

# Employee Handbook



***MISSION: Work in partnership with local communities to protect the vulnerable, promote strong and economically self-sufficient families, and advance personal and family recovery and resiliency.***

CF PAMPHLET  
NO. 60-1

STATE OF FLORIDA  
DEPARTMENT OF  
CHILDREN AND FAMILIES  
TALLAHASSEE, July 1, 2018

Human Resources

## **EMPLOYEE HANDBOOK**

This Handbook applies to all employees of the Department of Children and Families (Department). This includes all employees in the Career Service (regardless of probationary or other status), as well as all Selected Exempt Service and Senior Management Service employees. All employees paid from Other Personal Services (OPS) funds also are covered unless so indicated.

This Handbook explains the policies and procedures that relate to your employment with the Department, including the Employee Standards of Conduct for which employees are required to acknowledge receipt. It is your responsibility to read and comply with this Handbook and all other employment information provided to you. However, this Handbook is not a contract, nor is it intended to address all situations and circumstances that could occur or arise during your employment. Also, the Department reserves the right to make changes to this Handbook, as needed. If you have specific questions regarding any employment policy or procedure (whether covered in this Handbook or not), please contact your supervisor or the appropriate human resources staff. For civil rights related matters, contact your Region Equal Employment Opportunity Coordinator or the Department's Office of Civil Rights, 1317 Winewood Boulevard, Building 1, Suite 140, Tallahassee, Florida, 32399-0700.

### **MISSION STATEMENT**

The mission of the Department of Children and Families is to work in partnership with local communities to protect the vulnerable, promote strong and economically self-sufficient families, and advance personal and family recovery and resiliency [Ch.20.19, F.S.].

### **VISION**

We are a highly skilled workforce committed to empowering people with complex and varied needs to achieve the best outcomes for themselves and their families. In collaboration with community stakeholders, we will deliver world class and continuously improving service focused on providing the people we serve with the level and quality that we would demand and expect for our own families.

### **CORE VALUES**

#### **I CARE**

A workforce that operates with **integrity** maintains loyalty to a code of ethics that requires the **courage** to take responsibility for providing the highest quality of service to the vulnerable. We are a solutions-focused learning organization built on a foundation of transparency in action and **accountability** of results. Both within the organization and among our stakeholders, we thrive in a culture of **respect** for diversity of opinion that is nurtured through open communication. High performing and committed, we are unified in our goal of **excellence** in achieving quality outcomes for those we serve.

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This pamphlet supersedes CFP 60-1, dated May 4, 2017.

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## SUMMARY OF REVISED, ADDED, OR DELETED MATERIAL

The Plan Administrator for the State of Florida FICA Alternative Retirement Plan for OPS Employees changed from Bencor, Inc., to VALIC. The Department of Financial Services has the authority under s. 110.1315, F.S., to contract with a vendor to administer the program, and has selected VALIC to do so. To avoid having to change the plan administrator in the event of future administrator changes, the vendor's name has been removed. (Page 8-2)

Additional changes were made to the EEOC section of the *Employee Handbook*. The purpose of these proposed changes is to better define the time limits for filing discrimination complaints and those issues that are covered by the agency non-discrimination and non-retaliation policy. Also, similar proposed changes were made to the ADA and harassment sub-sections of the EEOC section. (Page 1-1)

The Fingerprinting section of the *Employee Handbook* has been updated to reflect rescreening at no more than five year intervals, which is based on a DCF policy change several years ago requiring the rescreening of all Department employees at least every five years. (Page 2-1)

The Employment Outside State Government section of the *Employee Handbook* was updated to reflect the requirement that Part II of CF 958 be completed when an employee's outside employment ceases. (Page 3-1)

A proposed new section entitled Exit Interview Questionnaire was added to reflect the creation of a formal Exit Interview process several years ago by the Department. A hyperlink to survey was added. (Page 3-5)

Based on changes in the People First System, the employment application process in the *Employee Handbook* was updated to include references to candidate profiles and resumes. (Page 4-1)

Language was added to the leave section to clarify continuous service requirements. (Page 7-3)

Language was added to the leave section to clarify creditable service requirements. (Page 7-5)

Language was added to the leave section to clarify that the state contribution to state health and life insurance continues while an employee is on approved family medical leave. (Page 7-8)

Language was added to the administrative leave section to clarify that under the FSWP an employee can be granted administrative leave for up to one hour per month to participate in his or her child's activities at local schools and child care centers. (Page 7-9)

Reference to the Florida State Employees' Charitable Campaign (FSECC) were eliminated due to its abolishment by the 2018 Florida Legislature (HB 651). (Page 3-3)

Changed the official time for the workweek to 12:00 AM each Friday to 11:59 PM the next Thursday. (Page 7-1)

Updates also were made to change the acronym of the Human Resources Service Center to HRSC.

Updates and additions were made to a number of hyperlinks so they were up-to-date and active links.



**State of Florida  
Department of Children and Families**

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**Welcome to the Florida Department of Children and Families!**

We are excited to have you as part of our team. We believe you can contribute to the success of our agency, and will share our commitment to achieving our mission: ***Work in Partnership with Local Communities to Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency.*** With the help of our community partners, our vision is that we will become the best social service system in America. We are committed to providing the highest quality service equal to what we would want for our own families. Our jobs are among the most challenging, complex, and difficult in State government. But they also are among the most rewarding.

This Employee Handbook establishes policies, procedures, benefits, and working conditions that apply to all DCF employees. The Standards of Conduct describe the expected standards of professionalism and service delivery of our employees. We will make every effort to notify employees when an official change in policy or procedure is made. Employees, however, are responsible for becoming aware of the most current agency policies, procedures, benefits, and working conditions effecting their employment with the Department.

You will be asked to affirm, in writing or e-acknowledgement, that you have been advised that it is your responsibility to review the Handbook completely and to ask your supervisor or human resources office to explain or clarify any provision that you do not understand.

We value your talents and abilities and we seek to foster an open, cooperative, and dynamic work environment in which we all succeed at providing the level of professionalism and services that is required and expected of us. Your job – and every job at DCF – is essential to fulfilling our mission and building the trust and respect of those we serve.

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1317 Winewood Boulevard, Tallahassee, Florida 32399-0700

Mission: Work in Partnership with Local Communities to Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and Advance Personal and Family Recovery and Resiliency

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## **EMPLOYEE RIGHTS AND RESPONSIBILITIES**

### **Equal Employment Opportunity (EEO) Policy.**

The Department assures each applicant and employee Equal Employment Opportunity without regard to age, race, color, sex, religion, national origin, political affiliations, marital status, or disability, unless a specific requirement constitutes a bona-fide occupational qualification. Equal Employment Opportunity is attained using both objective and subjective merit principles and applies to recruitment, examination, appointment, training, promotion, demotion, compensation, retention, discipline, separation, and other employment practices within the Department.

Any applicant or employee who believes that he or she has been discriminated against may file a complaint with the Florida Commission on Human Relations within 365 calendar days of the alleged discriminatory act, or the Equal Employment Opportunity Commission (EEOC) within 300 calendar days of the alleged discriminatory act, or the Department's Office of Civil Rights within 365 calendar days of the alleged discriminatory act. Note the different timeframes for the different venues. All complaints shall be treated in accordance with the procedures set forth by law or in Chapter 60Y-5, Florida Administrative Code (F.A.C.)

### **Non-Discrimination Policy.**

No person shall, on the basis of race, color, religion, national origin, sex, age, handicap disability, political belief or affiliation, pregnancy, or marital status be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any program or activity receiving or benefiting from federal financial assistance and administered by the Department.

### **Non-Retaliation Policy.**

No person shall be retaliated against, harassed, intimidated, threatened, coerced, or discriminated against for making a charge, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing; or for opposing alleged unlawful discriminatory practices prohibited by the following federal laws:

- Title VI and VII of the Civil Rights Act of 1964, as amended;
- Title IX of the Education Amendments of 1972, as amended;
- Section 504 of the Rehabilitation Act of 1973, as amended;
- Omnibus Budget Reconciliation Act of 1981;
- Age Discrimination Act of 1975, as amended;
- Age Discrimination in Employment Act of 1967, as amended;
- Americans with Disabilities Act of 1990, as amended;
- Americans with Disabilities Act, Amendments Act of 2008; and
- The Florida Civil Rights Act of 1992.

Internally filed complaints alleging violation of this policy should be made to:

Office of Civil Rights  
1317 Winewood Boulevard  
Building 1, Office Suite 140  
Tallahassee, Florida 32399-0700  
Telephone: (850) 487-1901

### **Americans with Disabilities Act (ADA).**

The Department affords people with disabilities the same access to programs, services, and employment provided to persons who are not disabled. The Department and any contracted agency or



individual that is a recipient of the Department's funding must ensure all meetings, conferences, hearings, training, interviews, eligibility determinations, programs, services, and activities are held in facilities that are accessible to persons with a disability. Any employee requiring reasonable accommodation in order to participate in work-related activities such as training or meetings, and/or to enable them to perform their assigned work duties, should make a request for accommodations through their supervisor or local employee relations representative.

All managers and supervisors receive training on compliance activities relating to the ADA. The ADA Coordinator provides guidance in the administration of the provisions of the act and coordinates with the Office of Training and Talent Management to provide necessary training to Department employees, managers, and supervisors in the requirements of the ADA.

An internal complaint process provides for resolution of complaints alleging any action prohibited by the ADA. Employees wishing to file an internal discrimination complaint should contact their Region EEO Coordinator or the Department's Office of Civil Rights.

### **Health Insurance Portability and Accountability Act (HIPAA).**

HIPAA requires the Department to assure the privacy and confidentiality of Protected Health Information (PHI) of clients and patients. Department employees and volunteers shall not permit the unauthorized use or disclosure of PHI. Each Career Service, Selected Exempt and Senior Management Service, and Other Personal Services (OPS) employee and volunteer shall be furnished a paper or access to an electronic copy of CFOP 60-17, Chapter 1, Privacy and Management of Protected Health Information Policy, and is expected to read and comply with the Department policy. Each employee and volunteer shall sign or E-Acknowledge the Notice of Privacy Policy at the back of this Handbook, a copy of which shall be maintained in the employee's or volunteer's file or in the Human Resource Training System (HRTS) database. E-Acknowledgement is now utilized for the on-boarding of new employees.

In addition, each employee and volunteer shall be trained annually to ensure knowledge of and compliance with HIPAA privacy requirements. New employees and volunteers shall receive training within 10 days of working or volunteering with the Department.

### **Harassment Policy.**

It is the policy of the Department that harassment based on race, color, religion, national origin, sex, age, handicap disability, political belief or affiliation, pregnancy, or marital status will not be tolerated. Harassment is illegal and appropriate disciplinary action will be taken. Each employee is entitled to work in an environment that is free from any form of harassment.

Complaints by employees may be filed within 365 days of the alleged incident with the Department's Office of Civil Rights, the Florida Commission on Human Relations, or the EEOC.

See CFOP 60-15 and 16 for the Department complaint process. See CFOP 60-10, Chapter 5, for the Department harassment policy.

