburse the Agency for the cost of the health benefit premiums paid by Agency for maintaining coverage during your FMLA leave, unless you cannot return to work because of a serious health condition or other circumstances beyond your control.

The Agency will not interfere with an employee's FMLA rights or retaliate against them for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

Employees who believe they have not received the benefits to which they are entitled under FMLA are strongly encouraged to speak to another member of management or Human Resources for clarification or resolution.

Employees will not accrue any Annual, Flex or Sick leave while on FMLA leave nor be entitled to any Holiday pay.

#### **PERSONAL LEAVE OF ABSENCE**

Regular full-time employees who have been with the Agency for more than two years may request a personal leave of absence without pay for a non-legally required leave of absence. However, employees must exhaust any available Annual leave and Flex leave while on a personal leave of absence. The remaining time is unpaid. The employee must submit their request in writing and state the date they would like the leave to begin, the date they expect to return, and the reason for the leave. The Agency will consider all factors, including the reason for the leave and the impact on business operations, and provide written approval or denial of the request at

its sole discretion. Being granted a Personal Leave of Absence does not guarantee that a position will be available upon the employee's desire to return to work or that the Agency is holding open a position for the employee during the approved leave. If a position is available for which the employee is qualified, the employee shall have the first opportunity to fill the open position.

If approved, employees must use their leave of absence for the approved purpose. Sick leave, Flex leave, Annual leave, seniority and other benefits will not accrue during a personal leave of absence. Holidays that occur during the leave of absence will not be paid. If an employee fails to return to work on the scheduled date of return, the Agency will assume the employee has resigned. In addition, the Agency will not maintain employees benefits and employee will be subject to COBRA rules and all other guidelines in accordance with the applicable plans for a non-legally required leave of absence.

**VOLUNTARY SICK LEAVE DONATION POLICY**

The Agency has established and maintains a Leave Sharing Fund which provides employees with a vehicle whereby employees are able to contribute Sick Leave to provide additional leave time benefits to assist other employees that may have exhausted leave due to a FMLA medical event. The Sick Leave Sharing Policy is established and maintained by employees who donate their sick leave to other employees of the Agency who are experiencing an FMLA medical emergency. Employees whose injury/illness is qualified under Workers' Compensation rules are not eligible to use the Leave Sharing Bank. Additionally, nothing in this policy will be construed to limit or extend the maximum absence under the Family Medical Leave Act.

# HEALTH, SAFETY, AND SECURITY

## **SAFETY**

Workplace safety is a top priority at the Agency. We want the Agency to be a safe and healthy place for employees, customers, and visitors. A successful safety program depends on everyone being alert and committed to safety.

We communicate in different ways with employees about workplace safety and health issues. These communications may include supervisor-employee meetings, bulletin board postings, memos, emails, or other written communications.

Some of the best safety improvement ideas come from employees. Employees with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with any supervisor or the H.R. Representative. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

You are expected to obey all safety rules and be careful at work. You must immediately report any unsafe condition to your supervisor. If you violate the Agency safety standards, you may be subject to disciplinary action, up to and including termination of employment. Violations include causing a hazardous or dangerous situation, not reporting a hazardous or dangerous situation, and not correcting a problem even though you could have corrected it.

It is very important that you tell the appropriate supervisor immediately about any accident that causes an injury, no matter how minor it might seem at the time. When you report it quickly, we can investigate the accident promptly; follow the laws, and start insurance and worker's compensation processing.

Further information on this topic can be found in the Agency's Safety Plan, which is distributed to all new employees during their first week of work. The Safety Plan is also distributed to all employees as it is updated periodically.

## **NON-SMOKING/TOBACCO FREE WORKPLACE**

Tobacco use is not permitted in any Agency buildings, work sites, or vehicles. Tobacco use includes, but is not limited to smoking cigarettes, cigars, pipes, the use of any electronic smoking device (e-cigarette/vaping), chewing tobacco or any other type of tobacco product. Employees wishing to engage in these activities may do so during their designated break times, outside of Agency buildings, in designated areas (or off the property if no area is designated), and in accordance with local ordinances.

Violators of this policy are subject to disciplinary action, as determined by the Executive Director.

## **DRUG AND ALCOHOL**

The Agency is committed to being a drug-free, healthful, and safe workplace. You are required to come to work in a mental and physical condition that will allow you to perform your job satisfactorily. The Agency has elected to implement a Drug Free Workplace Program.

This policy prohibits the use, sale, distribution, manufacture, or possession of alcohol, drugs or related paraphernalia or being under the influence of alcohol and/or drugs while on the Agency premises or work sites or anytime operating vehicles, machinery, or equipment for the Agency. You may use legally prescribed drugs on the job only if they do not impair your ability to perform the essential functions of your job effectively and safely without endangering yourself or others.

To facilitate enforcement of this policy, all applicants for positions with the Agency are required to take and pass a drug test as a condition of employment. Additionally, current employees must be tested for drugs and/or alcohol under reasonable suspicion conditions, including post-accidents. Employees may be required to undergo random drug testing at the discretion of the Agency.

The entire Policy will be provided to employees during orientation and will include information on Employer Disciplinary Policy; Common Drugs or Medications that may alter or affect drug tests; Employer Definition of Accidents; Employee Rights of Appeal; and Employee Assistance programs. As a condition of continued employment, all employees must sign and return to the designated HR representative an acknowledgement of having received and understood the Drug Free Work Place Policy.

## **MEDICAL MARIJUANA**

Florida law does not require an employer accommodate the medical use of marijuana. Employees may not use, possess or be under the influence of medical marijuana.

If you have questions about this policy or issues related to drug or alcohol use at work, you can raise your concerns with your supervisor or the designated HR representative without fear of reprisal.

