

Workshop
County Employee Policy and Procedure Manual
Dixie County Courthouse
Commission Board Room
214 NE Hwy 351, Cross City, FL 32628
October 21, 2021 – 3:00 PM

While adhering to the CDC Guidelines and following State of Florida Executive Orders: 20-51 Establishing Response Protocol, 20-52 declaring a Public Health Emergency, 20-69 regarding Local Government Public Meetings and the Dixie County Emergency Declaration 2020-27. The Board will meet and limit access by staff and the public to the meeting room. The Board meetings are audio recorded. The public can hear and participate in the meeting via conference call by dialing 1(917)900-1022 and enter code 32628.

COMMISSIONERS

Jody Stephenson, District 1
Mark Hatch, District 3
Jamie Storey, District 4, Chairman
James Valentine, District 5

STAFF

Duane Cannon, County Manager
Martha McCaskill, Administrative Asst/Grant Coordinator
Michael Osteen, County Attorney
Barbie Higginbotham, Clerk of Court
Della Rhymes, Asst. Chief Deputy Clerk
Jacki Johnson, Chief Financial Officer

CALL TO ORDER

The Board meeting was called to order at 3:00 PM by Commissioner Storey.

INVOCATION AND PLEDGE TO THE AMERICAN FLAG

The Invocation was led by Commissioner Valentine and the Pledge to the American Flag was led by Commissioner Hatch.

HOLLY HOUGHTON, COUNTY EXTENSION AGENT

Ms. Holly Houghton appeared before the Board and requested the Board to review the County Employee Policy and Procedure Manual and the Workshop notes. She said that Ms. Angie Crowley went to training with the Krizner Law Firm and their suggestions are being presented today. She discussed several pages and sections in the manual.

See Handout, Section 1, General Provisions.

A. Breastfeeding Accommodations

She said there is no current policy for breast feeding accommodations for employees. She said this is required by law.

B. Religious Expression and Accommodations.

She said this is for employees to have a way to deal with being offended by another's employees' holiday or religious display. She said this is a suggestion. Commissioner Hatch said no this being added.

C. Consensual Romantic Relationship among Staff.

She said this covers management and their subordinate staff. She said they can talk about this later and get recommendations from Department Heads and revise if needed.

See Handbook, Page 6, Section 2.2, Employment Classifications.

She said the Krizner Group recommended they remove the PRN status because it is not in the system for Munis and payroll. She said this was for temporary staff added for EMS.

Commissioner Hatch asked about the Roll Off Site Attendants.

Human Resources Administrator; Ms. Angie Crowley clarified that Munis is set for roll off site attendants.

Manager Cannon said there are some stipulations for part time hourly employees to have Retirement and FICA deductions.

Chief Financial Officer; Ms. Jacki Johnson clarified if it is a permanent position with part time hours you must follow FRS rules.

Commissioner Hatch asked why must we keep them under 30 hours.

Ms. Johnson clarified that is to avoid paying Health Insurance per the Affordable Care Act.

Manager Cannon informed the Board he would like everything to be legal in case they are ever audited.

Commissioner Stephenson asked about adding the roll off site employees to the Health Insurance and make them full time employees.

Manager Cannon clarified so instead of having 26 part time we would have 12 full time employees.

Ms. Johnson said that will cost \$11,000.00 per employee.

Manager Cannon said if audited they would have to pay back retirement.

Director of Emergency Services; Darian Brown stated a retired employee must stay out of the FRS system for one year.

County Attorney Michael Osteen asked how many employees work the roll off sites.

Manager Cannon replied 26 active people working nine roll off sites.

Commissioner Hatch said they eliminated these full-time positions for a reason.

Library Director; Ms. Cindy Bellot said it was to save on the cost of Insurance. She said they have one PRN person working, which is Merlene Raszmann.

Ms. Houghton said they have classifications for full time, part time, and temporary fill in positions. She said the definitions for PRN and fill in temporary needs to be changed in the employee manual.