### **Whistle-Blower's Act.**

Sections 112.3187 through 112.31895, Florida Statutes (F.S.), prevents agencies or independent contractors from retaliating against an employee who files a complaint or reports to the Department's Inspector General or the State's Chief Inspector General violations of law by a public employer or independent contractor that create a substantial and specific danger to the public's health, safety, or welfare. The provisions of Section 112.3187 through 112.31895, F.S., do not apply to employees of

subcontractors. For more information concerning this act please contact the Department's Office of Inspector General: <http://eww.dcf.state.fl.us/osig/>.

### **Code of Ethics.**

See CFOP 60-05, Chapter 5, for additional information: <http://eww.dcf.state.fl.us/asg/pdf/060-5ch5.pdf>

The Code of Ethics for public officers and employees serves to promote and protect the integrity of government by prescribing restrictions against conflicts of interest as well as establishing a means for disclosure of specified financial interests by public officials. Each employee must be knowledgeable about personal responsibility in these areas. Employees are prohibited from soliciting or accepting anything of value that would influence the discharge of their responsibilities by Chapter 112, Part III, F.S. In this regard, each employee should become familiar with the contents of the Department's Operating Procedures, to include, Political Activities, Code of Ethics for Public Officers and Employees, Additional Employment Outside State Government, and Employee Relationships with Regulated Entities. These procedures are available through the Department's home page on the Internet.

### **Political Activities.**

See CFOP 60-05, Chapter 1, for additional information: <http://eww.dcf.state.fl.us/asg/pdf/060-5ch1.pdf>

The Federal Hatch Act and Florida law restricts certain political activities by employees.

- No State employee may hold or be a candidate for public or political office while employed by the State without authorization and written approval.
- No employee can take an active part in a political campaign during any period of time during which the employee receives compensation for services.
- No employee can use the authority of his or her position to secure support for, or oppose any candidate, party or issue in a partisan election or affect the result of that election. No employee can use any promise of reward or threat of loss to encourage or coerce any employee to support or contribute to any political issue, candidate, or party.

### **Domestic Violence and Workplace Violence.**

See CFOP 60-11, Chapter 2, for additional information: <http://eww.dcf.state.fl.us/asg/pdf/060-11c2.pdf>

The Department is committed to a safe and secure work environment and any actions that could lead to violence in the workplace will not be tolerated.

#### Domestic Violence.

Domestic violence is a workplace issue that affects the safety, health, and productivity of all employees. The Department provides guidance for employees and managers to address the occurrence of domestic violence and its affects in the workplace, and helps victims of domestic violence to understand and access services, information, and protections available to them. The statewide domestic violence hotline number is 1-800-500-1119.

If an employee is arrested, or if an injunction or other court action is taken against an employee, which relates to an employee as an abuser/batterer/perpetrator of a domestic violence incident the employee must notify his or her supervisor immediately if during normal working hours or immediately on the next business day if after normal working hours. Failure to do so may subject the employee to disciplinary action up to and including dismissal.

An employee may request a leave of absence from work if the employee or a family or household member is the victim of domestic violence or sexual violence. Such leave of absence shall be limited to no more than 3 working days in any 12-month period (see Policy on Domestic Violence – Sexual Violence Leave of Absence). Also, employees who are or have been a victim of such violence or repeat violence have access to assistance through the Employee Assistance Program (EAP):

<http://eww.dcf.state.fl.us/asg/pdf/060-11c1.pdf>

#### Workplace Violence.

The Department is committed to a safe and secure work environment free from threats, intimidation, abusive behavior, and violence. Acts of violence, direct or indirect threats, aggressive behavior, or harassment that could lead to violence in the workplace will not be tolerated. These types of actions create fear and disruption and negatively impact employee security, morale, and productivity.

Any violation by any employee while in the workplace shall be subject to investigation, and if substantiated, shall be subject to disciplinary action up to and including termination. Each individual is responsible for using safe work practices, following all directives, policies, and procedures, and assisting in maintaining a safe and secure work environment. Employees are expected to conduct themselves in a professional manner and not engage in conduct or behaviors that may create or result in an unsafe work environment.

Employees shall immediately report all incidents to their immediate supervisors. If this is not possible for any reason, the employee should contact a higher level supervisor or manager. **Situations of imminent danger must be reported first and directly to law enforcement by calling 911.**

## **EMPLOYMENT WITH THE DEPARTMENT OF CHILDREN AND FAMILIES**

### **Accepting Employment with the Department.**

By accepting employment with the Department, individuals are indicating they will take appropriate actions to manage their personal affairs to ensure that they report to their assigned work stations drug free, on-time, properly dressed, ready for work, and fully prepared to perform their assigned duties at the beginning of each work shift.

### **Career Service Employment.**

Upon original, promotion, demotion, or reassignment appointment, or any time an employee moves between agencies, an employee shall be given probationary status unless a demotion is to a position in which the employee has previously held permanent status in the agency. A Career Service employee appointed with probationary status shall attain permanent status upon successful completion of a one-year probationary period.

Upon lateral action appointment, an employee will maintain his or her current status. If the employee is probationary at the time of the lateral action appointment, time spent in the previous position counts towards completion of the required probationary period for the new position.

Employees who are dismissed during the probationary period do not have the right to appeal to the Public Employees Relations Commission or grieve under the provisions of a collective bargaining agreement. If an employee was promoted from a Career Service position in which the employee held permanent status the supervisor should confer with the local employee relations representative prior to any proposed action (refer to DMS Policy Clarification 2009-#001 for Q&A on this issue).

### **Selected Exempt and Senior Management Services Employment.**

The Selected Exempt Service and the Senior Management Service are separate systems of personnel administration and are exempt from the Career Service System. Employees in these services serve at the pleasure of the Secretary and are subject to personnel actions at the discretion of the agency head. These personnel actions are exempt from the provisions of Chapter 120, F.S.

### **Other Personal Services (OPS) Employment.**

See CFOP 60-06 for additional information: <http://eww.dcf.state.fl.us/asg/pdf/060-6.pdf>

OPS employment is a temporary employment used for the completion of short-term or intermittent tasks. Individuals employed by the Department in OPS jobs do not fill established positions, serve a probationary period, receive paid leave or holidays, participate in the Florida Retirement System, or have retention rights. Employment may be terminated at any time and employees do not have the right to appeal to the Public Employees Relations Commission.

### **Loyalty Oath.**

Section 876.05, F.S., requires that all State employees sign an oath of loyalty as a condition of employment. This form must be signed and notarized as part of the hiring process and submitted to the Human Resources Service Center (HRSC) to be placed in the employee's personnel file.

### **Fingerprinting.**

All Department employees are required by Florida Statutes to have a pre-employment security background investigation, including fingerprinting, and rescreening at no more than five year intervals

as a condition of employment. Background investigations are processed through the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI) for State and national criminal history records checks. No applicant may begin employment until the background screening results are received, reviewed for any disqualifying offenses, and approved by the Department.

Applicants are advised of this requirement prior to appointment. Any employee who refuses to be fingerprinted will be dismissed from employment with the Department. Fingerprints may be retained electronically by the FDLE or the FBI for the purpose of notification by these agencies to the Department of any employee arrests, within the State or nationally.

### **People First.**

People First is the State of Florida's self-service, secure, web-based personnel system that automates the State's human resource functions, such as payroll, benefits, hiring, and personnel management. In People First, you complete your timesheet, choose your health and insurance benefits, and maintain your personal information. It is extremely important that you meet all deadlines so that your paychecks and benefits are correct and on time. Upon employment each employee will be issued a People First identification (ID) number. A Checklist and Orientation to People First can be accessed at: [http://www.dms.myflorida.com/human\\_resource\\_support/people\\_first/for\\_state\\_employees](http://www.dms.myflorida.com/human_resource_support/people_first/for_state_employees).

The People First Service Center is available to answer your questions and assist you with the People First system Monday through Friday, from 8:00 AM to 6:00 PM EST. Have your People First employee ID number ready. Phone 1-866-663-4735 or TTY 1-866-221-0268.

### **Training.**

The Training and Talent Development Center of Excellence of the Office of Human Resources provides training in the following categories:

- Professional Development and Training
- Supervisor Training
- Leadership Training
- Compliance Training
- New Employee Training
- Existing Employee Training

*Access to the training courses are provided through the Web System Portal on the Department's Intranet website, which is ID and password protected. New employees are given an LDAP (Lightweight Directory Access Protocol) ID on their first day of employment to access the on-line courses and registration for classroom courses on the Human Resources Tracking System (HRTS) inside the Web System Portal.*

Link for all on-line trainings (HIPAA, EEO, etc.): <http://eww.dcf.state.fl.us/myhr411/training/>

### **Compliance Training.**

As a State of Florida and DCF employee you are required by law, statute, Executive Order, and/or by Department policy to complete a variety of training topics. These mandatory courses are designed to inform you of your rights and responsibilities while working at the Department.

### **New Employee Training.**

All new employees of the Department are required to complete a series of new employee training programs. This training can be accessed in the DCF Human Resources Tracking System at: <http://apps1.dcf.state.fl.us/WebSecurity/login.aspx>.

Training requirements and deadlines are posted at: <http://eww.dcf.state.fl.us/myhr411/training/>

### **Supervisor Training.**

All supervisors are required to complete the Supervisor training requirements which are a combination of on-line and classroom training.

Further information can be found at the following website: <http://eww.dcf.state.fl.us/myhr411/training/>

### **Professional Development and Leadership Training.**

All employees are encouraged to take advantage of available Department opportunities for professional development. The Department provides a list of professional development opportunities statewide, which can be accessed from this website: <http://eww.dcf.state.fl.us/myhr411/training/>.

## ***DEPARTMENT EMPLOYMENT POLICIES***

All employees are responsible for reviewing all Children and Families Operating Procedures (CFOP's) and ensuring compliance with any applicable to them. Department CFOP's are available at the following Intranet Publications website: <http://eww.dcf.state.fl.us/asg/Publications.shtml>

Any questions regarding these Department operating procedures should be directed to the area responsible for the operating procedure.

### **Arrest.**

Any employee who is arrested or receives notice of possible criminal prosecution, including any violation or infraction mandating a court appearance, must report this to his or her immediate supervisor. Reporting must be completed immediately if during normal working hours, or immediately on the next business day if outside of normal working hours. Failure to timely report an arrest in accordance with Department policy could result in disciplinary action up to and including dismissal.

### **Employment Inside State Government – Dual Employment.**

See Department of Management Services' Guidelines for additional information and requirements: [https://www.dms.myflorida.com/workforce\\_operations/human\\_resource\\_management/for\\_state\\_personnel\\_system\\_hr\\_practitioners/appointments\\_and\\_status](https://www.dms.myflorida.com/workforce_operations/human_resource_management/for_state_personnel_system_hr_practitioners/appointments_and_status)

Department employees who want to have a second job with another State government employer must request approval of dual employment from the Department. Because many dual employment situations place the Department into an overtime situation, dual employment must clearly be in the best interest of the Department or it will not be approved. In addition, the employee must ensure that any dual employment does not interfere with his or her ability and availability to perform assigned job duties for the Department, including overtime requirements. Prior to accepting dual employment, an employee is required to secure approval from the Department.