## **DISABILITY/PREGNANCY ACCOMMODATION**

The Agency complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act (ADAAA), and all applicable state and local laws, and is committed to providing equal employment opportunities to qualified individuals with disabilities. Consistent with this commitment, the Agency will provide a reasonable accommodation to disabled applicants and employees if the reasonable accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship.

Likewise, the Agency complies with the Pregnant Workers Fairness Act (PWFA) and will not deny employment opportunities to a qualified employee based on the employee's need for a reasonable accommodation to the employee's known limitations related to pregnancy, childbirth or related medical conditions. The Agency will provide reasonable accommodations

to the known limitations related to a qualified employee's pregnancy, childbirth, or related medical conditions, if the reasonable accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship.

If the Agency is made aware of an employee's request for accommodation, Human Resources or the employee's supervisor will engage with them in the interactive process. This process will determine what, if any, reasonable accommodations are necessary and reasonable in order to assist the employee in performing the essential functions of their job. Whether an accommodation is reasonable will be determined based on a number of factors, including whether it will effectively assist the employee in doing the essential functions of their job, the cost, and the effect on business operations. In most cases, employees will be required to provide documentation from an appropriate healthcare provider. Human Resources will provide employees with the necessary form.

#### **REQUESTING A REASONABLE ACCOMMODATION**

If you believe you need an accommodation because of your disability, you are responsible for requesting a reasonable accommodation from the Human Resources Department. You may make the request orally or in writing. The Agency encourages employees to make their request in writing and to include relevant information, such as:

- A description of the accommodation you are requesting.
- The reason you need an accommodation.
- How the accommodation will help you perform the essential functions of your job.

After receiving your written request, the Agency will engage in an interactive dialogue with you to determine the precise limitations of your disability or pregnancy, childbirth or related medical condition and explore potential reasonable accommodations that could overcome those limitations. This dialogue will typically require you to produce medical documentation from your doctor or other medical provider regarding the disability, the limitations, and possible reasonable accommodations. The Agency encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, the Agency is not required to make the specific accommodation requested by you and may provide an alternative, effective accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Agency.

#### **ACCOMMODATION DETERMINATIONS**

The Agency makes determinations about reasonable accommodations on a case-by-case basis considering various factors and based on an individualized assessment in each situation. The Agency strives to make determinations on reasonable accommodation requests expeditiously and will inform the individual once a determination has been made. If you have any questions about a reasonable accommodation request you made, please contact the Human Resources Department.

#### **ACCOMMODATION RETALIATION**

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Individuals will not be retaliated against for requesting an accommodation in good faith or using a reasonable accommodation. The Agency expressly prohibits any form of discipline, reprisal, intimidation, or retaliation against any individual for requesting an accommodation in good faith.

The Agency is committed to enforcing this policy and prohibiting retaliation against employees and applicants who request an accommodation in good faith or who use a reasonable accommodation. However, the effectiveness of our efforts depends largely on individuals telling us about inappropriate workplace conduct. If employees or applicants feel that they or someone else may have been subjected to conduct that violates this policy, they must report it immediately to the Human Resources Department. If employees do not report retaliatory conduct, the Agency may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.

#### **RELIGIOUS ACCOMMODATION**

The Agency complies with Title VII of the Civil Rights Act of 1964, and all applicable state and local laws, and is committed to providing equal employment opportunities to all individuals, regardless of their religious beliefs and practices or lack thereof. Consistent with this commitment, the Agency will provide a reasonable accommodation of an applicant's or employee's sincerely held religious belief if the accommodation would resolve a conflict between the individual's religious beliefs or practices and a work requirement, unless doing so would create an undue hardship for the Agency. Please see Human Resources for further information or to make a request.

#### **INJURY AND ACCIDENT RESPONSE AND REPORTING**

If an employee is injured or witnesses an injury at work, they must report it immediately to the nearest available supervisor. Employees should render any assistance requested by that supervisor. When any accident, injury, or illness occurs while an employee is at work, regardless of the nature or severity, the employee must complete an injury reporting form and return it to Human Resources as soon as possible. Reporting should not be allowed to delay necessary medical attention. Once the accident is reported, follow-up will be handled by Human Resources or the designated Safety Officer, including a determination as to whether the injured employee may return to work.

Questions asked by law enforcement or fire officials making an investigative report should be answered giving only factual information and avoiding speculation. Liability for personal injury or property damage should never be admitted in answering an investigatory question asked by law enforcement or fire officials.

In addition to compliance with safety measures imposed by federal Occupational Safety and Health Act (OSHA) and state law, the Agency has an independent interest in making its facilities a safe and healthy place to work. The Agency recognizes that employees may be in a position to notice dangerous conditions and practices and therefore encourages employees to report such conditions, as well as non-functioning or hazardous equipment, to a supervisor immediately. Appropriate remedial measures will be taken when possible and appropriate. Employees will not



be retaliated or discriminated against for reporting of accidents, injuries, or illnesses, filing of safety-related complaints, or requesting to see injury and illness logs.

#### **WORKERS' COMPENSATION**

The Agency provides a comprehensive workers' compensation insurance program to our employees. This program does not cost you anything.

The workers' compensation program covers injuries or illnesses that might happen during the course of your employment that require medical, surgical, or hospital treatment. Subject to legal requirements, workers' compensation insurance begins after a short waiting period, or if you are hospitalized, the benefits begin immediately.

#### **WORKPLACE MONITORING**

The Area Agency on Aging of Pasco-Pinellas, Inc. may conduct workplace monitoring to help ensure quality control, employee safety, security, and customer satisfaction.