Attorney Osteen asked if they should have been paying retirement for these part time people. He said they have not done this historically.

Commissioner Stephenson said just because it was done that way for years doesn't make it legal.

Ms. Johnson cautioned the Board that they want to do things right and legally.

The recommendation was made to remove the PRN classification from the manual.

See Handbook, Page 7, Section 2 Part 2.5, Filling of Vacancies.

Ms. Houghton said that staff has requested the language in Resolution 2011-18 be revised. She said they would like to have jobs posted internally first and then externally if needed, both for a specified amount of time.

Commissioner Hatch said they should have been doing this already.

See Handbook, Page 8, Section 2, Part 2.5.1, Item C, Applicant Pool.

Ms. Houghton requested they be able to start an applicant pool and pull from the qualified candidate applications if less than 90 days old to help fill needed positions. She said this would help eliminate constant advertising.

Commissioner Hatch said 90 days is not enough time.

He suggested advertising every six months for help whether needed or not and accumulate some applications to build up the pool.

See Handbook, Page 8, Section 2, Part 2.5.2, Item C, Processing Applicants.

Ms. Houghton said the Krizner Group has suggested screening all applicant's social media for content that could implicate liability is important.

Commissioner Hatch asked if this is considered discrimination.

Ms. Johnson asked what if you know the person is advocating violence.

Human Resource Supervisor, Angie Crowley said this is part of the employee audit.

County Attorney Michael Osteen said this is unconstitutional and people have freedom of speech.

Ms. Houghton said due diligence would be that you should screen social media.

Attorney Osteen said a \$25.00 criminal record background check would bring to light possible issues with an applicant.

Ms. Crowley said they don't currently do a criminal background check; however, they do run their Driver's License.

Attorney Osteen said no to the search of social media being added.

See Handbook, Page 9, Section 2, Part 2.5.3, Item D, Background Checks.

Ms. Houghton said that certain job classifications may require a higher level of background check. She said volunteers for certain jobs would also fall under this criteria. She said this Level 3 background check costs \$65.00 and must be done every three years.

Attorney Osteen said these should be done across the board for every employee.

Ms. Houghton said that everyone would have the \$25.00 background check done, which only covers the state of Florida, but certain jobs would require the additional level background check to be done.

Commissioner Hatch asked if the \$25.00 background check covers EMS.

Attorney Osteen said there is the Clerk of Court/State level and the FCIC/FDLE level for the state and the NCIC/National level background checks. He said they should do a national background check for the safe choice.

Ms. Houghton said that DCFS is checking more on employees and volunteers with children.

Commissioner Hatch asked how many people were hired last year.

Manager Cannon replied about 15 people.

Director Brown said 10 to 15 per year are hired with EMS.

Ms. Crowley asked what about current employees who haven't had these background checks done.

Manager Cannon said to redo all the Park Attendants.

See Handout, Section 2, Employment and Employee Development.

Ms. Houghton said Krizner Group has suggested this statement be added regarding employment of trustworthy people and that the county may conduct background checks and act accordingly upon the results.

See Handout, Section 2, Part 2.5.3, Item E, Responsibility for Accurate and Truthful Information.

Ms. Houghton said this holds the employee accountable for accurate and truthful statements on signed documents.

See Handout, Page 12, Section 2.10.1, Employee Exit Process.

Ms. Houghton requested they look at the Promissory Note Policy and the Continuation of Benefits during Unpaid Leave of Absence. She said the Krizner Group has suggested they add the requirement to return all equipment and property or the county may withhold the value or compensation if not done.

See Handout, Section 3, Employee Policies and Personal Conduct.

Part 3.2, Item D, Tattoo policy.

Ms. Houghton said the Krizner Group suggested the county add a tattoo policy.

Commissioner Hatch said no to this being added.