### **Employment Outside State Government.**

See CFOP 60-30, Chapter 3, for additional information: <http://eww.dcf.state.fl.us/asg/pdf/060-30ch3.pdf>

Department employees who want to have an additional job outside of State government, including self-employment, must ensure that the second job does not interfere with his or her ability or availability to perform assigned work for the Department, including overtime requirements. In addition, the additional employment shall not constitute a conflict of interest as outlined in Chapter 112, Part III, F.S., or require the use of State space, personnel, time, equipment, or supplies.

Any employee who is considering additional employment outside of State government, including self-employment, shall review the Department's Operating Procedure, CFOP 60-30, Chapter 3, comply with all requirements, and discuss the outside employment with their immediate supervisor. Prior to accepting additional employment, an employee is required to complete Department Form 958 (Notification of Additional Employment Outside of State Government) and obtain the approval of the delegated authority. When outside employment ceases, the employee shall complete Part II of CF 958.

### **Employment of Relatives.**

See CFOP 60-25, Chapter 1, for more detailed information: <http://eww.dcf.state.fl.us/asg/pdf/060-25ch1.pdf>

A public official may not appoint, employ, promote, or advance, or advocate for appointment, employment, promotion, or advancement, in or to a position or unit in the Department in which the

public official is serving or over which he or she exercises jurisdiction or control of any individual who is a relative of the public official.

“Relative” for the purposes of employment with respect to a public official, refers to an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, legal spouse, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister. Note that pursuant to the Florida Office of Attorney General Opinion (AGO) 70-71 dated June 16, 1970, any “in-laws” other than those specifically named in the statute (see Section 112.3135(1)(d), F.S.) are not prohibited from employment.

“Public Official” for the purposes of employment, refers to an officer, or an employee of the Department in whom is vested the authority by law, rule, or regulation, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment in the Department.

Not more than one relative may be employed or appointed to the same organizational unit, unless it is clearly in the best interest of the Department and prior approval is received from the appropriate delegated authority. An organizational unit is defined as the lowest functional operational component which is separately defined by unit title and recognized as such, or is designated as such by the appropriate authority. For example, a hospital ward and a public assistance unit are both identifiable and separate functional units under first line supervision.

No relative may be employed or appointed to a position that is under line authority of another person who is a relative.

Employees who marry while employed by the Department must comply with this policy.

### **Assignment of State Property.**

See CFOP 80-2 for additional information: <http://eww.dcf.state.fl.us/asg/pdf/080-2.pdf>

Upon employment, an employee may be issued an identification card (with or without a photograph), credit card, keys, pager, cellular telephone, and other Department property. These items are for official Department business only and are the property of the Department. An employee may not transfer use of Department property. When the employee leaves the position, he or she must return all Department property to the immediate supervisor. Supervisors must ensure these items are returned by the employee’s last day of work (see CFOP 60-70, Chapter 1, for additional information). Failure to safeguard State property may result in the employee having to reimburse the Department for lost or damaged Department property and/or disciplinary action.

### **Dress Code.**

Employees are expected to be neat and clean in appearance and to dress in appropriate business attire for office, client, and public contact, consistent with the type of work to be performed. Latitude is allowed for employees to keep current with styles and trends regarding hairstyles, facial hair or jewelry, but dress and personal appearance must be maintained at a professional level to meet the public. It is recognized that some facilities may require or prohibit certain types of clothing to be worn for health, safety, or security reasons.

The Dress Code Guidelines establish a uniform Department policy for dress and personal appearance for all Career Service, Selected Exempt Service, and Senior Management Service employees. Other Personal Services (OPS) employees and Interns/Volunteers must adhere to the same dress code.



Employees should refer to the Dress Code Guidelines for guidance and expectations at:

<http://ewww.dcf.state.fl.us/myhr411/>

Look under the Quick Links Section for Employees.

### **Smoking.**

See s. 386, F.S., for additional information: [Florida Clean Indoor Air Act](#)

Individuals working in or visiting Department buildings or other space occupied by the Department are entitled to an environment that is free of tobacco smoke. Smoking is prohibited in all indoor environments in any building or any vehicle owned, leased, or occupied by the Department. Certain outdoor areas may be designated as "Smoking Areas" and are identified by the presence of tobacco waste receptacles. The Department has designated certain work areas as "Smoke-Free." Such areas provide tobacco free environments for employees, residents, and visitors. Smoking is prohibited in all designated "Smoke-Free" areas. The use of electronic (vapor) cigarettes or pipes as well as smokeless tobacco products also is prohibited in smoke-free designated areas. Questions regarding the smoking policy should be addressed to the local employee relations representative. *See "work breaks" for time when smoke breaks are appropriate.*

### **Solicitation.**

Employees are prohibited from soliciting funds or services, selling tickets, distributing petitions or literature for any purpose other than official business on Department property or at any other place while on duty. Employees are permitted to solicit and distribute literature or materials during their free time (non-working hours) provided such solicitation is not in work areas and does not involve other employees who are working. Non-work time includes lunch periods and rest breaks.

### **Gambling.**

Gambling of any kind is forbidden on Department premises or at any other job-related work site during working hours. Employees are prohibited from betting on sports pools, playing cards, dice, or any other activity for money or any other thing of value.

### **Weapons.**

Unauthorized possession of a weapon or firearm during and in the course of an employee's official duties is prohibited. This prohibition applies to an employee's personal vehicle when such vehicle is used in the course of employment. Nothing precludes possessing a legally owned firearm when such a firearm is lawfully possessed and locked inside or locked to a private motor vehicle in a parking lot in accordance with Section 790.251, F.S. Questions regarding this policy should be directed to your supervisor or local employee relations representative.

### **Alcohol and Non-Prescription Drugs.**

Reporting to work under the influence of alcoholic beverages, narcotics, or hallucinogenic drugs is prohibited. The unauthorized introduction, possession, or use of alcoholic beverages, narcotics or hallucinogenic drugs on Department premises or other job-related work sites is prohibited. Lawful possession of legal substances in staff housing is permitted.

**Confidential Information and Records.**

Employees are prohibited from revealing confidential information in Department records to unauthorized persons. Employees must not access confidential information or share confidential information except for legitimate and authorized business purposes.

**Internet Use.**

See CFOP 50-22 for additional information: <http://eww.dcf.state.fl.us/asg/pdf/050-22.pdf>

CFOP 50-22 establishes the Department policy for use of internet and e-mail to avoid excessive use for personal purposes. The Department sets the following direction for internet and e-mail use:

- Employees should be able to make reasonable personal use of internet and e-mail at lunch and break time.
- Employees are not to use internet or e-mail resources for any illegal or inappropriate purpose (for example, viewing or downloading pornography).
- Employees are not to use internet or e-mail resources for any purpose that conflicts with State policy (for example, operating a personal business or pursuing personal financial gain using State resources).
- Employees are not to download materials or e-mails that may carry viruses.
- Employees are not to access any sites or services that may use excessive amounts of bandwidth (for example, on-line radio or television for other than work purposes).
- Employees are expected to use their common sense and ask questions if they are not sure about what they may access.
- Employees accept and agree to these conditions which appear on the splash screen when they accept the screen prior to logging onto the Department network.

**Telephone Use.**

See CFOP 70-6 for additional information: <http://eww.dcf.state.fl.us/asg/pdf/070-6.pdf>

Because a large percentage of the Department's business is conducted telephonically, it is essential for employees to project a professional telephone manner at all times.

Although the Department realizes that there are times when an employee may need to use the telephone for personal reasons, it is expected that good judgment will be used in limiting the length and frequency of such calls. Additionally, no long distance personal calls may be made on Department phones.

Department-Provided Cellular Phones. Where job or business needs require immediate access to an employee, the Department may issue a business cellular phone to an employee for work-related communications. Personal use of Department-owned or leased cellular phones on package minute plans is discouraged. When personal calls are made or received, reimbursement costs must be made in accordance with CFOP 70-6.

Personal Cellular Phones. While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for use of Department phones. Excessive personal calls during working hours can interfere with employee productivity and can be distracting to others. Based on operational requirements, cellular phones may be prohibited in some Department work areas.

Safe Use of Cellular Phones. The Department promotes safe use of cellular phones and other electronic communication devices by encouraging drivers to follow common sense tips to ensure

wireless phones and other electronic communication devices are not a distraction to the driver. It is important to pay attention to the road and make driving safety your first priority; do not use a cellular phone or other electronic communication devices when driving. Effective October 1, 2013, texting while driving is illegal in Florida.

### **Workplace Safety.**

It is the policy of the State of Florida to make every reasonable effort to provide employees a safe and healthy work environment.

For safety and security purposes, the Department may utilize workplace video and audio surveillance in certain locations. Such locations will be clearly identified so employees and visitors are aware of the video and audio surveillance. Bathrooms and employee break rooms will not be included in any video and audio surveillance. Any questions regarding this policy may be directed to your manager, General Services, or Employee Relations in Human Resources.

Employees are expected to abide by established policies and to practice safe behaviors. This includes:

- Notifying your supervisor when you see unsafe conditions or activities.
- Reporting all witnessed work-related accidents.
- When operating a motor vehicle on Department-related business, drive responsibly and protect yourself, passengers, clients, pedestrians from harm that could be attributed to your driving and, to the extent possible, protect the occupants of other vehicles from harm that could be attributed to your driving. This applies to all motor vehicles being used by you, to include Department-owned, leased, rented, or employee owned.
- Participate in safety training required for your job.
- Knowing the emergency fire exit routes and locations of fire extinguishers, and evacuating the building when the fire alarm sounds.
- Smoking only in designated areas.

Please refer to CFOP 215-6, Incident Reporting and Analysis System (IRAS), for additional information on reporting critical incidents, including significant injury to staff.

### **Travel Expenses and Reimbursement.**

See CFOP 40-1 for additional information: <http://eww.dcf.state.fl.us/asg/pdf/040-1.pdf>

Policies and procedures for authorizing and obtaining reimbursement for official travel by employees are established by State law and rule. All travel must be necessary for performing Department business, directly related to job performance or enhancement of job performance, and as economic as possible.

### **Resignations.** [Exit Interview Survey](#)

Employees are expected to notify their immediate supervisor, in writing, at least two weeks before terminating employment with the Department. The employee should also talk with the supervisor and Human Resources Services Center (HRSC) about retirement status, insurance programs, unused leave credits, and other benefits.

When employees separate from the Department, they are encouraged to complete the on-line exit interview survey regarding their employment experiences with the Department. The survey can be completed anonymously if desired. Information provided assists Department management with analyzing the factors contributing to turnover and provides for opportunities for improvement.

## **GENERAL EMPLOYMENT INFORMATION**

### **Job Classification.**

Employees are assigned to job classifications in the Career Service, Selected Exempt Service, or Senior Management Service in accordance with Chapter 60L-31, F.A.C.

Each position within the Department has a written position description that outlines the position's essential duties and responsibilities and is the basis for performance expectations. Position descriptions are reviewed periodically by the supervisor and updated as necessary to ensure the essential duties and responsibilities are accurately described. Supervisors may also revise position descriptions as work needs change. Employees may be asked to assist in this task. Prior to becoming effective, a position description is reviewed and approved by human resources classification staff or the Department of Management Services.

