PERSONNEL POLICIES AND PROCEDURES
FOR CITY OF DELTONA EMPLOYEES

SECTION I – GENERAL

Effective 1/21/09
Replaces Policy _____
Dated _____

1.1 Authority.

Consistent with the City Charter, the City Commission has directed the City Manager to implement a specific personnel system to ensure uniform, fair, and effective personnel administration which is in compliance with federal, state and local laws.

1.2 Nature of Employment.

It is the policy of the City that all employees who do not have a written employment contract with the City for a specific, fixed term of employment are employed at the will of the City for an indefinite period except as otherwise stated in the City Charter.

PROCEDURE:

A. Employees who do not have an individualized written employment contract are employed at the will of the City and are subject to termination at any time, for any reason, with or without cause or notice. At the same time, these employees may terminate their employment at any time and for any reason.

B. No City representative is authorized to modify this policy for any employee or to enter into any agreement; oral or written, that changes the at-will relationship. Supervisory and management personnel should not make any representations to employees or applicants concerning the terms or conditions of employment with the City that are not consistent with City policies. No statements made in pre-hire interviews or discussions, or in recruiting materials of any kind, alter the at-will nature of employment or imply that discharge will occur only “for cause.”

C. This policy may not be modified by any statements contained in this Manual or any other employee handbooks, employment applications, City recruiting materials, City memoranda, or other materials provided to applicants and employees in connection with their employment. None of these documents, whether alone or combined, create an express or implied contract concerning any terms or conditions of employment.

D. At the time of hiring, employees are required to sign a written statement acknowledging that they are employed at the will of the City and are subject to termination at any time and for any reason.

E. Completion of any introductory period or conferral of regular status does not change an employee's status as an at-will employee or in any way restrict the City's right to terminate the employee or change the terms or conditions of employment

1.3 Purpose.

The purpose of these Personnel Policies and Procedures is to establish guidelines covering most personnel actions which may arise. The final interpretation and application of these Policies and Procedures shall be made by the City Manager or his / her designee.

1.4 Applicability.

The singular or masculine of a noun or pronoun will embrace the plural, feminine and/or neuter.

Except as provided below, unless a specific Section or Subsection provides otherwise, the provisions of these Policies and Procedures shall be applicable to all employees in the City service except:

1. Elected officials.

2. Persons hired as independent contractors on a contractual, fee, or retainer basis.

3. Persons employed under the provisions of government programs unless they are classified as employees by the City.

1.5 Administration.

Managerial employees are responsible for the efficient and effective operation and/or the direct supervision of the employees assigned to their department or area of responsibility and for the proper and effective administration and enforcement of these Policies and Procedures. These duties may be delegated by the Managerial Employee, but the ultimate responsibility shall remain with the Managerial Employee.

1.6 Overall Employment Policy.

The overall employment policy of the City shall include:

A. There shall be no discrimination in employment, employment opportunities or job actions on the basis of race, color, religion, age, sex, national origin, ancestry, disability, immigration status, sexual orientation, or marital status unless one or more of the above constitute a bona fide occupational qualification within the meaning of the law. No job applicant or present employee will be discriminated

against or given preference, unless otherwise required by law, because of any of the above characteristics.

B. Persons with disabilities will be given full consideration for employment and opportunities for advancement in all departments and divisions. The City will offer to such persons reasonable accommodation with respect to the essential functions of the job, provided the person is otherwise qualified to perform the job and provided that such accommodation does not create undue hardship on the City.

C. The City is an Equal Opportunity Employer.

1.7 Collective Bargaining Agreements (CBA).

Where these Policies and Procedures, departmental rules and regulations or departmental standard operating procedures are in conflict with the express terms of any CBA, the terms of the CBA shall take precedence; otherwise, the Policies and Procedures apply.

1.8 Personnel Records.

The Human Resources Director, or his/her designee, will keep adequate records of all persons employed, their pay scale and all other records directed to be made and maintained under these policies and procedures or under applicable state and federal laws.

A. It is the responsibility of each employee to notify their immediate supervisor and the Human Resources (HR)
Department, whenever any personal changes are to be made to their personnel file and for providing copies of all requested documents. Changes may include name, address, telephone number, beneficiary designations, emergency contacts, and training or course work completed.

B. Personnel records are subject to the Florida Public Records Act and the exemptions from disclosure of same, as provided by state and federal law.

C. All requests to copy and/or inspect personnel files and records are to be referred to the City Clerk's Office, who will consult with the City Attorney as necessary.

1.9 Amendment of Personnel Policies and Procedures.

These policies and procedures may be amended from time-to-time by the City Manager. Amendments to these Policies and Procedures will be distributed to all City employees and/or posted on official bulletin boards prior to its effective date.

1.10 Departmental Policies.

A. Departmental policies and standard operating procedures will be in writing and submitted to and reviewed by the City Manager for approval.

B. Departmental policies and standard operating procedures approved by the City Manager will serve as supplements to these Policies and Procedures. In the event of conflict, the Policies and Procedures shall prevail unless the departmental rule has been specifically approved as an exception by the City Manager.

C. Approved changes in departmental policies and standard operating procedures shall be distributed to the affected employees after approval.

1.11 Memoranda, Policies, Procedures, Regulations, and Standard Operating Procedures.

All prior memoranda, policies, procedures, regulations, and standard operating procedures inconsistent with these Policies and Procedures are null and void.