Mr. Brad Hoard asked about Benefits Continuation. He said it should be stated that employees have 30 days to pay their premium or their coverage may be cancelled if not paid. He said that insurance has a 30-day grace period before cancellation. He said that his office needs to be notified.

Ms. Houghton said the Handbook does state that.

See Handbook, Page 16, Section 3.5, Workplace Health and Cleanliness

Ms. Houghton said the Krizner Group has suggested employees maintain a clean work environment and don't come to work sick and practice good hygiene.

See Handbook, Page 17, Section 3.6 Vehicle and Motorized Equipment Use and Record Policy

Ms. Houghton said that the County Manager and Department heads will decide if an employee needs to take a vehicle home if available versus turning in mileage use of their own vehicle.

See Handbook, Number 8. Benefits to employees.

Ms. Houghton said the county may also provide as part of employee benefits a cell phone and a county vehicle. She said the IRS considers it too difficult to tax phone usage. She said a vehicle is considered to be a value of \$720.00 of income added to an employees W2 and they will be taxed on this.

Commissioner Hatch asked how this affects the EMS and Road Department.

Ms. Johnson said they don't do the same kind of work per the IRS definition of an emergency vehicle. She said the employee doesn't pay for gas, insurance, or maintenance on the vehicle. She said she also needs an authorized list of these vehicles per Federal Law.

See Handbook, Page 18, Section 3.7, Social Media Policy.

Ms. Houghton said the employees should not be on social media while working.

See Handout, Section 3, Logo and Trademark and Brand.

Ms. Houghton said that the Krisner Group suggest that employees cannot use this for personal gain or benefit.

See Handout, Section 3, Use of Employee Photos, Likeness and Voice.

Ms. Houghton said the Krizner Group suggested the employee needs to know they may have their voice recorded in a meeting and they may have their photo taken for use by the county. She said the employees can opt out of this.

See Handbook, Page 23, Section 3.11, Weapons in Workplace.

Ms. Houghton said that Florida statutes say no weapons on county property. She said you must have permission, or your position must entitle you to carry. She said that staff have asked if they can carry a weapon in the county vehicle.

See Handbook, Page 25, Section 4, Employee Health and Safety.

Fitness for duty.

Ms. Houghton said staff has asked about this. She said there may be a medical condition which may cause an employee to seem unfit. For example, a diabetic may have an episode.

See Handbook, Page 26, Section 4, Part 4.2.4, Infectious Disease Outbreak Control.

Ms. Houghton said this has changed due to COVID. She said employees may need to make sure they limit their travel and quarantine if needed and use their PTO.

Commissioner Hatch said that is not right.

See Handbook, Page 27, Section 4.2.4, Part D. Alternative Work Locations.

Ms. Houghton said the Krisner Group also suggested to handle these on a case by case basis and have the Supervisor approve when needed.

See Handbook, Page 27, Section 4.3, Tobacco Free Workplace.

Ms. Houghton said the staff requested there should be an area designated for smoking area away from the main entrances. She said they would also like to enforce a no smoking policy in the county vehicles.

Commissioner Stephenson said he can understand if you are in the vehicle with someone who smokes that it may be a problem.

Director Brown said that statute says that EMS and Fire staff don't smoke.

Commissioner Hatch said he will allow the County Manager to make that decision.

Ms. Martha McCaskill said some employees may have asthma to consider.

Manager Cannon said no smoking in the buildings, and he would prefer no smoking in the vehicles and machinery, too.

Ms. Johnson said you should have designated areas.

See Handbook, Page 35, Section 5.1.5 Disciplinary Actions.

Ms. Houghton said that staff has suggested that tardiness and absentee and early departure be addressed. She said the staff wants a first occurrence in a 12-month period to have verbal counseling, a second occurrence to get a written warning, and a third occurrence to be fired.

Commissioner Hatch asked how we are going to keep up with this 12-month time period and the number of occurrences allowed before disciplinary action takes place.