### **Registration, Licensure, and Certification.**

Certain job classifications or work assignments require the maintenance of an active license, registration, or certification. Each employee is responsible for maintaining the required license (including driver's license), registration, or certification and for notifying the supervisor of any change of status. Failure to maintain the required license, registration, or certification, or to notify the supervisor of a change of status, may either result in removal from the job classification or position or in dismissal.

### **Employment Opportunities.**

The Department recognizes the importance of promoting employees within the Department. Employees who are interested in information about State employment opportunities should review the job opportunity announcements advertised through People First: <https://jobs.myflorida.com/index.html>

A candidate profile, resume, or State of Florida employment application must be submitted for each position.

If the job classification and position is covered by a collective bargaining agreement, the employee *may* be eligible to file a request for reassignment or promotion through People First. To meet the Department's needs, staff may be reassigned or moved to a different position or work location.

### **Layoff and Employee Transition.**

The Department assures its employees that workforce reductions are accomplished without prejudice and that reasonable efforts are made to provide a smooth transition for the affected Career Service employees. Section 60L-33.004, F.A.C., sets forth rules for this process and provides for placement assistance to affected employees through the Florida Department of Economic Opportunity (DEO).

## **HUMAN RESOURCES**

### **Human Resources Shared Services.**

The Department has adopted a Human Resources Shared Services (HRSS) delivery model which includes HR leadership assigned to Headquarters, a Human Resources Service Center (HRSC) located in the Winewood Boulevard complex in Tallahassee, Centers of Excellence (COE) staffed with HR subject matter experts in each HR functional area, and HR Business Partners working in the regions to assist managers with strategic issues. The Employee and Labor Relations and Civil Rights COE's also have staff located in the regions to assist all employees. Together, these HR staff are dedicated to delivering the highest quality HR services to the Department. The HRSS delivery model was designed with the goals of (1) increasing the cost effectiveness of the delivery of human resources services, (2) standardizing the delivery of human resources practices and services to ensure consistency, and (3) having a positive impact on business operations by empowering front line staff, including supervisors and managers, so they can focus on the core business of the Department.

The HR home page website is: <http://eww/myhr411/index.shtml>.

The HRSC contact phone number is: 1-855-MYHR411 (694-7411).

### **Employee Personnel File.**

Each employee's official personnel file and employment information is located in the HRSC Records Management Unit.

The personnel records of employees are public records and are open to inspection and copying by anyone who desires access to these files, as provided in Chapter 119, F.S. (Public Records Law). For detailed information about who qualifies for an exemption to public record disclosures, please see Section 119.07, F.S., and other relevant statutes, or form CF 770. Exceptions to this law are the home addresses, telephone numbers, dates of birth, and photographs of **current or former** employees in certain positions that are sworn, certified or otherwise designated by the law. Other exemptions include both the home and employment telephone number and address and dates of birth of employees who are the **spouse or child** of a current or former employee in a position that is sworn, certified or otherwise designated by the law, as well as the name and location of the day care facility used by the children of such employees. Additional exceptions are provided for other specifically identified persons, including some crime victims, in Chapter 119.07 F.S. If you believe you qualify for an exemption from the Public Records Law, please complete CF 770 and submit to the HRSC to have your records properly flagged.

The social security numbers of all current and former employees are exempt from public records, as provided by the Public Records Law of Florida and the Freedom of Information Act, Title 5 United States Code, section 552a.

It is the responsibility of each employee to complete CF 770 and submit to the HRSC to advise of any changes to personal information, such as name, marital status, or exemptions.

Medical records are exempt from public records, as provided by the Public Records Law of Florida and the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).

## **COMPENSATION INFORMATION**

### **Compensation for Hours Worked and Overtime.**

Included employees (whether Career Service or Selected Exempt Service) are paid at their straight time regular rate of pay for their first 40 hours of work in the workweek (Friday through Thursday), including holidays and paid leave. Overtime worked by included employees will be compensated at one and one-half times the employee's hourly regular rate of pay for all hours of actual work over 40 hours in the 7-day workweek, unless, Fair Labor Standards Act (FLSA) Special Compensatory Leave credits are elected by the employee in accordance with CFOP 60-04, Chapter 10. Supervisors should adjust hours of work within the workweek to reduce or eliminate overtime payment. Any overtime must be approved in advance by the supervisor. The Department has an extended work period of 28 days and 168 hours for certain institutional security specialist staff who do not earn overtime compensation until working over 168 hours in the extended work period. Additionally, the Department has a similar extended work period of 28 days and 192 hours for firefighters.

Excluded employees (whether Career Service, Selected Exempt Service, or Senior Management Service) are paid at their straight time regular rate of pay for all contracted hours in their biweekly work period, including holidays and leave with pay. Excluded Career Service employees will be granted Regular Compensatory Leave credits on an hour-for-hour basis for all approved and required hours of actual work over 80 hours in the 14-day biweekly work period up to a maximum of 240 hours.

Also, any extra hours worked in a workweek (for included employees) or biweekly work period (for excluded employees), will offset any leave taken (including administrative leave) during that workweek, or biweekly work period.

### **Payday.**

Department employees are normally paid every other Friday (biweekly). Overtime or extraordinary payments are distributed on the supplemental payday based on the supplemental payroll schedule.

Florida law (Section 110.113, F.S.) requires that all State employees have their paychecks directly deposited to their financial institution by means of Electronic Funds Transfer as a condition of employment. Exemptions are granted by the Department of Financial Services, and may be requested when the employee can demonstrate a hardship. Employees must complete enrollment in Direct Deposit through People First within 30 days of employment.

### **Salary Deductions.**

Federal withholding tax, Medicare, and Social Security contributions are withheld from the salaries of all employees, except for OPS employees who are required to participate in the FICA Alternative Plan, in lieu of Social Security contributions. Voluntary miscellaneous deductions for Career Service, Selected Exempt Service, Senior Management Service, and OPS employees include such things as insurance plans, college pre-payment plans, credit unions, deferred compensation, dues to certified employee organizations, charitable campaigns, medical (excluding OPS) and dependent care reimbursement accounts, and U.S. Savings Bonds. Note that OPS employees expected to work 30 hours a week or more, or who work an average of 30 hours a week or more during a defined 12-month new hire measurement period, are eligible for health insurance benefits effective January 1, 2014. Other deduction plans may be approved within specific geographic areas. Child support payments and other court ordered deductions are implemented as ordered.

Some employees with dependents and limited incomes may be eligible for an Earned Income Tax Credit, resulting in a reduction of federal withholding tax. Employees with questions should contact the HRSC.

The Department of Financial Services provides access for employees to view their last two years of salary payments and other reimbursements. Employees may access their Employee Earnings Statement and other employee information at <https://apps.fldfs.com/EIC/EmployeeInfoCenter/>.

It is important that each employee verify the deductions from his or her salary from the Employee Earnings Statement. Immediately report any errors, questionable deductions, or non-deductions to the HRSC since failure to do so could result in the loss of benefits. Additionally, employees will be responsible for reimbursing any salary overpayments.

## **ATTENDANCE AND LEAVE**

### **Attendance.**

Employees are required to be present on their assigned jobs for the total hours in their established workday or work period unless the supervisor authorizes absence from duty. If an employee expects to be absent from work for any reason, he or she must request approval of leave from the immediate supervisor as early as possible prior to the date of the anticipated absence so that appropriate work arrangements may be made to avoid undue hardship on clients and fellow employees.

If for any reason an employee is late or absent without prior approval, the immediate supervisor must be called. When an employee calls in, he or she should state the reason(s) for the absence, type of leave requested, and date and time expected to report back to work. If an employee cannot report back to work on the date and time given, he or she must contact the supervisor again to explain why more leave is necessary.

If the employee fails to contact the supervisor or other appropriate person, the employee is placed on unauthorized leave of absence without pay. Legitimate reasons to keep the employee from making such contact will be considered by the supervisor when the employee is able to call in or returns to work. Absence without authorized leave may be cause for disciplinary action.

### **Work Schedules.**

The Department's peak hours of operation are 8:00 AM to 5:00 PM, Monday through Friday. Days and hours of operation may vary from this schedule to meet specific operational needs, and the manager or supervisor may schedule the employee's workweek accordingly. The standard workweek for pay, attendance and leave purposes is the period beginning at 12:00 AM each Friday and ending at 11:59 PM the next Thursday.

Full-time Career Service employees work an 8-hour day, 40-hour week, unless another work schedule is approved. Employees who work shifts must accept the shift assigned. Shift assignments are subject to change. Where 7-day coverage is necessary, the hours may encompass weekends, holidays or both. Overtime or on-call service may be needed and in such cases, employees are required to be available.

The Department recognizes that there may be situations and circumstances where modified work schedules would be beneficial to employees and the Department. Such work schedules may consist of more or less than an 8-hour workday and may be approved if consistent with the Department's Family Supportive Work Program. The supervisor may also consider an employee's request to vary the 8-hour workday schedule (arrival/departure). An employee should consult with the supervisor or the HRSC Leave Management Unit for more information regarding flexible work schedules.

Employees filling positions designated "excluded" in the Senior Management and Selected Exempt Services are expected to work the hours necessary to fulfill their job responsibilities.

Meal Periods. It is recommended that at least a 30-minute unpaid meal period be included with work shifts of eight or more hours. If an unpaid meal period is a part of the workday, the period must be at least 30 minutes. In some special situations employees, such as Institutional Security Specialists who work 12-hour work shifts, may be directed to work during their meal periods. In such instances meal periods are considered time worked.

Work Breaks. A work break of up to 15 minutes may be allowed during the first half of the work shift and again during the second half of the work shift. An employee cannot combine, accumulate, or use this time to cover late arrival or early departure from duty. Work breaks are considered time worked



and employees and supervisors must ensure this privilege is not abused and does not interfere with established work schedules. Where permitted, smoking is limited to official work breaks and meal periods.

### **Employee Attendance and Leave Reporting.**

An accurate daily record of all hours worked and leave taken must be recorded in People First. When completing a timesheet, an employee should round all hours worked and leave taken to the nearest one-quarter of an hour. Falsification of an attendance and leave report is grounds for disciplinary action, up to and including dismissal.

At the end of the pay period, each employee should total his or her work and leave hours, certify the accuracy of the timesheet, and submit it to his or her immediate supervisor through People First. Employees are expected to verify their leave balances periodically to ensure that correct amounts and type of leave were recorded in People First.

### **Holidays.**

See section 110.117, F.S., and rule 60L-34.0032, F.A.C., for additional information.

The following holidays are observed by the Department per the Department of Management Services:

- New Year's Day, January 1
- Birthday of Martin Luther King, Jr., third Monday in January
- Memorial Day, last Monday in May
- Independence Day, July 4
- Labor Day, first Monday in September
- Veteran's Day, November 11
- Thanksgiving Day
- Friday after Thanksgiving Day
- Christmas Day, December 25

Holidays that fall on Saturday are observed on the preceding Friday. Holidays that fall on Sunday are observed the following Monday. Part-time employees are entitled to prorated holidays.