All computer equipment, services, or technology that we furnish you are the property of the Agency. We reserve the right to monitor computer activities and data that is stored in our computer systems. We also reserve the right to find and read any data that you write, send, or receive by computer which includes, but is not limited to, e-mail. Please note that Agency phones may also be monitored for compliance with Agency policies and quality assurance. In addition, the Agency premises (except the bathrooms or other areas where employees have an expectation of privacy) are monitored by video surveillance and video recording at all times.

#### **WORKPLACE VIOLENCE AND SECURITY**

The Agency strives to provide a safe and secure environment for its employees, vendors, customers, and visitors. The Agency expects all employees to conduct themselves in a non-threatening, non-abusive manner at all times. No direct, conditional, or veiled threat of harm by or against any employees or clients on the Agency's premises or at any sanctioned event will not be tolerated. Acts of violence or intimidation of others will not be tolerated. Any employee who commits, or threatens to commit, a violent act against any person while on Agency premises, will be subject to discipline, up to immediate termination, arrest, and prosecution.

Employees share the responsibility of identifying and alleviating threatening or violent behaviors. Any employee who is subjected to or threatened with violence, or who is aware of another individual who has been subjected to or threatened with violence, should immediately report this information to your supervisor or any member of management. Threats will be investigated, and appropriate remedial or disciplinary action will be taken.

#### **SECURITY INSPECTIONS**

The Agency wants to have a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. The Agency prohibits the possession, transfer, sale, or use of these materials on our premises except as authorized by law.

We may provide you with desks and other storage devices for your convenience, but these are always the sole property of the Agency. Because they are Agency property, the Agency may inspect them at any time, either with or without advance notice to you. The Agency may also inspect any items that we find inside them.

#### **INCLEMENT WEATHER AND OUTAGES**

This policy establishes guidelines for Agency operations during periods of extreme weather and similar emergencies. The Agency will remain open in all but the most extreme circumstances. Unless an emergency closing is announced, all employees are expected to report to work. However, the Agency does not advise employees to take unwarranted risks when traveling to work in the event of inclement weather or other emergencies. Each employee should exercise their best judgment with regard to road conditions and other safety concerns.

#### Designation of Emergency Closing

Only by the authorization of the Executive Director will the Agency cease operations due to emergency circumstances. If severe weather conditions develop during working hours, it is at the discretion of the Executive Director to release employees. Employees will generally be expected to remain at work until the appointed closing time.

#### Procedures during Emergency Closings

If weather or traveling conditions delay or prevent an employee's reporting to work, their immediate supervisor should be notified as soon as possible. If possible, such notification should be made by a telephone conversation directly with the supervisor. If direct contact is not possible, leaving a detailed voicemail message or message with another employee is acceptable.

An employee who is unable to report to work may use any accrued time off or take the day off without pay.

#### Pay and Leave Practices

When a partial or full-day closing is authorized by the Executive Director, the following pay and paid leave practices apply:

- When non-exempt hourly employees are sent home for full or partial days because the office is closed the employee may be paid for the time in the discretion of the Agency. If the office is not closed but the employee needs to take the time off, the option of using Annual leave may be used. If Annual leave is not available, employees will be excused from work without pay and without disciplinary action.
- Exempt employees will be expected to continue work from home if their job duties allow. The Agency will pay the exempt employee's regular salary provided an employee is working in the workweek. Exempt employees will not be paid but may use Annual leave if they do not work at all in a workweek.
- Exempt and non-exempt employees already scheduled to be off during emergency closings are charged such leave as was scheduled.

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# WORKPLACE GUIDELINES

## **HOURS OF WORK**

Employees are expected to be at their work area and ready to work at their scheduled time. Employees will be given their work hours upon hire and at the time of any change in position. If the normal work hours are changed or if the Agency changes its operating hours, employees will be given notice.

The work week begins on Sunday at 12:00 a.m. and ends on Saturday at 11:59 pm. Normal business hours of the Area Agency on Aging of Pasco-Pinellas, Inc. are 8:00 a.m. to 5:00 p.m. Monday through Friday.

Full time employees normally work 37.5 hours in a work week (a 7 ½ hour day with a one-hour lunch period), unless a flexible time schedule has been approved by the Supervisor. Part-time employee's work schedule is established by their supervisor. All employees are required to be present and working at their assigned jobs on schedule. However, exempt employees are required to work all hours needed to complete their job duties. Non-exempt employees may not work more than 37.5 hours in a workweek without previous approval of their supervisor.

When necessary, Directors/Supervisors will be responsible for assigning employees to work during other employees' lunch periods to maintain sufficient staff to perform all necessary work during the day.

## **OFF-THE-CLOCK WORK**

Non-exempt employees must accurately record all time worked, regardless of when and where the work is performed. Off-the-clock work (doing work that is not reported in the timekeeping system) is prohibited. No member of management may request, require, or authorize non-exempt employees to perform work without compensation. Any possible violations should be reported promptly to a member of management.

## **LACTATION ACCOMMODATION**

The Agency will provide a reasonable amount of break time to accommodate a non-exempt employee desiring to express breast milk for the employee's infant child for one (1) year after the child's birth. The break time taken to express breast milk will be unpaid.

The Agency will provide employees with the use of a room or location other than a bathroom for the employee to express milk in private. This location may be the employee's office, if applicable. Please consult the Human Resource Manager if you have questions regarding this policy.

Employees should advise management if they need break time and an area for this purpose. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

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## **ATTENDANCE AND TARDINESS**

Employees are expected to be at work and ready to go when their scheduled shift begins or resumes. If an employee is unable to be at work on time, or at all, they must notify their supervisor no later than 30 minutes before the start of their scheduled workday. If an employee's supervisor is not available, the employee should contact another member of management. If an employee is physically unable to contact the Agency, they should ask another person to make contact on their behalf. Leaving a message with a co-worker or answering service is not considered proper notification. Excessive tardiness or absences are unacceptable job performance.