Ms. Houghton said these occurrences and counseling and written warnings will be documented in writing and in the employee file.

Ms. Bellot said she can't always follow this 48-hour notice policy due to her health issue.

Manager Cannon said Ms. Bellot always gives sufficient notice and it is up to the discretion of the Department Head for what is considered sufficient notice.

See Handbook, Page 37, Section 6.1.2, Hours of Work.

Ms. Houghton discussed the eight-hour workday or normal work hours.

See Handbook, Page 38, Section 6.2, Timesheet, Payroll and Paycheck.

Ms. Houghton said timesheets go to HR and then to Finance Dept. If changes are needed for extra time they must be notified immediately.

Commissioner Hatch asked about the eight-hour workday and overtime per day versus per week.

He said if this is policy then they get overtime:

Ms. Johnson said the Department of Labor recognizes a 40-hour work week.

Ms. Houghton said they can change the language to normal hours, not 8 hours and anything over 40 hours per week is considered overtime.

See Handbook, Page 39, Section 6.3.1, Exempt and Non-Exempt Status.

Ms. Houghton said that Salaried or Exempt employees are flexible and are subject to recall to duty and do not accumulate overtime unless in a state of emergency. She said that non-exempt employees must work their scheduled hours get overtime pay.

Commissioner Hatch said that salaried and exempt employees should also receive overtime outside of a state of emergency. He said that most are set at 45 hours.

Ms. Houghton said that is not the current policy. She asked if they want to add special circumstances.

Ms. Houghton said that currently non-exempt employees cannot exceed 150 hours. She said a Resolution cannot be found to support this, but apparently there was an event that happened.

She said this was raised to a total of 240 hours for the Road Department.

Commissioner Hatch and Commissioner Valentine both agreed that 240 hours of comp time can be accumulated for shift personnel or county employees.

See Handbook, Page 40, Section 6.3.3 Auxiliary Work Hours and Pay

On Call and Call Out Pay.

Ms. Houghton said there is a difference between these. For example: On Call would be for Sid or Bradley to be called for weekend help, Call Out would be for sink hole duty and Re Call to duty would be an employee who is called in from their annual leave.

See Handbook, Page 41, Section 6.4, Wage Increase/Decrease.

Ms. Houghton said the dollar value language had been removed. She said any change in pay status needs to go through HR and then forwarded on to Finance for payroll.

See Handbook, Page 42, Section 6.5, Employee Reimbursements.

Ms. Houghton said the employee request needs to be submitted in a timely manner.

See Handbook, Page 43, Section 6.5.2, Travel Reimbursement.

Ms. Houghton asked how the Board wanted to handle this.

Mr. Scott Garner said the county has paid \$38.00 daily per diem and the State pays \$36.00. He said that destination and seasonal travel also changes the amount. He said there needs to be a set policy.

Ms. Johnson said it should be set per State guidelines.

See Handbook, Page 45, Section 7, Part 7.1, Holiday and Early Closures.

Ms. Houghton said they added the special administrative leave event for the parades or state of emergency closure.

See Handbook, Page 45, Section 7, Part 7.2.1, Accrual of Annual Leave and Usage

Ms. Houghton said that staff has requested that no more than 80 consecutive hours within 30-day period be used.

Ms. Crowley clarified no more than two weeks off at a time during 30 days.

Commissioner Hatch asked about medical leave.

Manager Cannon said in the past some employees have been allowed off for hunting season. He said this is not fair to other employees.

Commissioner Storey said he has a Grader man, that had an agreement with a prior Commissioner, and has asked him about working one day a week and be allowed off for hunting season. He said he does not want to lose this employee.

Ms. Johnson said this is not fair.

Commissioner Hatch suggested scheduling vacation time by seniority.

Ms. Houghton said they can add 120 hours for EMS.

See Handout, Section 6.3.1, Non-Exempt Status.