Shift assignments, coverage requirements, or other events may prevent some employees from observing a holiday on the designated day. Career Service employees who are required to work or whose scheduled day off falls on an observed holiday earn special compensatory leave credits. This leave is intended to be used immediately and not "banked." It must be used before annual or regular compensatory leave is taken. Exempt employees who are unable to observe a holiday may take an alternate day off during the work period with their supervisor's prior approval.

Effective July 1, 2012, the State implemented a "use it or lose it" policy for special compensatory leave credits. Please refer to the following HR website for additional information and a useful matrix: [http://eww.dcf.state.fl.us/myhr411/special\\_comp.shtml](http://eww.dcf.state.fl.us/myhr411/special_comp.shtml).

**Personal Holiday.** Full-time employees are granted one personal holiday each fiscal year. Part-time employees are granted a prorated personal holiday. A personal holiday is credited to eligible employees upon appointment and on July 1 each year and must be taken during the fiscal year by the employee or it is forfeited at the close of business on June 30.

OPS employees are paid for hours worked and are not granted paid holidays.

## General Leave Overview.

The use of annual, compensatory, administrative, some types of sick leave, and the personal holiday require prior approval. Employees who have accumulated any type of special compensatory leave credits must use such credits before using their personal annual or regular compensatory leave credits. Furthermore, the Department may send an employee home and compel the employee to use his/her accumulated sick leave under certain circumstances where management, has reason to believe the sick employee's health condition is an immediate threat to the health of other employees, clients, or the good working order of the office.

Leave must be earned or credited before it is taken. Leave must be taken in increments of 15 minutes or more (rounded to the nearest quarter hour). Only the amount of leave necessary to bring the employee to full pay status may be taken. Leave may not be used to exceed the number of contracted hours in an employee's scheduled work period.

## Annual Leave.

Career Service. Full-time Career Service employees earn annual leave according to the following schedule:

<u>Creditable State Service</u>	<u>Hours of Leave Earned Biweekly</u>
Up to 5 years (through 60 months)	4 hours
5 to 10 years (61 months through 120 months)	5 hours
Over 10 years (over 120 months)	6 hours

Employees who work part-time or less than a full pay period earn annual leave prorated on the number of hours worked. Upon reemployment, previous State government creditable service, excluding OPS, may be used to earn higher annual leave credits.

Career Service employees are limited to maintaining 360 hours of accrued annual leave credits on January 1 each year. Any hours accumulated in excess of this maximum are transferred to sick leave at the close of business on December 31.

Each December, a permanent Career Service employee may be entitled to a payout of up to 24 hours of unused annual leave, if Department funds are available, and the following conditions are met:

- The employee has at least 12 months of continuous service in an established position on or before December 1 of the current year;
- After the payout, the employee's annual leave balance must be at least 24 hours;
- The cumulative payout shall not exceed the lifetime maximum hours for which the employee can be paid; and
- The employee must have no outstanding or missing time sheets.

A Career Service employee who separates from State government with 12 continuous months (interpreted as 365 days of service without a break in service of 31 or more days) of service is paid for unused annual leave, up to a lifetime maximum of 240 hours. In calculating the lifetime maximum, agencies only include payments after December 31, 2001. In case of death of an employee, the 240-hour limit does not apply and all unused annual leave at the time of death is paid to the employee's beneficiary, estate, or as provided by law. The continuous service requirement is not waived due to the death of the employee; Career Service employees must still have 12 months of continuous service on the date of death before the beneficiary is eligible to receive the annual leave payment.

An employee with 12 months of service, who is being laid off, is paid for all unused annual leave in accordance with Chapter 60L-34, F.A.C., unless the employee requests in writing that the annual leave be retained up to a maximum of one year, pending reemployment. If the employee is not reemployed within one year, unused annual leave held in abeyance is paid in accordance with the rule. If the employee is reemployed within one year, annual leave credits are restored if the employee requests it in writing and repays the full amount of any lump sum payment received for accumulated annual leave credits.

An employee electing to participate in the Deferred Retirement Optional Program (DROP) may request payment for accrued annual leave at the time of entry into DROP; alternatively, the employee may elect to defer payment until separation from service. If an employee elects immediate payment, then upon separation from service, the employee is eligible for accrued annual leave payment only to the extent the employee has earned additional annual leave, which combined with the original payment does not exceed the applicable maximum amount specified in section 60L-34.0041(6)(a) or (b), F.A.C.

Selected Exempt and Senior Management Services. Selected Exempt Service and Senior Management Service employees are credited with 176 hours of annual leave when they are employed and 176 additional hours of annual leave each year on their hire anniversary date.

At the close of business on the day before the employee's anniversary date, annual leave credits in excess of 480 hours are converted to sick leave on an hour-for-hour basis.

A Senior Management Service or Selected Exempt Service employee who separates from State government is paid for unused annual leave up to a maximum of 480 hours, with the current year's accrual prorated. In case of death of an employee, the 480-hour limit does not apply and all unused annual leave at the time of death is paid to the employee's beneficiary, estate, or as provided by law.

All Services. Upon transfer of an employee to an agency within the State Personnel System, accrued annual leave credits are transferred to the new agency provided the transfer occurs within a 31-day period from the date of separation from the previous agency.

The payment of accrued leave is subject to the required three (3%) percent employee contribution for participation in the Florida Retirement System (FRS).

Other Personal Services (OPS). OPS employees do not earn annual leave.

### **Sick Leave.**

Full-time Career Service employees earn four hours of sick leave each biweekly pay period. Employees working part-time or less than a full pay period, earn sick leave prorated on the number of hours worked during the period.

Full-time Selected Exempt Service and Senior Management Service employees are credited with 104 hours of sick leave when they are employed and an additional 104 hours of sick leave each year on the employee's anniversary date.

Sick leave may be used for the following purposes:

- The employee's personal illness (including maternity related disability), injury, or exposure to a contagious disease which would endanger others;
- The employee's appointments with a physician, dentist or other recognized practitioner; or
- Illness, injury, or well care check-ups of a member of the employee's family (spouse, and the children, or parents of both the employee and the employee's spouse or a person for whom the employee or employee's spouse has a caretaker responsibility) when the employee's presence

with the family member is necessary. Caretaker, for the purpose of using sick leave, is defined as an employee who provides needed care or supervision to the employee's or spouse's immediate family member(s), individuals for whom the employee or spouse have legal responsibility, or a Department recognized substituted care relationship such as foster care that does not create a conflict of interest.

There is no limit to the number of hours of sick leave credits that employees may accumulate.

Upon transfer of an employee to an agency within the State Personnel System, accrued sick leave credits are transferred to the new agency provided the transfer occurs within a 31-day period from the date of separation from the previous agency. Upon transfer to another State government employer, accrued sick leave credits may be transferred if the receiving plan accepts the employee's leave credits. If the receiving plan does not accept the employees leave credits, the employee may be paid in accordance with section 110.122, F.S., if he or she meets the eligibility requirements. Otherwise, the sick leave credits expire.

Employees may receive a lump sum payment upon separation from State government at their current hourly regular pay rate for one-eighth of all unused sick leave credits earned before October 1, 1973, and one-fourth of all unused sick leave credits (up to 480 hours) earned after October 1, 1973. Payment is only made to employees who have completed 10 or more years (interpreted as 120 months or more) of creditable State service and otherwise terminated their State employment in good standing as provided by section 110.122, F.S. In case of death of an employee, the employee's beneficiary is eligible for up to 480 hours if the employee's death occurs after 10 years of creditable state employment.

The payment of accrued leave is subject to the required three (3%) percent employee contribution for participation in the Florida Retirement System (FRS).

OPS employees do not earn sick leave.

### **Sick Leave Transfer Plan.**

See CFOP 60-40, Chapter 4, for additional information: <http://eww.dcf.state.fl.us/asg/pdf/060-40ch4.pdf>

It is the policy of this Department that an eligible employee may voluntarily donate his/her personal sick leave credits to, or receive sick leave credits from, eligible employees in the Department and other participating State agencies, subject to the provisions of this plan. Donating employees must contribute a minimum of eight hours of sick leave credits.

Donating. In order to be eligible to donate sick leave credits, an employee must maintain a personal sick leave balance of at least 80 hours after the sick leave credits are donated.

Receiving. For an employee to be eligible to receive and use sick leave credits transferred under the plan, the following requirements must be met:

- The employee must have suffered a personal illness, accident, or injury that may include disability caused or contributed to by, and recovery from pregnancy, miscarriage, abortion, and childbirth.
- Written certification from the attending physician must be provided.
- The employee must have used all accrued personal sick and annual leave and all types of earned compensatory leave credits. Personal holiday leave credits do not have to be used prior to receiving donated hours.

- The employee must be absent from the workplace for a minimum of five consecutive work days (personal leave with or without pay) and would be eligible to begin receiving donations on the sixth (6<sup>th</sup>) work day.
- The employee must be on an authorized leave of absence, i.e., FMLA or a leave of absence approved by the designated authority in headquarters, region, or facility.
- The employee shall not be receiving workers' compensation benefits.
- The employee is not eligible for more than 1,040 hours of transferred sick leave credits within a consecutive 12-month period, beginning the month that transferred sick leave credits are used.

### **Family Medical Leave – General.**

State and federal laws contain provisions relating to family medical leaves of absence. The Family Medical Leave Act of 1993 (FMLA) provides a basic entitlement of up to 12 weeks of leave for each 12 months of employment. The State's Family Supportive Work Program (FSWP) provides up to 6 months of parental and family medical leave, and leave for family responsibilities for employees who meet the eligibility requirements.

Eligible employees who take leave under FMLA may also qualify for a leave under the FSWP. In such cases, any leave of absence designated as FMLA leave will also run concurrently with authorized leave under the FSWP.

Employees who have questions about their eligibility, or the qualifying requirements for any of the categories of family leave listed below, should visit the HRSC Leave Management Unit website at: <http://eww.dcf.state.fl.us/myhr411/LeaveManagement/index.shtml> or contact the HRSC Leave Management Unit.

### **Family Medical Leave Act (FMLA).**

The FMLA is a federal law that entitles eligible employees, including OPS employees, up to 12 weeks of job protected leave in a 12-month period for certain specified family and medical reasons. The Department's 12-month period is measured prospectively from the date the employee's FMLA leave starts.

Eligibility Requirements. Employees who have been employed by the State of Florida for at least a total of 12 months, and have worked for at least 1,250 hours over the prior 12 months are eligible for FMLA leave.

Basic Leave. Eligible employees receive up to 12 weeks of unpaid job-protected leave during a 12-month period, for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or child birth;
- To care for the employee's newborn child, or due to a recent placement of a child for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who must have a serious health condition; or
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job.

Military Family Leave. The military family leave provisions of the FMLA entitle eligible employees to take FMLA leave for any "qualifying exigency" arising from the foreign deployment of the employee's spouse, son, daughter, or parent with the Armed Forces. Qualifying Exigency's include making alternative child care arrangements for a child of the deployed military member, attending certain

military ceremonies and briefings, or making financial or legal arrangements to address the military member's absence.

FMLA also includes special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member with a serious injury or illness. The employee must be the spouse, son, daughter, parent, or next of kin of the covered service member. A covered service member must be undergoing medical treatment, recuperation, or therapy for a serious injury or illness. A covered service member is:

- a current member of the Armed Forces, including a member of the National Guard or Reserves
- a veteran of the Armed Forces, including the National Guard or Reserves, discharged within the 5-year period before the family member first takes military caregiver leave for the veteran and who is undergoing medical treatment, recuperation, or therapy for the qualifying serious injury or illness. A veteran who was dishonorably discharged does not meet the FMLA definition of a covered service member.