When an employee calls in absent, they should provide their expected time or date of return. The Agency reserves the right to require proof of the need for absence, if allowed by law. If an employee is absent for three consecutive days and has not provided proper notification, the Agency will assume that the employee has voluntarily quit their position and will proceed with the termination process.

If an employee becomes ill during their scheduled workday and feels they may need to leave before the end of their shift, they should notify their supervisor immediately. If an employee is unable to perform their job at an acceptable level, they may be sent home until they are well enough to work.

Absences should be arranged as far in advance as possible. When an employee needs to be absent during the workday, they should attempt to schedule their outside appointment or obligation so that their absence has the smallest impact possible on business operations.

## **TELECOMMUTING/REMOTE WORK/HYBRID SCHEDULE**

Employees are permitted to work from home (WFH) occasionally or regularly, depending on a number of factors and the arrangements they have made with their supervisor. Working from home is a privilege that may be revoked at any time. The Agency may request that an employee be present in the office at any time (regardless of scheduled WFH time) or deny a request to work from home based on business needs, employee performance, or viability of doing the work from home. To be eligible to WFH, an employee must have access to reliable internet and a space that is free from excessive noise or distraction.

### **Submitting Requests**

Employees must submit their remote work request to their supervisor and notify appropriate team members. Requests for recurring or extended WFH arrangements will be considered after 3 months of employment, or in the case of a public health emergency.

Employees wishing to request additional remote workdays in any given workweek are required to speak with their supervisor in advance for Executive Director. If approved, the employee must submit their request to their supervisor and notify appropriate team members.

### Costs

The Agency will supply the employee with appropriate office supplies. The Agency will not reimburse the employee for any office supplies they may purchase with their own funds. Any equipment supplied by the Agency is to be used for business purposes only, unless otherwise specified. Employees must take appropriate action to protect these items from damage or theft.

The Agency is not responsible for costs associated with the initial setup of the employee's home office such as remodeling, furniture, or lighting, or for repairs or modifications to the home office space.

### Security

As with employees working in the office, those who WFH will be expected to ensure the protection of proprietary Agency and client information through use of locking doors, desks, file cabinets, and media storage, regular password maintenance, and any other steps appropriate for the job and the environment. Unless you live alone, computers should be locked when you walk away, and other household members should be not allowed access to or use of Agency property.

### Expectations

When working from home employees must:

- Work their full, typical schedule
- Attend all meetings in a virtual capacity
- Achieve the same level of production as in the office
- Maintain equivalent availability for colleague and client communication, supervisor questions, etc.
- Be available online and by phone for the duration of their usual workday, minus breaks and rest periods
- Respond promptly to communication via messaging app, email, and phone
- Take all required break and rest periods, as if they were in the office
- Communicate consistently regarding their workload and status (break, lunch, working on a project, etc.)
- Follow all agency procedures and policies
- Refrain from using alcohol or illegal drugs or other intoxicating substances

### **FLEXIBLE SCHEDULE**

Employees interested in working a flexible schedule should first consult with their Supervisor. Employees must complete a Request in writing and submit it to the Supervisor/Executive Director. The Supervisor/Executive Director may authorize flexible work schedules where appropriate but may deny requests that would cause productivity or administrative problems.

### **PERSONAL APPEARANCE AND HYGIENE**

Employees are expected to present a professional image, both through behavior and appearance. Your personal appearance can influence what clients and the public think about the Agency. Personal appearance can also impact the morale of your co-workers.

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Accordingly, employees must wear work-appropriate attire during the workday or any time they are representing the Agency. You should be clean, well groomed, and wear appropriate business attire. Clothing should be clean and neat in appearance. Employees should consider their level of client and public contact and the types of meetings they are scheduled to attend in determining what attire is appropriate.

The following are generally not acceptable:

- Bare feet or flip flops
- Spandex, sweats, or work out attire
- Sagging pants, shorts, or skirts
- Sexually provocative clothing or exposed undergarments
- Clothing with offensive slogans or pictures
- Clothing showing excessive wear and tear
- Any clothing or accessories that would present a safety hazard
- Visible tattoos that are not appropriate in content
- Excessive, offensive or distracting piercings, tattoos and/or body art
- Hairstyles and make-up must be business appropriate

In the interest of employee comfort and to make the Agency a better place to work, the Agency has designated every Friday as Casual Day. On Fridays, employees can dress in comfortable, casual attire, as long as it is neat, clean, in good taste, and projects a positive image of the Agency. Employees must use good judgment in determining what casual attire is appropriate to wear to the office. Specific attire that is unacceptable for casual day includes: t-shirts with offensive slogans or pictures, torn clothing, bare feet, and excessively revealing attire such as short shorts, halter tops, or see-through clothing.

Business reasons might require employees to wear regular business attire on casual day. Employees should consider their level of client and public contact and the types of meetings they are scheduled to attend in determining the type of attire that is appropriate. Employees needing additional information about what attire is appropriate for casual Fridays should bring their questions to their supervisor. Employees who prefer to dress in formal or traditional business attire should feel free to do so.

All employees are expected to maintain appropriate oral and bodily hygiene. Hair (including facial hair) should be clean and neat. Accessories should not interfere with an employee's work. Employees may not wear fragrant products to the workplace or use other products in the workplace with scents. In order to avoid any problems with scents in the workplaces, employees must refrain from wearing perfumes, colognes, powders, scented body lotions, or using air fresheners and similar products that can be smelled by co-workers.

Supervisors are responsible for enforcing dress and grooming standards for their department. Any employee whose appearance does not meet these standards will be asked to leave work and return properly dressed and groomed. If you are asked to leave, you will not be paid for the time

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you are away from work if you are a non-exempt employee. See your supervisor if you are not sure about the correct clothing standards for your job.