Ms. Houghton said that the Krizner Group has suggested that employees not work outside of their normal scope of hours unless authorized. She said there should be an email curfew for phones and laptop usage. She said employees should not be doing this on their personal time.

Commissioner Hatch said this email curfew should not be added.

Ms. Crowley said that every employee, except EMS, starts accruing time after six months. She said this should be the same for all employees.

Commissioner Hatch said this should be after their probation period is up. He asked about how long for solid waste.

Manager Cannon replied they can accrue and use immediately.

Commissioner Hatch asked about people being terminated after their probation period and does the county have to pay them.

Mr. Matt Ferguson replied their policy is that sick and comp time will be paid, but not vacation time.

See Handbook, Page 46, Section 7.2.2, Accrual of Sick Leave and Usage

Ms. Houghton said this covers the transfer of BOCC employee benefits and time between county departments and or constitutional offices.

See Handbook, Page 47, Section 7.2.5, Family and Medical Leave.

Ms. Crowley asked Mr. Brad Hoard how this should be handled correctly.

Mr. Hoard said the employee must file paperwork and the Board must approve.

Ms. Johnson asked about giving required notice before filing for FMLA.

Ms. Houghton said that the Krizner Group suggested adding a civil duty leave and domestic violence leave policy.

Commissioner Hatch said no to this being added.

Ms. Houghton spoke about weather related closing of the county offices and how employees will get paid for that time off.

Ms. Crowley said they usually do administrative leave for this event.

Mr. Scott Garner said they had previously trained on an airplane emergency because the Courthouse is in the airport fall path. He said the Clerk had to make all the phone calls for the closure. He said the language should be for an emergency closure and not be for just weather.

See Handbook, Page 50, Section 7.4, Retirement Benefits.

Ms. Houghton said the Krizner Group talked about COBRA and separation of service.

See Handbook, Page 53, Section 8.4, Employee Disciplinary Measures.

Administrative Suspension.

Ms. Houghton said this covers how to handle this and the deadlines to follow for an employee.

IT Policy.

Ms. Houghton said that a department is needed to monitor employees who have passwords and access to sensitive documents and computers. She said they don't currently do this.

See Handbook, Page 4, Section 1.10, Equal Employment Opportunity Policy.

Ms. Houghton said that Ms. Martha McCaskill is currently the EEO officer for the county by default. She said that this should be under the HR Department.

Commissioner Hatch asked about contract employees.

Ms. Johnson replied the definition of the employee and contractor relationship should be looked at to comply with FRS rules.

Ms. Johnson said thanks to all for the employee handbook work.

Ms. Houghton said they will remove what is not liked and will revise and send to the Krizner Group for review and then back to the Board.

Manager Cannon said they can possibly have something ready by the second meeting in November.

Ms. Houghton said they can possibly have this ready to adopt and print and present by Christmas.

PUBLIC COMMENTS AND CONCERNS

There were no comments or concerns expressed at this time.

ADJOURN

Commissioner Hatch made the motion to adjourn at 5:34 PM. Commissioner Valentine seconded. Board approved.



BOARD OF COUNTY COMMISSIONERS
DIXIE COUNTY, FLORIDA

ATTEST:

Jamie Storey

Jamie Storey, Chairman

Barbie Higginbotham

Barbie Higginbotham, Clerk-Auditor

PLEASE BE ADVISED that if a person decided to appeal any decision made by the Board with respect to any matter considered at such meeting or hearings, he/ she will need a record of the proceedings, and for such purpose, he/ she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

“Persons with disabilities requesting reasonable accommodations to participate in this proceeding should contact (352) 486-4931 (Voice & TDD) or via Florida Relay Service at (800) 955-8771.”

The Board meets the first Thursday of each month at 10:00 AM and the third Thursday of each month at 6:00 PM. Individuals that would like to be placed on the agenda should call Barbie Higginbotham, Clerk of Court, by 4:00 PM on the Friday Preceding the Board meeting, at (352) 498-1200.