Substitution of Paid Leave for Unpaid Leave. Family Medical Leave can be leave without pay or paid leave. If leave is requested for the employee's own serious health condition or that of the employee's spouse, child, or parent, the employee may use accrued sick, annual, or compensatory leave credits to cover all or part of the leave period. If leave is requested for any other reasons, the employee may use accrued annual or any compensatory leave credits to cover all or part of the leave period. The remainder of the leave period consists of leave without pay.

Definition of Serious Health Condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Employee Responsibilities. Employees should complete a Leave Request Form and submit to their immediate supervisor to request a leave of absence. The request must state the reason(s) for the leave, the duration of the leave, and the starting and ending dates of the leave. Employees must provide 30-days advance notice of the need to take FMLA leave when the need is foreseeable. When 30-days' notice is not possible, the employee must provide notice as soon as practicable and must comply with the Department's normal call-in procedures. The Department may place an employee on FMLA when it is known that the employee meets the requirements for FMLA.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the Department if the requested leave is for a reason for which FMLA leave was previously taken or certified.

A request for leave based on the serious health condition of the employee or the employee's spouse, child, or parent must be supported by medical certification completed by an approved health care provider. The certification must state the date on which the health condition began, the probable duration of the condition, and an estimate of the length of time the employee will need to be away from the workplace. The certification must state that the employee cannot perform the essential functions of his or her job or that their presence is required to care for a family member.

Employees also may be required to provide a certification and periodically a recertification supporting the need for leave. Also, employees may be required to provide a fitness-for-duty medical certification prior to returning to work.

**Benefits and Protections.** During the approved period of family or medical leave the employee continues in his or her current health plan, if applicable, under the same conditions that applied before the leave commenced. The State contribution for an employee enrolled in the State health and life insurance programs continues while the employee is out on leave. **To maintain health care coverage, the employee must make the appropriate premium payments.** The employee will return to work to the same or an equivalent position with equivalent pay, seniority, benefits, and other terms and conditions of employment when the leave period ends.

### **Family Supportive Work Program (FSWP).**

See CFOP 60-04, Chapter 11, for additional information: <http://eww.dcf.state.fl.us/asg/pdf/060-4chy.pdf>

The Department's FSWP policy provides for parental and family medical leave, and leave for family responsibilities for all eligible employees. OPS employees are not eligible for the FSWP.

### ***Reasons for Leave.***

**Parental Leave.** An employee who is the father or mother of a natural born or adopted child may request up to 6 months leave which must be requested within one year and conclude by the end of the 12th month from the date of birth or adoption of the child. The employee may use annual leave, any compensatory leave, or approved leave without pay to cover any part of the absence. Sick leave may be used when an illness or temporary disability is caused or contributed to by pregnancy, childbirth, and recovery.

**FSWP, Family Medical Leave.** An employee may use FSWP leave when their child, or parent, or spouse of the employee has a serious health condition. This leave is granted for a period not to exceed 6 months and must be completed within 1 year from the date the leave commenced. The employee may use sick leave (as authorized in rule 60L-34.0042(3), F.A.C.), annual leave, any compensatory leave, or approved leave without pay to cover any part of the absence.

**Leave for Family Responsibilities.** An employee may request and be granted a leave of absence for family responsibilities (other than for parental or family medical leave) up to 30 calendar days provided such leave would have minimum impact on the employee's work-unit. Family responsibilities include, but are not limited to:

- Caring for aging parents.
- Involvement in probating a parents' estate.
- Enrollment of dependent children into schools.
- Visiting family members in places which require extensive travel time.

The employee may request up to an aggregate of 30 calendar days per calendar year of annual leave, any compensatory leave, or leave without pay.

**Child Activities.** An employee may be approved for up to one hour of administrative leave per month for the employee to participate in their child's activities at local schools or child care centers.

**Procedures.**

In all cases, requests for leave must be in writing and specify the type of leave, and the anticipated period(s) of leave. A request for parental or family medical leave must include a physician's certification of the medical condition for which the leave is requested.

Upon return to work, the employee will be returned to the same or an equivalent position with equivalent pay, seniority, benefits, and other terms and conditions of employment.

During the period of leave for parental or family medical, the State contribution for an employee enrolled in the State health and life insurance programs continues. **To maintain health care coverage, the employee must make the appropriate premium payments.**

**Administrative Leave.**

See section 60L-34.0071, F.A.C., and Chapter 110, Part I, F.S.

Administrative leave is leave with pay that is not taken from an employee's personal leave balances and is available to all Career Service, Selected Exempt Service, and Senior Management Service employees. Approval of administrative leave is limited to an amount necessary to bring the employee to full pay status for the work period. In no case can approval of administrative leave cause the employee to exceed the number of contracted hours in the employee's work period, or result in either accrual of compensatory leave credits or overtime payment. Administrative leave is granted in specific situations.

Prior approval by the supervisor is required. Examples of the types of Administrative Leave and how it can be used are listed below:

- Jury Duty (documentation required).
- Subpoenaed Court Appearance for non-personal litigation (documentation required).
- Day of Entrance Examination for Military Service (documentation required).
- Disabled Veteran Re-examination or Treatment (up to six calendar days per year; requires medical certification of treatment/evaluation of service-connected disability).
- Death in Immediate Family (up to 16 hours on the death of the employee's spouse and on the death of the, parents, grandparents, brothers, sisters, children, and grandchildren of either the employee or the spouse).
- Office Closures for Emergency Conditions (as authorized by the Governor or Secretary).
- Disaster Service Volunteers (requires management approval; for more information, see CFOP 60-40, Chapter 8).
- Formal Department investigation for violation of a rule or statute, for which dismissal is a penalty and where the employee's absence from the work location is essential to the investigation.
- Voting in national or local government elections (up to one hour may be approved).
- Interviews and Examinations for State Personnel System Vacancies (up to two hours may be approved).
- Under the FSWP, Child's Activities (up to one hour per month to participate in his/her child's activities at local schools and child care centers).
- Florida Mentoring Partnership (one hour of administrative leave per week, not to exceed five hours per calendar month, may be approved to participate in school or community volunteer activities).
- Athletic Competition for World, Pan Am, or Olympic level sports for appointed members of the United States' teams (documentation required).



**Military Leave.**

Leaves of absence for military service will be granted pursuant to the provisions of Section 115.09, 115.14 and 250.48, F.S. All such absences must be verified by official orders or appropriate military certification. The orders and other supporting documents must be submitted to the supervisor and/or the HRSC Leave Management Unit.

Active Military Service. An employee called to active duty will automatically continue coverage in any benefit plans the employee was enrolled in at the time of reporting for active duty, unless coverage is cancelled by the employee. For health insurance and basic life insurance, the Department will continue to pay the State's share of the premiums for coverage.

The employee will continue to be responsible for payment of the employee's share at the same level prior to starting active duty. The employee's payments will continue to be effected through continued payroll deductions or by personal check or money order. If payments are to be made employees should make the personal check or money order payable to the "Division of State Group Insurance" and send the payment to the People First Service Center at:

People First Service Center  
PO Box 863477  
Orlando, FL 32886-3477

Employees participating in a plan outside of the State Group Insurance Program (i.e., agency contracted plans), will be informed by the HRSC of payment options and how to remit payment to such providers.

Reservists called to active military service must notify the Department within 90 days from the date of discharge from active service. The employee, or their authorized representative, is responsible for notifying the Department of the last day of active duty.

The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects the job rights of Career Service, Selected Exempt Service, and Senior Management Service employees (including part-time and probationary employees) who voluntarily or involuntarily leave employment positions to undertake military service.

Further information regarding employment and reemployment rights under USERRA can be found on the U.S. Department of Labor's website at: <http://www.dol.gov/vets/programs/userra/>.

Additional detailed information can be found in the Active Duty Military Leave of Absence Guidelines on the Division of Human Resource Management's website at: [https://www.dms.myflorida.com/workforce\\_operations/human\\_resource\\_management/for\\_state\\_personnel\\_system\\_hr\\_practitioners/attendance\\_and\\_leave/military\\_leave](https://www.dms.myflorida.com/workforce_operations/human_resource_management/for_state_personnel_system_hr_practitioners/attendance_and_leave/military_leave)

Military Reserve Training and National Guard Leave. An employee who is a commissioned reserve officer or reserve enlisted personnel in the United States military or naval service or member of the National Guard is granted administrative leave on all days during which the employee is engaged in military training, in accordance with Section 115.07, F.S. Whether continuous or intermittent, this leave with pay shall not exceed 17 working days in any one annual period beginning on October 1 and ending September 30, of the following year.

National Guard State Service Leave. An employee who is a member of the Florida National Guard is granted administrative leave in accordance with Section 250.48, F.S., during periods in which the employee is ordered to active State service by the Governor pursuant to Chapter 250, F.S. Such leave with pay shall not exceed 30 calendar days for each emergency or disaster.

**Mentoring Program.**

See CFOP 60-04, Chapter 12, for additional information: <http://eww.dcf.state.fl.us/asg/pdf/060-4chz.pdf>

Also, see information at the following website: <http://www.volunteerflorida.org/>

The Department has implemented the Florida Mentoring Partnership in an effort to improve the quality of life for people in need and the quality of education for Florida's children. This program introduces caring adults into the lives of children and adults determined to be in need within the community.

Employees may be granted up to one hour of administrative leave per week, not to exceed five hours per calendar month, to participate in the Department's Mentoring Program. Administrative leave may not be accrued for later use.

**Other Leaves of Absence.**

An employee may, upon request, be granted a leave of absence for up to 12 calendar months provided the absence is deemed justified and not detrimental to the operations of the employee's work-unit.

**Unauthorized Leave.**

An employee who is absent without authorization will be placed on leave without pay and may be subject to appropriate disciplinary action, up to and including termination.

## ***BENEFITS***

A variety of benefits are available for Career Service, Selected Exempt Service, Senior Management Service, and eligible OPS employees. An overview of available benefits is accessible at the State of Florida MyBenefits website at: <http://www.myflorida.com/myBenefits/index.htm>.

Also, a summary of benefits for all the pay plans is available on the Department's HR website: [http://eww.dcf.state.fl.us/myhr411/benefits\\_statesponsored.shtml](http://eww.dcf.state.fl.us/myhr411/benefits_statesponsored.shtml).

### **Health, Life, and Supplemental Insurance.**

Active employees (including OPS employees expected to work 30 hours a week or more, or who work an average of 30 hours a week or more during a defined 12-month new hire/open enrollment measurement period) may be eligible to participate in the State Group Insurance Program which includes health and life insurance plans, as well as a variety of supplemental insurance plans, including vision, dental, cancer, intensive care, accident, and disability. Employee premium contributions for these plans may be deducted on a pre-tax basis. Additional tax-savings benefits available to active employees include the Medical (excluding OPS) and Dependent Care Reimbursement Accounts.