Where necessary the Agency may make a reasonable accommodation for dress or grooming directly related to an employees' sincerely held religious beliefs or disability when such accommodations do not cause an undue burden or otherwise required by law. If you would like to request an accommodation or have other questions about this policy, please contact your supervisor or HR.

#### **CONFIDENTIALITY**

It is very important to the Agency that confidential information is protected at all times by all employees. The Agency must adhere to federal and state regulations and laws regarding confidentiality, including HIPAA, while at the same time follow the Florida Public Records Act. Your employment assumes an obligation to maintain confidentiality, **even after you leave the Agency.**

#### **HIPAA CONFIDENTIALITY**

The Agency is a HIPAA-covered entity and is therefore required to follow regulations concerning the protection of health-related information. All employees will be provided initial HIPAA training during their introductory period and periodic training throughout their tenure. The Agency has developed HIPAA policies and procedures separate from the Employee Handbook and which is provided to all employees during the HIPAA initial training.

If you improperly use or disclose confidential information, you will be subject to disciplinary action, up to and including termination of employment and legal action. This applies even if you do not get any benefit from releasing the information.

#### **CONFLICTS OF INTEREST**

The Area Agency on Aging of Pasco-Pinellas, Inc. has guidelines to avoid real or potential conflicts of interest. It is your duty as an employee of the Agency to follow the conflict of interest policy as well as Florida Statute §112.313. The policy was given to you when you were hired and is updated continually and given to you at least annually. You are required to make the disclosures required by AAAPP and update your disclosure form at any time any information changes. Failure to do so, may result in disciplinary action up to and including termination. Employees are required to complete a conflict of interest form periodically. However, employees are required to discuss potential conflicts that may arise following the form's completion and disclosure.

The possibility for personal gain is not limited to situations where you or your relative has a significant ownership in a firm with which the Agency does business. Personal gains can also result from situations where you or your relative receives a kickback, bribe, substantial gift, or special consideration as a result of a transaction or business dealing involving the Agency. You may not misuse your Agency for personal gain. You may not sit on the board of any funded entity or entity regulated by the Agency or any entity applying for funding by the Agency.



### **OUTSIDE ACTIVITIES**

While employed by the AAAPP, the Agency shall be considered the primary place of employment. Employees may not engage in outside or secondary employment or providing services as an independent contractor or otherwise unless the Agency agrees in advance. Prior to accepting outside employment or providing the services, employees must notify their supervisor in writing. The notice must include the name of the outside employer, the title and nature of the position, the number of working hours per week, and the time of scheduled work hours. The Agency reserves the right to approve or deny the outside activity in its sole discretion. If the outside activity has already been approved but at any time in the future it constitutes a conflict of interest, gives the appearance of a conflict of interest, interferes with the employee's job or for any other reason determined by the Agency,, the employee will be required to limit or end their outside activities as a condition of continued employment. .

### **BUSINESS GIFTS**

Employees are prohibited from directly or indirectly requesting or accepting a gift for themselves or the Agency. If an employee is offered or given anything of value from any client, prospective client, vendor, funded entity, applicant for funding, or business partner in connection with Agency business, they should decline and alert their supervisor immediately.

### **SOLICITATION AND DISTRIBUTION**

Solicitation during work time and in work areas is prohibited. Solicitation is defined as the act of asking for something, selling something, urging someone to do something, petitioning, or distributing persuasive materials. This could include, but is not limited to, asking for donations for a child's school (including through sales of a product), attempting to convert someone to or from a religion, distributing political materials, or collecting signatures. Work time includes time when either the person soliciting, or being solicited to, is scheduled to be performing their work duties. Work areas include areas where employees generally do work, such as cubicles, offices, or conference rooms, and does not include areas such as the lunch or break room.

This policy does not prevent employees from using their approved breaks and rest periods to solicit outside of working areas and is not intended to infringe an employee's Section 7 rights or to preclude or dissuade employees from engaging in legally protected activities. Those not employed by the Agency are prohibited from solicitation on Agency property at all times.

### **REPORTING IRREGULARITIES**

Employees should immediately report any actual or suspected theft, fraud, embezzlement, or misuse of Agency funds or property, as well as suspicious behavior. An employee who is aware of such activity but does not report it will be considered part of the problem and disciplined accordingly.

### **PERFORMANCE EVALUATION**

We encourage you and your supervisor to discuss job performance and goals on an informal, day-to-day basis. In addition, you and your supervisor and/or the Executive Director will have written

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annual formal performance evaluations to discuss your work and goals, to identify and correct weaknesses, and to encourage and recognize your strengths. Normally performance evaluations are prepared by the employee's immediate supervisor.

Performance evaluations may also be performed as needed where the individual's performance may call for promotion, reinstatement, demotion, or is not meeting expectations or due to other personnel matters.

If the employee receives an evaluation sheet or other written document, they will be required to sign it. An employee's signature does not necessarily indicate that the employee agrees with all the comments, but that they have been given the opportunity to examine the evaluation and discuss it with their supervisor. The completed and signed evaluation form will be placed in the employee's personnel file and the employee will receive a copy of the performance evaluation.

In addition to performance evaluations, informal counseling sessions may be conducted from time to time.

#### **DISCIPLINE**

This policy describes the plan for administering equitable and consistent discipline for unsatisfactory conduct at the Agency.

We believe it is important to make sure that all employees are treated equally and that disciplinary actions are prompt, consistent, and impartial. The major purpose of a disciplinary action is to correct the problem, prevent it from happening again, and prepare the employee for satisfactory performance in the future.

Although your employment is based on mutual consent and both you and the Agency have the right to terminate employment at will at anytime, with or without reason or advance notice, the Agency may use progressive discipline at its discretion but may terminate you at anytime within its discretion.

Disciplinary action may be any of the following four steps: 1) verbal warning, 2) written warning, 3) suspension with or without pay, or 4) termination of employment. We will look at how severe the problem is and how often it has happened when deciding which step to take. There may be circumstances when one or more steps are bypassed or where the Agency immediately terminates an employee.

In most cases, progressive discipline means that we will normally take these steps in the following order:

- 1) A first offense may call for a verbal warning;
- 2) A next offense may be followed by a written warning;
- 3) Another offense may lead to a suspension; and,
- 4) Still another offense may then lead to termination of employment.

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In very serious situations, some types of employee problems may justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps. Employment remains at-will, however, and termination may occur at any time.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and the Agency.

#### **WORK ASSIGNMENTS**

On occasion employees may be required to perform duties that are not part of their job description or usual tasks. This may happen because a co-worker is absent, a position is temporarily vacant, department is particularly busy, or for other reasons. Employees are expected to perform these additional duties in a timely fashion and to the best of their ability. Should questions about process or procedure arise, employees should speak with their supervisor. Unless informed otherwise, employees will be paid at their regular rate of pay.

#### **INSPECTIONS AND SEARCHES**

Any items brought to or taken off of Agency premises, whether property of the employee, the Agency, or a third party, are subject to inspection or search unless prohibited by state law. Desks, lockers, workstations, work areas, computers, USB drives, files, e-mails, voice mails, etc. are also subject to inspection or search, as are all other assets owned or controlled by the Agency. Any inspection or search conducted by the Agency may occur at any time, with or without notice. Failure to submit to a search will be grounds for discipline.

#### **AGENCY EQUIPMENT**

##### **COMPUTER AND E-MAIL USAGE**

To help you do your job, the Agency may give you access to computers, computer files, the email system, and software. You should not use a password, access a file, or retrieve any stored communication without authorization. To make sure that all employees follow this policy, we may monitor computer and email usage. At any time, your computer usage and email may be monitored by the Agency. You have no expectation of privacy in your Agency email account or in the Agency's computer system. Therefore, you should not be using your Agency computer or email account for anything other than Agency business. However, minimal personal use that does not interfere with your duties to the Agency is permitted but is not confidential and remains subject to monitoring. The Agency has the right to determine what constitutes minimal personal use on a case-by-case basis but you do not have any expectation of privacy in any personal emails or personal computer usage on the Agency's equipment or systems.

As discussed further below, the Agency is subject to the Florida Public Records Laws and thus, any e-mail you send while acting as an employee of the Agency or related to Agency business, regardless of whether it is sent from your Agency account or a non-Agency account, is subject to disclosure. Thus, you may not send an e-mail pertaining to the Agency from a non-Agency e-mail account nor create documents on a non-Agency computer.

We work hard to have a workplace that is free of harassment and sensitive to the diversity of our employees. Therefore, we do not allow employees to use computers and email in ways that are disruptive, offensive to others, or harmful to morale.

At the Agency you may not display, download, or email sexually explicit images, messages, and cartoons. You also may not use computers or email for ethnic slurs, racial comments, off-color jokes, or anything that another person might be perceived or disrespectful or find offensive.

The Agency buys and licenses computer software for business purposes. We do not own the copyright to this software or its documentation. Unless the software developer authorizes us, we do not have the right to use the software on more than one computer.

You may only use software on local area networks or on multiple machines according to the software license agreement. The Agency prohibits the illegal duplication of software and its documentation.

If you know about any violations to this policy, notify your supervisor, the designated HR representative, or any member of management. Employees who violate this policy are subject to disciplinary action, up to and including termination of employment.

#### **INTERNET USAGE**

The Area Agency on Aging of Pasco-Pinellas, Inc. may provide you with Internet access to help you do your job. This policy explains our guidelines for using the Internet.

All Internet data that is written, sent, or received through our computer systems is part of official Agency records. That means that we can be legally required to reveal that information. Therefore, you should always make sure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and legal.

The equipment, services, and technology that you use to access the Internet are the property of the Agency. Therefore, we reserve the right to monitor how you use the Internet, including, but not limited to, the length of time spent on the Internet and the sites visited. We also reserve the right to find and read any data that you write, send, or receive through our online connections or is stored in our computer systems. You have no expectation of privacy in your Internet use. You should not be using the internet for anything other than Agency business. However, minimal personal use that does not interfere with your duties to the Agency is permitted but is not confidential and remains subject to monitoring. The Agency has the right to determine what constitutes minimal personal use on a case-by-case basis.

As discussed further below, the Agency is subject to the Florida Public Records Laws and thus, any post on any website you make while acting as an employee of the Agency, regardless of whether it is sent from your Agency account or a non-Agency account, is subject to disclosure and must be maintained in accordance with law. Thus, you are discouraged from making any posting to any website.

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You may not write, send, read, or receive data through the Internet that contains content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person.

Examples of unacceptable content include (but are not limited to) sexual comments or images, racial slurs, gender-specific comments, or other comments or images that could reasonably offend someone on the basis of race, age, color, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The Agency does not allow the unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet. As a general rule, if you did not create the material, do not own the rights to it, or have not received authorization for its use, you may not put the material on the Internet. You are also responsible for making sure that anyone who sends you material over the Internet has the appropriate distribution rights.

If you use the Internet in a way that violates the law or the Agency policies, you will be subject to disciplinary action, up to and including termination of employment. You may also be held personally liable for violating this policy.