Newly-hired employees wishing to participate in a benefit plans/programs must enroll within 60 days of their date of hire or during the next scheduled annual open enrollment period, unless there is a Qualifying Status Change (QSC). The most common QSC's are marriage, divorce, death, adoption, and dependent/spouse's loss of coverage. New benefit elections must be made within 60 days of the QSC. Some programs or plans require supporting documentation. Where supporting documentation is required it must be submitted within 60 days or, in some cases, the documentation may be required before the QSC can be processed. Please refer to the QSC Matrix for a complete list of events, changes allowed, and required documentation:

#### [QSC Matrix](#)

Current employees may only change benefit elections during the annual open enrollment period, or if they experience a QSC event.

For additional information concerning the State Group Insurance Program options and benefits described above, please call the People First Service Center at 1-866-663-4735, or visit the State of Florida MyBenefits website at: <http://www.myflorida.com/myBenefits/index.htm>.

The Human Resources Services Center is an additional information resource that can be reached at 1-855-694-7411, or visit the website at: <http://eww.dcf.state.fl.us/myhr411/benefits.shtml>.

### **Retirement.**

All new Career Service, Selected Exempt Service, and Senior Management Service employees are automatically enrolled in the State-sponsored Florida Retirement System (FRS) and covered by federal Social Security. The FRS is a single retirement system consisting of two primary retirement plans and other non-integrated programs administered under Chapter 121, F.S. FRS provides retirement, total and permanent disability, and survivor benefits to eligible participating government employees. The primary plans are a defined benefit plan known as the "FRS Pension Plan" and a defined contribution plan known as the "FRS Investment Plan." The FRS is a contributory retirement system, which means that the employee is required to pay 3% (subject to change based on legislative action) of their base rate-of-pay on a pretax basis into their retirement fund. A new employee has a choice to participate in the FRS Pension Plan or the FRS Investment Plan. Information on both plans is available on the Florida State Board of Administration and the Division of Retirement's website at: <https://www.myfrs.com/>.

The MyFRS Financial Guidance Line provides experts who can answer all of your questions about retirement planning, the FRS retirement plans, and managing your finances toll-free at 1-866-446-9377.

For information concerning retirement benefits under the SMS Optional Annuity Program, contact the Division of Retirement at 1-877-377-3675, or visit its website at:

[https://www.dms.myflorida.com/workforce\\_operations/retirement/optional\\_retirement\\_plans](https://www.dms.myflorida.com/workforce_operations/retirement/optional_retirement_plans).

OPS employees are not eligible to participate in the Florida Retirement System (FRS). However, the State of Florida offers OPS employees a retirement plan that is an alternative to Social Security coverage. Under this plan, OPS employees are required to contribute 7.5% of their salary on a pre-tax basis. OPS employees should consult the State of Florida FICA Alternative Plan Administrator for information on the different investment options that are available. Additional information is available at the following HR website: [http://eww.dcf.state.fl.us/myhr411/benefits\\_retirement.shtml](http://eww.dcf.state.fl.us/myhr411/benefits_retirement.shtml).

### **Workers' Compensation and Disability Leave.**

All State employees are covered by workers' compensation through the Workers' Compensation Medical Care Management Provider, AmeriSys (effective January 1, 2014). In the event of a job related injury or illness, for medical emergencies call 911 and then report the incident to AmeriSys, otherwise, supervisors are responsible for immediately contacting AmeriSys at 1-800-455-2079.

After an incident is reported, supervisors must complete and submit the Supervisor's Accident Investigation Report (form CF 986) to the local Safety Coordinator. Form CF 986 and a statewide listing of all DCF Safety Coordinators is provided at:

<http://eww.dcf.state.fl.us/myhr411/LeaveManagement/WorkersComp.shtml>.

Once a claim has been filed, AmeriSys will provide follow-up with the employee.

Disability Leave. For specific information regarding disability leave please access the DCF Intranet (Workers' Compensation): <http://eww.dcf.state.fl.us/myhr411/LeaveManagement/WorkersComp.shtml>.

The Department of Financial Services, Division of Risk Management provides information and instructions to all State Employees who sustain a documented on-the-job injury/illness. More information on Workers' Compensation is available at the following website:

<http://www.myfloridacfo.com/division/wc/>.

An employee also may contact the HRSC Leave Management Unit which is responsible for administering the HR part of worker's compensation.

### **Employee Assistance Program.**

The State's Employee Assistance Program (EAP) is a confidential counseling service. This program provides responsive, caring, and effective counseling to help balance employees' personal and professional life.

Information on EAP services is available at:

[http://mybenefits.myflorida.com/work\\_and\\_life/additional\\_benefits/employee\\_assistance\\_program](http://mybenefits.myflorida.com/work_and_life/additional_benefits/employee_assistance_program). For services, contact E4 Health at 1-844-208-7067 or TTD 1-844-246-9949.

All EAP counselors are qualified mental health professionals. The EAP staff is available 24 hours a day, 365 days a year, for counseling, consultation, appointment scheduling, and referrals.

## **EMPLOYEE ACCOUNTABILITY**

### **Performance Management Program.**

See CFOP 60-35, Chapter 1, for additional information: <http://eww.dcf.state.fl.us/asg/pdf/060-35ch1.pdf>

The performance of each employee, including Career Service, Selected Exempt Service, and Senior Management Service employees, is the key to the overall success of the Department in carrying out its programs and mission. Employee performance is evaluated periodically during the year. Employees are given specific performance expectations. Performance planning is designed to not only measure current performance but also to improve continued job performance, enhance communication, and create more efficient and effective work-units and programs, increasing productivity within the Department.

### **Standards of Conduct.**

See CFOP 60-55, Chapter 1, for additional information: <http://eww.dcf.state.fl.us/asg/pdf/060-55ch1.pdf>

Programs within the Department perform a vast array of functions and deliver a wide variety of services. Some employees perform routine tasks in a safe office environment, while others engage in unpredictable life-threatening situations under the most demanding of circumstances. Breach of a particular standard in one context can be less serious than the same conduct occurring in a different situation. The Department is the delegated primary authority for managing the conduct of its employees. If it is deemed necessary to discipline an employee for misconduct, the Department may impose any discipline up to and including dismissal, taking into account the agency's unique mission and the individual facts and circumstances.

Standards of Conduct, which all employees must meet, are set forth below, and any employee who fails to meet these Standards of Conduct is subject to disciplinary action. Other than dismissal, if corrective action is deemed appropriate, it must be constructive and shall be for the purpose of motivating the employee to meet the established Standards of Conduct. All disciplinary actions shall be implemented in a lawful manner.

Employees outside the permanent Career Service system may be dismissed at will. Career Service employees who have satisfactorily completed a one-year probationary period in their current position may be dismissed only for cause, which shall include, but not be limited to, the situations described below. Examples under the categories listed below are not exhaustive:

(1) Poor Performance. Employees shall strive to perform at the highest level of efficiency and effectiveness; they shall do more than "just get by."

(a) Employees are expected to be reliable and dependable, for example: To show up for work, ready to work, on a reliable basis; to observe established work hours and scheduled appointments; to complete work on time; and to obtain permission before being off work and to schedule leave in a manner that minimizes work disruption.

(b) Employees are expected to be effective, for example: To organize their work; to stay focused on job-related activities during work hours; to provide the level of effort necessary to get the job done; to demonstrate willingness and ability to make decisions and exercise sound judgment; to produce work that consistently meets or exceeds expectations; to accept responsibility for their actions and decisions; to adapt to changes in work assignments, procedures, and technology; and to be committed to improving individual performance.

(2) Negligence. Employees shall exercise due care and reasonable diligence in the performance of job duties.

(3) Inefficiency or Inability to Perform Assigned Duties. Employees shall, at a minimum, be able to perform duties in a competent and adequate manner.

(4) Insubordination. Employees shall follow lawful orders and carry out the directives of persons with duly delegated authority. Employees shall resolve any differences with management in a constructive manner.

(5) Violation of Law or Agency Rules. Employees shall abide by the law and applicable rules and policies and procedures, including those of the employing agency and the rules of the State Personnel System. All employees are subject to Part III of Chapter 112, F.S., governing standards of conduct, which the Department shall make available to employees. The Department may determine that an employee has violated the law even if the violation has not resulted in arrest or conviction. Employees shall abide by both the criminal laws, for example, drug laws, and the civil law, for example, laws prohibiting sexual harassment and employment discrimination.

(6) Conduct Unbecoming a Public Employee. Employees shall conduct themselves, on and off the job, in a manner that will not bring discredit or embarrassment to the State.

(a) Employees shall be courteous, considerate, respectful, and prompt in dealing with and serving the public and co-workers.

(b) Employees shall maintain high standards of honesty, integrity, and impartiality. Employees shall place the interests of the public ahead of personal interests. Employees shall not use, or attempt to use, their official position for personal gain or confidential information for personal advantage.

(c) Employees shall protect State property from loss or abuse, and they shall use State property, equipment, and personnel only in a manner beneficial to the agency.

(7) Misconduct. Employees shall refrain from conduct which, though not illegal or inappropriate for a State employee generally, is inappropriate for a person in the employee's particular position. For example, cowardice may be dishonorable in people generally, but it may be entirely unacceptable in law enforcement officers. By way of further example, people are generally free to relate with others, but it may be entirely unacceptable for certain employees to enter into certain relations with others, such as correctional officers with inmates.

(8) Habitual Drug Use. This Department shall not tolerate violations of Florida's Drug Free Workplace Act, section 112.0455, F.S., or other misuse of mood or mind-altering substances, including alcohol and prescription medications.

(9) Conviction of Any Crime, including a plea of nolo contendere and a plea of guilty with adjudication withheld.

In extraordinary situations, such as when the retention of a permanent Career Service employee would result in damage to State property; be detrimental to the best interests of the State; or result in injury to the employee, a fellow employee, or some other person, such employee may be dismissed without 10 calendar days' prior notice, provided that written or oral notice of such action, evidence of the reasons therefore, and an opportunity to rebut the charges are furnished to the employee prior to the dismissal. Such notice may be delivered to the employee personally or may be sent by certified mail with return receipt requested. Department compliance with the foregoing procedure requiring notice, evidence, and an opportunity for rebuttal must be substantiated.

## ***EMPLOYEE RELATIONS***

### **Grievances.**

A Career Service grievance is defined in section 110.227(4), F.S., as the dissatisfaction that occurs when an employee believes that any condition affecting the employee is unjust, inequitable, or a hindrance to effective operation. Claims of discrimination and sexual harassment or claims related to suspensions, reductions in pay, demotions, and dismissals are not subject to the Career Service grievance process.

For detailed information, employees may either go to the Department's website or contact their local employee relations representative for a copy of the Department's Operating Procedure, CFOP 60-55, Chapter 2, Career Service Grievance Procedure.

An employee whose position is covered by a collective bargaining contract should review the applicable bargaining agreement because the procedure for filing a collective bargaining grievance differs from the Career Service procedure.

### **Appeals.**

All Career Service employees who have satisfactorily completed a one-year probationary period in their current position have the right to appeal any action taken against them that results in a suspension, reduction in pay, demotion, involuntary transfer of more than 50 miles by highway, or dismissal to the Public Employees Relations Commission. The employee has 21 calendar days from receipt of the notice of the action to appeal.