The following are some examples of prohibited activities that violate this Internet policy:

- Sending or posting discriminatory, harassing, or threatening messages or images
- Using the organization's time and resources for personal gain
- Stealing, using, or disclosing someone else's code or password without authorization
- Copying, pirating, or downloading software and electronic files without permission
- Sending or posting confidential material or proprietary information outside of the organization
- Violating copyright law
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions
- Sending or posting messages or material that could damage the organization's image or reputation
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that defame or slander other individuals
- Attempting to break into the computer system of another organization or person
- Refusing to cooperate with a security investigation
- Using the Internet on the Agency's equipment or while on Agency time for political causes or activities, religious activities, or any sort of gambling
- Jeopardizing the security of the organization's electronic communications systems
- Sending or posting messages that disparage another organization's products or services
- Passing off personal views as representing those of the organization

- Sending anonymous email messages or letters
- Engaging in any other illegal activities
- Bitcoin Mining

## **SOCIAL MEDIA**

At the Agency, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends, and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, apps, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Agency, as well as any other form of electronic communication.

You are responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects employees, clients, or people who work on behalf of the Agency may result in disciplinary actions, up to and including termination.

Carefully read this handbook and ensure that your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

The following is a non-exhaustive list of social media guidelines you should keep in mind:

- Always be fair and courteous to fellow employees, clients, service providers, and people who work on behalf of the Agency. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing the Human Resources office than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparage employees, or clients, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, age, disability, national origin, religion or any other status protected by law.
- Make sure you are always honest and accurate when posting information on news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet retrieves almost everything; therefore, even a deleted posting

can be searched. Never post any information or rumors that you know to be false about the Agency, fellow employees, clients, service providers, or people working on behalf of the Agency.

- Maintain the confidentiality of trade secrets and information that is confidential and/or exempt in accordance with F.S. 119.
- Do not create a link from your blog, website, or other social networking site to the Agency's website without identifying yourself as an employee of the Agency.
- Express only your personal opinions. Never represent yourself as a spokesperson for the Agency. If the Agency is a subject of the content you are creating, be clear and open about the fact that you are an employee of the Agency and make it clear that your views do not represent those of the Agency, fellow employees, clients, service providers or people working on behalf of the Agency. If you do publish a blog or post online related to the work you do or subjects associated with the Agency, make it clear that you are not speaking on behalf of the Agency. It is best to include a disclaimer such as: "The postings on this site are my own and do not necessarily reflect the views of the Agency."
- Refrain from using social media while on work time or on equipment the Agency provides, unless it is work-related as authorized by your Supervisor.
- The Agency prohibits retaliation against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.
- Employees should not speak with the media on behalf of the Agency without authorization of the Executive Director. All media inquiries should be directed to the Executive Director.

If you have any questions or need further guidance, please contact the HR Department.

#### **ACCESS TO PUBLIC INFORMATION**

The Agency adheres to the Florida Public Records Laws and permits all public records to be inspected and examined, in accordance with Florida Statutes Chapter 119, by any person requesting to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record or his/her designee unless an exemption to inspection exists in the law. Please be aware that any document you create while acting as an employee of the Agency is subject to disclosure. This includes any email, even if created from a personal account, and any posting on any website including social media websites such as Facebook. As the Agency is required to comply with the Public Records Law, all records created by employees on behalf of the Agency must be maintained in accordance with law. Thus, all Employees are required to abide by Public Records Laws at all times. Employees may not delete or destroy an Agency

record. Employees may not send any Agency related e-mail from a non-Agency account, place any comment on behalf of the Agency on any social networking or media website or create any Agency document on a non-Agency computer. Likewise, employees may not send any text messages related to Agency business. If an employee receives any emails, texts or instant messages outside of the employee's Agency e-mail account related to Agency business, the employee must send a copy to their Agency e-mail account so that it can be maintained in accordance with applicable public records laws.

#### **TELEPHONES**

All Agency equipment, including the telephone system, is the property of the Agency. Our telephone communications are an important reflection of our image to the community. Always use proper telephone etiquette. Calls made on Agency phones or phone lines may be monitored. In addition, employees' calls will be monitored for quality assurance.

It is expected that personal phone calls on both Agency telephones and personal cell phones while working for the Agency will be limited. The Agency has the right to determine what constitutes limited personal use. We encourage you to make any necessary personal phone calls during your lunch or break periods. Long-distance personal calls are not permitted using Agency telephones and you will be required to pay us for any charges associated with these calls.

#### **CELL PHONES**

The Agency may provide you with or allow you to use cell phones while on the job. It is the employee's responsibility to use cell phones in a safe manner to protect themselves and others. You should fully understand and use features such as speed-dial, memory, and hands-free equipment where appropriate. Use of personal cell phones except on breaks, should be limited. The Agency has the right to determine what constitutes excessive use of personal cell phones in the workplace. Care should be taken to avoid disruption in the workplace. Cell phones should be turned off or kept on vibrate. Incoming emergency calls should be kept as brief as possible. Unauthorized use of photo capabilities of cell phones is prohibited.

While operating a motor vehicle, employees must refrain from using cell phones, use hands free equipment with both hands on the wheel or safely pull to the side of the road before making or accepting calls. When possible incoming calls should be declined, allowing the use of voicemail or Caller ID, returning the call when the destination is reached. Never divert your attention from driving by taking notes, text messaging, etc. Keep the cell phone in an easily accessible location.

All conversations should be suspended during heavy vehicular or pedestrian traffic, severe weather or other condition that may impede safe driving. This includes conversations using hands free equipment. Emotional or stressful conversations should be avoided.

Violation of this policy may result in disciplinary action up to and including termination.

In the event the Agency issues an Agency cell phone to you, it is to be used for work-related communications only. Employees in possession of agency cell phones are expected to protect



the equipment for loss, damage, theft or use by anyone other than the employee to whom the phone was issued.

At any time upon request, the employee may be asked to produce the phone for return or inspection. Upon termination of employment the cell phone must be returned along with all other Agency property as set forth in the section pertaining to Return of Agency Property. Failure to comply with Agency procedures regarding cell phone payment or cell phone misuse may result in disciplinary action to include termination of cell phone privileges.