### **Collective Bargaining.**

The Department respects the right of each employee to choose or reject membership in, or representation by, an organization in matters of collective bargaining.

## ***DRUG-FREE WORKPLACE***

### **Policy Statement.**

See CFOP 60-5, Chapter 12, for additional information: <http://eww.dcf.state.fl.us/asg/pdf/060-5chz.pdf>

The Department's Drug-Free Workplace Policy implements, in part, section 112.0455, F.S., known as the Drug-Free Workplace Act, and applicable federal regulations under the Federal Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.) The purpose of the policy is to establish and maintain a drug-free workplace. Department employees shall not unlawfully use drugs.

As defined by the state Act, "drug" means alcohol, including distilled spirits, wine, malt beverages and intoxicating liquors, amphetamines, cannabinoids, cocaine, phencyclidine (PCP), methaqualone, opiates, barbiturates, benzodiazepines, methadone, propoxyphene, or a metabolite of any of the above substances.

Employees who unlawfully use drugs or who are under the influence of illegal drugs while in the workplace are not suitable for State employment. Except for employees in special risk positions, the Department does not discharge, discipline, or discriminate against an employee based solely on the employee's first positive confirmed drug test.

All successful job applicants, current employees, volunteers, and contract personnel who currently perform or are seeking to perform or to supervise child protective investigations require drug screening. Employees assigned to these positions and their supervisors must also submit to additional drug testing on a periodic basis, not to exceed three years between testing.

Employees who have drug problems are strongly encouraged to seek help through the Department's Employee Assistance Program.

### **Rehabilitation.**

An employee who has a drug problem may participate in an Employee Assistance Program (EAP) or alcohol and drug rehabilitation program at the employee's own expense or through coverage under a health insurance plan. For services through the State's EAP provider, contact E4 Health at 1-844-208-7067 or TTD 1-844-246-9949, or visit [https://www.mybenefits.myflorida.com/work\\_and\\_life/additional\\_benefits/employee\\_assistance\\_program](https://www.mybenefits.myflorida.com/work_and_life/additional_benefits/employee_assistance_program).

All information, interviews, reports, statements, and memoranda received by the Department in association with the EAP are confidential and are not used or received in evidence, obtained in discovery, or disclosed in any public or private proceeding, except in accordance with the Drug-Free Workplace Act.

### **Types of Drug Testing.**

The following types of drug testing are authorized under section 112.0455, F. S., the Drug-Free Workplace Act:

- **Job Applicant Testing.** The Department may require job applicants to submit to a drug test and may use a refusal to submit to a drug test or a positive confirmed drug test results as a basis for refusal to hire the job applicant. All job announcements for positions that require a drug test will include a notice that drug testing is required.
- **Reasonable Suspicion.** The Department may require an employee to submit to drug testing when there is a reasonable suspicion of drug use. Reasonable suspicion drug testing is only required upon



the recommendation of a supervisor who is at least one level of supervision higher than the immediate supervisor of the employee suspected of drug use. Among other things, such facts and inferences may be based upon: (1) observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug; (2) abnormal conduct or erratic behavior while at work or a significant deterioration in work performance; (3) a report of drug use, provided by a reliable and credible source, which has been independently corroborated; (4) evidence that an individual has tampered with a drug test, (5) information that an employee has caused, or contributed to, an accident while at work, (6) evidence that the employee has used, possessed, sold, solicited, or transferred drugs while working or on the employer's premises, or while operating the employer's vehicle, machinery, or equipment.

- **Routine Fitness for Duty.** The Department may require an employee to submit to a drug test if the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the employer's established policy or that is scheduled routinely for all members of an employment classification or group. Supervisors of these individuals are required to submit to a drug test in the same manner.
- **Follow-up Testing.** If an employee in the course of employment enters an EAP for drug related problems, or an alcohol and drug rehabilitation program, the Department may require the employee to submit to a drug test as a follow-up to such program, and to undergo random drug testing for up to two years thereafter.

### **Employee and Job Applicant Protections.**

The results of drug testing of applicants, volunteers, and employees by the Department are confidential. Due to this confidentiality requirement, the laboratory authorized to conduct the drug test provides all positive and negative test results to the Department's Medical Review Officer (MRO). The MRO shall provide the test results to the local coordinator.

Within five working days after receiving a positive test result, the local coordinator shall inform the applicant, volunteer, or employee in writing (by hand delivery or by certified mail, return receipt requested) of such positive test result, the consequences of such results, and the options available.

All materials related to the applicant's, volunteer's, or employee's challenge or explanation are confidential and are maintained by the local employee relations representative for a minimum of one year from the date the test was administered. At the end of the required time period, the records are maintained in accordance with the retention schedule in effect at that time.

An employee or job applicant who receives a positive confirmed drug test result may contest or explain the result to the Department within five working days after written notification of the positive test result. If an employee or job applicant's explanation or challenge is unsatisfactory, the person may contest the drug test result as provided in sections 112.0455 (14) and (15), F.S.

Employees and job applicants have the right to consult the testing laboratory for technical information regarding prescription and non-prescription medication. The name and address of the laboratory conducting the drug testing are provided at the time of the test.

If an employee or job applicant refuses to submit to a drug test, the Department may discharge or discipline the employee or refuse to hire the job applicant.

Any Department employee (Career Service, Senior Management, Selected Exempt Service, and Other Personal Services employee) who is disciplined or if an individual who is a job applicant and is not hired pursuant to these provisions may file an appeal with the Public Employees Relations Commission within 30 calendar days of receipt of the notice of discipline or refusal to hire. The notice shall inform the employee

of the right to file an appeal, or if applicable, the right to file a collective bargaining grievance pursuant to section 447.401, F.S.

Any Department employee, including Senior Management, Selected Exempt Service, or Other Personal Services employees or job applicants, alleging a violation of the act that is not remediable by the Public Employees Relations Commission or an arbitrator, and who is seeking relief, must initiate a civil action for injunctive relief or damages, or both, in a court of competent jurisdiction within 180 days of the alleged violation.

It is the employee's or job applicant's responsibility to notify the laboratory of any administrative or civil action brought pursuant to the Drug-Free Workplace Act.

### **List of Brand or Common Names of Drugs.**

The following is a list of all drugs for which this Department will test, described by brand names or common names, as applicable, as well as by chemical names.

- Alcohol. All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).
- Amphetamines. Obetrol, Biphetamine, Desoxyn, Dexedrine, Didrex, Lonamine, Fastin.
- Cannabinoids. Marinol (Dronabinol, THC).
- Cocaine. Cocaine HCL topical solution (Roxanne).
- Phencyclidine. Not legal by prescription.
- Methaqualone. Not legal by prescription.
- Opiates. Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin.
- Barbiturates. Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Phrenilin, Triad.
- Benzodiazepines. Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstarn, Halcion, Paxipam, Restoril, Centrax.
- Methadone. Dolophine, Metadose.
- Propoxyphene. Darvocet, Darvon N, Dolene.

Any questions regarding this drug testing policy statement should be directed to the local employee relations representative.



## **DEPARTMENT OF CHILDREN AND FAMILIES DRUG-FREE WORKPLACE POLICY**

The Department's drug-free workplace policy complies with section 112.0455, Florida Statutes, known as the Drug-Free Workplace Act, and applicable federal regulations under the Federal Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.) The purpose of the policy is to establish and maintain a drug-free workplace. Consequently, Department employees shall not use illegal drugs. The unlawful manufacture, distribution, dispensing, and/or possession of any illegal drug is prohibited in the workplace. Employees or applicants who unlawfully use drugs or who are under the influence of illegal drugs while in the workplace are not suitable for State employment. Except for employees in special risk positions, the Department will not discharge, discipline, or discriminate against an employee on the sole basis of the employee's first positive confirmed drug test. Employees who have drug problems should seek help through the State's Employee Assistance Program.

Drug means alcohol, including distilled spirits, wine, malt beverages and intoxicating liquors, amphetamines, cannabinoids, cocaine, phencyclidine (PCP), hallucinogens, methaqualone, opiates, barbiturates, benzodiazepines, synthetic narcotics, designer drugs, or a metabolite of any of the above substances.

Any employee who unlawfully manufactures, distributes, dispenses, or possesses illegal drugs in the workplace is subject to disciplinary action, up to and including dismissal.

I hereby acknowledge receipt of a copy of the Department's Drug-Free Workplace Policy Statement and a list of all drugs for which this Department tests, described by brand names or common names, as applicable, as well as by chemical name. I understand that the names, addresses, and telephone numbers of Employee Assistance Programs and local alcohol and drug rehabilitation programs are available through my servicing human resources office.

I have read the Department's Drug-Free Workplace Policy Statement and understand my compliance with this policy is a condition of employment. I also understand that this signed receipt of the Department Drug-Free Workplace Policy Statement will become a permanent part of my personnel file.

Type or Print Name: \_\_\_\_\_

Employee Signature/Date: \_\_\_\_\_



# OATH OF LOYALTY

I, *(print name)* \_\_\_\_\_, a citizen of the State of Florida and of the United States of America, and being employed by, or an officer of the Department of Children and Families, and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States of America and of the State of Florida.

\_\_\_\_\_  
Employee Signature

*Notary:*

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Signature of Notary Public – State of Florida)

(NOTARY SEAL)

\_\_\_\_\_  
(Name of Notary Typed, Printed, or Stamped)

Personally Known OR  Produced Identification

Type of Identification Produced: \_\_\_\_\_



FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES  
**NOTICE OF PRIVACY POLICY**

Policy Statement. See CFOP 60-17, Chapter 1, for additional information.

The purpose of this policy is to assure the privacy and confidentiality of Protected Health Information (PHI). Department employees and volunteers shall not permit the unauthorized disclosure of Protected Health Information (PHI) except as permitted or required by law. The Department’s Policy complies with 45 C.F.R. Parts 160, 162, and 164, federal regulations promulgated pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and applicable Florida Statutes.

As defined by the Act, *Protected Health Information (PHI)* is information which can be used to identify an individual and which relates to the past, present, or future physical or mental health or condition of an individual, provision of health care to an individual, or the past, present or future payment for health care provided to an individual.

As defined by the Act, *disclosure* means the release, transfer, provision of access to, or divulging in any way a client’s health information to third parties. Disclosures are either permissible or impermissible.

(1) Permissible – Disclosure of PHI that does not require an authorization or an opportunity to agree or object before the disclosure is made. Permissible disclosures include, but are not limited to, those made for treatment, payment and operations, or required by law.

(2) Impermissible – A disclosure of PHI that is prohibited under the privacy rule without first obtaining the client’s authorization. An impermissible disclosure is presumed to be a breach unless the covered entity or business associate demonstrates through a risk assessment that there was a low probability that the PHI had been compromised.

Employees who disclose or permit the unlawful disclosure of PHI will be subject to disciplinary action in accordance with CFOP 60-17, Chapter 6, and the Department Standards of Conduct. Employees and volunteers who violate the privacy provisions of the Act may also be subject to criminal penalties under Federal law.

I have read the Department’s Policy Statement and understand my compliance with this policy is a condition of employment. I also understand that this signed receipt will become a part of my personnel file.

Type or Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

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