#### **PERSONAL CELL PHONE USE**

The use of personal cell phones, or work cell phones for personal matters, should be held to a reasonable limit during work hours and not interfere with an employee's productivity or the productivity of their coworkers. Reasonableness will be determined by management.

#### **PERSONAL PROPERTY**

The Agency is not liable for lost, misplaced, damaged or stolen personal property. Employees should take all precautions necessary to safeguard their personal possessions. Any personal possessions brought into the office or Agency property will not be covered under the Agency's insurance and because of limitations on personal homeowner's policies with business property away from the home premises, it may not be covered under your homeowner's coverage either.

The Agency prohibits any items on the premises or worksite that are sexually suggestive, offensive, or demeaning to specific individuals or groups. Firearms and weapons are prohibited on company premises or work sites except as may be authorized by law. Employees should understand that all personal property brought onto the employer's premises may be inspected at any time and for any reason as authorized by law.

#### **PERSONAL MAIL**

Employees should not have their personal mail sent to the Agency, as it may be automatically opened, and should check with their supervisor before having larger items delivered to the workplace.

#### **PARKING**

All parking is at an employee's own risk. Employees and visitors should lock their vehicles and take appropriate safeguards to protect their valuables, including removing them from the vehicle if appropriate under the circumstances. Employees are not to park in areas reserved for visitors.

#### **REDUCTION IN FORCE**

There may be occasions when it becomes necessary to reduce the workforce of the AAAPP. Reasons for workforce reduction include, but are not limited to budget, funding reductions, consolidating locations, restructuring of operations, or combining/streamlining/eliminating departments or functions or jobs.

Appropriate staffing is critical to the AAAPP's mission. The decision to make a reduction in workforce requires a thorough evaluation of the need for specific positions and the relative qualifications of the employees so that the AAAPP can provide the highest level of service possible with a smaller workforce.

Some factors that may be considered in making the decision as to which positions/employees will be selected for elimination, include seniority (length of service at the AAAPP), job performance, leadership potential, consolidation of positions, redundancy of skill sets, effective functioning of the Agency and an employee's overall value to the Agency. All positions/employees selected for elimination will be done in accordance with law. Affected employees will be given as much notice as possible.

# EMPLOYMENT SEPARATION

## RESIGNATION

The Agency requires that employees provide at least four weeks written notice of their intent to resign. This notice should be submitted to an employee's supervisor. Dependent upon the circumstances, an employee may be required to not work any or all of their notice period. Employees will only be paid through the actual termination date and not for the entire notice period if Agency did not require the employee to work out the notice period and ended the employment. An exit interview may be requested.

Employees are not eligible to take Annual leave, Sick leave or Flex time during a notice of resignation period. Unused Sick and Flex leave is not compensable upon resignation. Annual leave accrued but unused will be paid to employee upon resignation provided employee provided four weeks notice regardless of whether the Agency required the employee to work the full notice period.

## TERMINATION

All employment with the Agency is "at-will." This means that either the Agency or the employee can terminate the employment relationship at any time, with or without notice, and for any reason allowed by law or for no reason at all. An employee's at-will status can only be changed by written contract, signed by both the employee and the President or CEO.

## RETURN OF AGENCY PROPERTY

The Agency may loan you property, materials, or written information to help you do your job. You are responsible for protecting and controlling any property we loan you. You must also return it promptly if we ask. If you stop working at the Agency, you must return all Agency property immediately.

If you do not return the Agency's property immediately upon request of the Agency or upon termination, the value of the unreturned property will be deducted from your final paycheck to cover the cost, so long as it does not violate the Fair Labor Standards Act. In addition, if the amount deducted from your final paycheck is not sufficient to cover the value of the unreturned property, the Agency may file legal action against you to collect the balance of the amount owed to the Agency. Alternatively, the Agency may institute legal action against you to compel the return of the property or to recover the entire value of the property you have failed to return. In the event the Agency is forced to institute legal action against you, you will be required to pay for all attorneys' fees and legal costs of the Agency in any action brought by your failure to return the property.

# EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

## AREA AGENCY ON AGING OF PASCO-PINELLAS

I understand and acknowledge receipt of the Agency's Employee Handbook and agree to follow the guidelines within it. I also acknowledge the following:

1. Receipt of this handbook does not create a contract of employment or in any way alter my at-will employment status; the Agency or I can end the employment relationship at any time, with or without notice, and with or without cause.
2. I understand that my first 90 days of employment are introductory but are not guaranteed.
3. It is my responsibility to read and follow the policies contained in this handbook and any changes made to it.
4. I am not entitled to any particular sequence of disciplinary measures prior to termination.
5. With the exception of the at-will employment policy, this handbook may be modified at any time.
6. There may be changes to the information, policies, and benefits in the handbook without prior notice to employees.
7. Violation of any policy in this handbook, or any policy included as an addendum, may be grounds for discipline, up to and including termination.
8. This handbook does not include every process, policy, and expectation applicable to employees, or my position specifically; I may be counseled, disciplined, or terminated for poor behavior or performance even if the behavior or performance issue is not addressed in the handbook.
9. Should any provision in this handbook be in conflict with federal, state, or local law, that provision only will be considered ineffective, while the rest of the handbook remains effective.
10. If I have questions regarding any policy in this handbook, or other expectations related to my behavior or performance, it is my responsibility to speak with my supervisor or Human Resources.
11. If I fail to return any Agency property, I authorize the Agency to deduct the cost from any wages or other pay owed to me.
12. I understand that nothing in this handbook is intended to violate any of my rights under Section 7 of the National Labor Relations Act.

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Signature

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Printed Name

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Date

Approved: