



Employee Handbook

February 2011

ABOUT THIS HANDBOOK / DISCLAIMER

These policies apply to all HART employees except to the extent that they are subject to a collective bargaining agreement which sets forth different terms and conditions of employment. In which case, the collective bargaining agreement will apply. HART complies with all federal, state or local laws applicable to the policies in this manual.

A policy is a statement of general objective, intent, or guideline. HART reserves the right to amend, supplement or rescind any policy or any provision contained in this manual as HART may deem appropriate in its sole and absolute discretion, whether or not in writing. In the event these policies conflict with HART Board policies, Board policies will apply. If the application of a policy contained herein is unclear, employees should contact the Human Resources Department for interpretation and assistance.

All employees of HART are employees at will unless subject to a specific signed written contract specifying employment for a particular term. Employment at will means an employee may be transferred, reassigned, demoted, or his or her employment may be terminated, with or without cause, and with or without notice. Either the employee or HART may terminate the employment relationship at will for any reason not prohibited by law or written Company policy in effect at the time of termination. Any practices that are or may appear to be at variance with this manual do not result in a waiver of the at-will status in any way, unless authorized in writing by the HART Chief Executive Officer. This handbook issued on January 2011 supersedes all previous and prior handbooks.

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Mission Statement

**Our Team is dedicated to providing
excellent customer service
while building solutions to support
Hillsborough County’s needs...
now and into the future.**

Welcome Statement

For those of you who are beginning employment with HART, we would like to extend a warm and sincere welcome to you. We are excited to have you with us.

We extend to you our best wishes for your success and happiness here at HART. We understand that it is our employees who provide the services that our customers rely upon and will enable us to create new opportunities “now and into the future.”

Hillsborough Transit Authority

Section 1 - Governing Principles of Employment

1-1. Equal Employment Opportunity

HART is an Equal Opportunity Employer and does not discriminate on the basis of race, creed, color, religion, national origin, ancestry, citizenship status, age, disability, handicap, sex, marital status, veteran status, sexual orientation or any other characteristic protected by applicable federal, state or local laws. We are committed to providing equal opportunity with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities and treatment of all employees.

In addition, HART's Affirmative Action program is designed to monitor and examine employment decisions to ensure compliance. Although the Human Resources Department is responsible for coordinating and monitoring HART's efforts to hire, retain, and promote qualified employees, each hiring department is also responsible for supporting and implementing these employment and affirmative action goals. *HART Board Policy 420-01*

Title II of the Genetic Information Nondiscrimination Act (GINA) of 2008 protects applicants and employees from discrimination based on genetic information in hiring, promotion, discharge, pay, fringe benefits, job training, classification, referral and other aspects of employment. GINA also restricts employers' acquisition of genetic information and strictly limits disclosure of genetic information. Genetic information includes information about genetic tests of applicants, employees or their family members; the manifestation of diseases or disorders in family members (family medical history); and requests for or receipt of genetic services by applicants, employees or their family members.

1-2. Americans with Disabilities Act (ADA)

It is the policy of HART to comply with the Americans with Disabilities Act (ADA) and ensure equal opportunity in employment for all qualified persons with disabilities. HART is committed to ensuring non-discrimination in all terms, conditions and privileges of employment. Reasonable accommodation is available to all employees and applicants. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position. All employment decisions are based on the merits of the situation in accordance with defined criteria and not the disability of the individual.

All fringe benefits, whether provided or administered directly by HART, will be reasonably accessible to persons with disabilities. Training, apprenticeship programs, conferences, professional meetings, and activities sponsored by HART will be reasonably accessible to all employees. HART does not discriminate against qualified employees or applicants because they are related to or associated with a person with a disability. HART will follow all state or local laws or rules that provide individuals with disabilities greater protection than the Americans with Disabilities Act.

This policy is neither exhaustive nor exclusive. HART is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state and local laws.

ADA Request for Reasonable Accommodation

As required by law, HART will provide reasonable accommodation when requested to qualified individuals with disabilities. All requests for reasonable accommodations should be made to the Human Resources Department. *HART Board Policy 420.02*

1-3. Sexual Harassment and Other Prohibited Harassment

HART prohibits intentional and unintentional harassment of all individuals by another person on the basis of any protected classification including, but not limited to race, color, national origin, disability, religion, marital status, sexual orientation, age, sex, and gender. Harassment is defined as any deliberate, repeated, unsolicited or unwelcome words or conduct, including verbal comments and/or visual displays or gestures. Behaviors consistent with sexual harassment may include physical contact of a sexual nature that (1) unreasonably interferes with an individual's work performance, (2) affects a condition of employment or (3) creates an intimidating or hostile work environment. It also includes situations where submission to or rejection of the offensive conduct affects an employment decision, or creates an intimidating, hostile or offensive working environment.

Any employee who feels that he or she has been subjected to conduct which violates this policy should immediately report it to their supervisor. In the event that the behavior is being displayed by the supervisor, it may be reported to one of the following: Department Director, Human Resources Director, Civil Rights/Equal Employment Officer or their designated representative. All complaints will be fully investigated. Any employee violating HART's policy against harassment will be subject to disciplinary action, up to and including discharge.

HART has developed a complaint procedure that is available through the Human Resources Department and the designated Civil Rights Officer. HART policy and federal law prohibit retaliation against an employee who files a complaint in good faith. *HART Board Policy 410.05*

1-4. Drug and Alcohol Free Workplace

HART has adopted a Drug and Alcohol Free Workplace Policy. All HART applicants who have been offered employment will be subject to a pre-employment drug and alcohol screening prior to employment. A positive test will be grounds for revoking the offer of employment, or immediate discharge. HART will hold all results in strictest confidence.

Employees who are classified as "safety sensitive" are subject to federal and state mandated employment provisions as referenced in this manual. These employees may also incur additional obligations as a condition of employment which may subject those employees to periodic

physical examinations and random drug testing. In addition, all employees are subject to reasonable cause testing.

If someone in a supervisory capacity has reason to suspect that an employee under his or her supervision is under the influence of drugs or alcohol, the employee may be taken to a designated testing site for blood breathalyzer and/or urinalysis testing at HART's expense. An employee's refusal to submit to an examination under a random testing or reasonable cause testing may result in dismissal. Following an examination if an employee is found to be under the influence of drugs or alcohol, he or she will not be permitted to work. In addition, the employee may be referred to the Employee Assistance Program and/or be subject to disciplinary action, up to and including discharge.

In all matters relating to substance abuse, HART and its employees will fully comply with rules and regulations set forth by the Federal Transit Administration (FTA) and the Department of Transportation (DOT).

Drug and Alcohol Free Awareness Program

The Drug and Alcohol Free Awareness Program will inform employees about:

- The dangers of drug and alcohol abuse in the workplace;
- HART's rules regarding use of alcohol and drugs;
- The availability of drug and alcohol treatment, counseling and rehabilitation programs;
- Random drug and alcohol testing of safety sensitive employees; and
- The penalties that may be imposed upon employees for drug and alcohol abuse violations.

As part of HART's Drug and Alcohol Free Awareness Program, HART shall display and distribute to all employees, the following: HART's drug and alcohol free policies and procedures, informational material and community service hotline telephone numbers for employee assistance.

In addition, HART shall provide employees with educational materials that explain the requirements of the FTA regulations and HART's policies and procedures with respect to meeting those requirements, including information concerning the effects of drug abuse and the misuse of alcohol on an individual's health, work and personal life, signs and symptoms of a drug or alcohol problem, and available methods of intervening when a drug or alcohol problem (the employee or a co-worker) is suspected, including confrontation, referral to the Employee Assistance Program (EAP) and/or referral to management.

Employees shall receive at least sixty (60) minutes of training on the effects and consequences of prohibited drug use on personal health, safety and the work environment, and on the signs and symptoms which may indicate prohibited drug use. In addition, supervisors who may be asked to determine whether reasonable suspicion exists to require employees to undergo drug and/or alcohol testing shall receive at least sixty (60) minutes of training on the physical, behavioral and performance indicators of probable drug use, and sixty (60) minutes of training on the physical, behavioral, speech and performance indicators of probable alcohol misuse.

Use of Alcohol

The following rules and restrictions regarding the use of alcohol apply to all safety sensitive and non-safety sensitive HART employees and applicants for positions, which include safety sensitive functions. These restrictions apply to all employees while on duty, on call, on HART property – which includes private vehicles while parked on HART property and company vehicles at any time, on breaks, between shifts and at lunch if the employee is scheduled to work or may be assigned to work thereafter on the same day:

- No safety sensitive or non-safety sensitive employee shall report for duty while having an alcohol concentration of 0.02 or greater.
- Use of alcohol by a safety sensitive or non-safety sensitive employee, while on duty or when otherwise on HART property which includes use within private vehicles parked on HART property or use within any HART vehicle, at any time, is strictly prohibited.
- Use of alcohol by a safety sensitive or non-safety sensitive employee within four (4) hours of reporting for duty is strictly prohibited.
- Use of alcohol by a safety sensitive or non-safety sensitive employee while on call is strictly prohibited. Any employee who is called in to report to duty and has used alcohol must advise his/her immediate supervisor that he/she has consumed alcohol within the prohibited time frame.
- All HART safety sensitive and non-safety sensitive employees are subject to and must submit to all authorized alcohol testing.

Prohibited Substances/Unauthorized Items/Arrests & Convictions

- **Prohibited Substances:** Alcoholic beverages and drugs are prohibited in the workplace. Use of the drugs listed below is always illegal. For purposes of this policy, the term “drugs” includes marijuana, cocaine, opiates, amphetamines, phencyclidine, barbiturates, benzodiazepine, methadone, methaqualone, propoxyphene and a metabolite of any of the substances listed herein as well as prescription drugs, except those authorized by and used in accordance with the directions of the employee’s physician.
- **Prohibited Substances Under Federal Guidelines:** Safety sensitive employees covered under federal and/or state regulations are subject to testing.
- **Unauthorized items on premises:** Employees on duty may not have alcoholic beverage containers or drug paraphernalia in their possession or otherwise transport any such items onto HART premises for any reason. Employees found to be in possession of such unauthorized items shall be issued disciplinary action up to and including dismissal.
- **Arrests & Convictions:** Employees are required to report an arrest and conviction for any violation involving alcohol or prohibited substances to the Human Resources Department within five (5) working days of said arrest and conviction. Employees who fail to report an arrest or who are convicted of any such violation shall be subject to disciplinary action up to and including termination.

HART maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals who self report or are recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. We encourage employees to seek assistance before substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes their health and safety or that of any HART employee or patron. ***HART Board Policy 430.01***

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Section 2 – Ethics and Professionalism

2-1. Ethics, Professionalism and Reporting Requirements

HART employees have the responsibility to conduct themselves in accordance with the highest standards of ethical conduct and to embrace the principles of honesty, accountability, respect and trust. They must ensure that their integrity is of the highest caliber and their conduct is indisputable and beyond reproach.

All HART employees shall read, understand and comply with policies approved by the HART Board and policies and procedures issued by HART management, to use the resources available for guidance and assistance, to complete all training necessary to meet work responsibilities, and to cooperate with any investigations concerning violations of policies or ethics.

Managers and supervisors shall provide advice and guidance to employees on ethics, policies and compliance concerns. Human Resources will assist managers, supervisors and employees to ensure compliance with all laws and policies, encourage employees to seek advice before action, consult with the designated staff member or appointed officer, implement control measures to detect risks, and take prompt action to correct problems.

Professional conduct is required to ensure that all employees promote a positive image of HART in the community and create a positive, productive work environment. Therefore, it is the policy of HART that all job-related activities be conducted consistent with professional standards, which respect both the integrity and dignity of individual employees and members of the public.

Professionalism requires that all employees be responsible, reliable, sensitive, courteous, respectful and cooperative to each other and the public. All employees shall consistently behave in accordance with these expectations and carry out their responsibilities with integrity and impartiality while maintaining the necessary level of confidentiality. Professionalism also includes high standards of ethical conduct requiring that employees avoid any conflict of interest between HART duties, private activities and outside business interests.

Reporting Violations

If there is a violation of any HART policy, including but not limited to, harassment, discrimination, accessibility or ethics, the alleged violation shall be reported immediately in writing to the employee's supervisor(s) and/or to the staff member designated to handle such violations. If the employee has reason to believe that their direct supervisor(s) and/or the HART designated staff member or appointed officer are personally involved in the violation or wrongdoing, then the employee shall then notify Human Resources. The supervisor or staff designee in conjunction with Human Resources shall ensure that the appropriate investigation is conducted and will be responsible for the interview, investigation, and will report to the findings to the Chief Executive Officer or his/her designee.

Telephone and Web-based Reporting System – Employees may report alleged violations to HART’s Fraud and Ethics Hotline. The system allows anonymous complaints to be filed and may be accessed from any computer connected with the Internet at www.ethicspoint.com or by calling toll-free to 1-866-294-5574.

Duty to Report Non-Criminal Activity

Any employee who has personal and factual knowledge that an employee or HART official has violated any HART policy, other than such criminal violations described below, may also report the alleged violation or wrongdoing immediately to:

- Department of Human Resources
- The entire HART Board and the Secretary to the HART Board in writing), and / or
- The Florida Commission on Ethics (if appropriate).

Duty to Report Criminal Activity

If an employee has personal and factual knowledge that a HART employee or HART official has violated a criminal law or participated in the violation of a criminal law, the employee shall report those facts to the appropriate law enforcement officials. If an employee has no personal or factual knowledge, but is informed by any person, that he or she has personal and factual knowledge that a HART employee or HART official has violated any criminal law or participated in the violation of any criminal law, the employee shall instruct said person to report those facts to the appropriate law enforcement officials. The employee with such knowledge shall also immediately report said facts to:

- The Chief Executive Officer, in writing.
- If that person has reason to believe that the Chief Executive Officer is personally involved in the violation or wrongdoing, the employee shall notify, in writing, one or more of the agencies or persons set forth in the “Duty to Report Non-Criminal Activity” section above.

Discipline

As a general matter, HART adheres to a practice of progressive discipline. Disciplinary action is a reprimand, suspension, demotion, or discharge. Before disciplinary action is taken, an employee must be given an opportunity to respond to the allegations, in writing and orally, to the person having authority to take the disciplinary action. The supervisory official shall provide the employee with pertinent information regarding the inappropriate incident, behavior, or performance.

Any notice of reprimand, suspension, demotion or discharge is to be issued by the employee’s immediate supervisor. The supervisory official shall provide information pertaining to the inappropriate action.

A notice of discharge should be issued by the supervisor, in consultation with the appropriate Human Resources official and the HART Staff Attorney's office where applicable.

The employee's supervisor or his/her designee shall make findings and shall recommend appropriate measures based upon said findings. The Human Resources Department or such person designated by the Chief Executive Officer shall carry out those recommendations. Any violation of these employment policies shall be subject to discipline up to and including termination.

False Accusations

Any employee who knowingly files a false complaint against a fellow employee will be subject to disciplinary action up to and including termination. *HART Board Policy 400.01 and 400.02*

Physical and Verbal Conduct

It is essential that HART maintain a cooperative work environment that fosters teamwork, collaborative problem solving and open communication through all levels of the organization. To achieve these standards, HART expressly prohibits any unwelcomed physical or verbal conduct by any employee that substantially and unreasonably interferes with an individual's work performance or behavior that a reasonable person would consider to be intentionally hostile and abusive. In addition, knowingly or recklessly making and/or perpetuating of defamatory statements or publishing false information concerning any customer, employee or other HART affiliated person and/or engaging in any other actions, for a malicious purpose is strictly prohibited.

Physical and Intellectual Property

All HART employees are responsible for protecting the physical assets owned or leased by HART, such as facilities, equipment, and materials, from loss, theft or misuse. All HART employees must respect valid patent rights, copyrighted materials, and other protected intellectual property rights of others by not reproducing, distributing or altering such materials without license or permission of the owner.

Computer and Other Information Systems

Based on an employee's responsibilities, HART may provide employees with access to e-mail, computers, personal digital assistants, printers, fax machines, telephones, voicemail, wireless devices, and software. HART provides these systems to enhance employee efficiency and expects employees will use these tools for HART business. Employees who misuse information systems may lose access privileges. HART prohibits the use of the systems for certain activities, including but not limited to, any illegal activity, commercial or political uses, chain e-mail or virus hoaxes, harassing or threatening communications, intentional concealment of identity, any form of pornography, and excessive personal use.

Record Keeping

HART Employees shall keep accurate records of financial and business transactions, ensuring that all costs are properly charged, and information records are properly filed. HART employees involved in such transactions shall consult their Department Head or their designee for proper records maintenance and retention procedures. *HART Board Policy 410.01*

2-2. Conflicts of Interest

HART prohibits employees from having direct or indirect interest, financial or otherwise or to engage in any business transaction or professional activity or incur any obligation of any nature that is in substantial conflict with the proper discharge of their public duties. These policies are intended to provide overall guidance.

Political Activity. Employees who intend to seek election to and hold public office shall notify the Chief Executive Officer of their intentions.

Conflicting Outside Interests. Employees may not engage in any outside business or employment activity or have any financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of their official duties, would tend to impair independence of judgment or action in the performance of their duties or would interfere with the safe and proper performance of job responsibilities at HART.

Disclosure Questionnaires and Statements. HART employees involved with financial or procurement recommendations and/or decisions of HART are required to complete HART's Disclosure Questionnaire and Statement, as well as any form required by State law, such as the Florida Commission on Ethics Form I (Statement of Financial Interests) as well as any updates within 45 days of any change. HART's Disclosure Questionnaire and Statement shall be submitted to the Human Resources Department, the Florida Commission on Ethics and the Supervisor of Elections, as applicable. Any relationship held by such employees that could be considered a potential conflict shall be disclosed as part of HART's Disclosure Questionnaire and Statement, including but not limited to, second jobs, ownership of a business or rental properties, and/or having a business or financial interest in any corporation, partnership, limited partnership, proprietorship, firm, enterprise, franchise, association, trust, self-employment or doing business in Florida.

Questionnaire Updates. Each employee required to file a HART Disclosure Questionnaire and Statement shall also complete a new Disclosure Questionnaire and Statement and return it to the Human Resources Department if there is a change in an employee's potential or actual conflict of interest status at any time during the course of their employment. Employees required to fill out a HART Disclosure Questionnaire and Statement shall do so annually. Failure to provide updates within 45 days of any change constitutes a violation of this policy.

Accepting Gifts.

No HART employee shall solicit anything of value to the recipient, including a gift, loan, reward, promise of future employment, favor or service, when they know or with the exercise of reasonable care should know, that it is given to influence a vote or other official action.

No HART employee shall accept any gift valued at more than twenty-five dollars (\$25.00). Items below this value shall be considered to be not substantial. Certain employees may be required to file a Florida Commission on Ethics Form 9 (Quarterly Gift Disclosure).

“Gift” for purposes of this rule does not include: salary, expenses and other employment payments; awards, plaques or similar items given in recognition of service; food or beverage consumed at a single sitting or event; items or personal favors obviously granted as a result of family or personal relationships; the value of a function which the employee attends in his or her capacity with HART; participation in trade or professional association activities on behalf of and/or properly approved by HART; or campaign contributions.

Post Employment

No employee, for a period of two (2) years after leaving HART’s employment, shall do business with HART.

Nepotism

A public official may not appoint, employ, promote or advance or advocate for appointment, employment, promotion or advancement, in or to a position in the agency in which he/she is serving or over which he/she exercises jurisdiction or control any individual who is a relative of the public official. An individual may not be appointed, employed, promoted or advance in or to a position in an agency if such appointment, employment, promotion or advancement has been advocated by a public official, serving in or exercising jurisdiction or control over the agency, who is a relative of the individual or if such appointment, employment, promotion or advancement is made by a collegial body of which a relative of the individual is a member.

Public Officials, as defined by the law, include any HART employee who has been given the authority to appoint, employ, promote or advance individuals or to recommend individuals for appointment, employment, promotion or advancement in connection with employment at HART.

A relative of a public official is an individual who is related to the public official as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, 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.

HART Board Policy 410.02

Procurement Activities

During the time that HART is in the process of soliciting bids for goods or services, the procurement documents normally require interested parties to seek information solely from one designated person. No employee shall engage in communications with bidders or potential bidders outside of that process on the subject of a pending procurement.

Conflict Disclosure

Any employee who believes that they may possibly be facing a conflict of interest in the performance of their duties should make an appointment and discuss the matter with the Human Resources Department. Failure to make such a disclosure may be considered evidence of a willful violation. *HART Board Policy 410.02*

2-3. Employee Whistleblower Policy

It is the intent of HART to encourage the proper disclosure and reporting of violations of law, improper use of governmental funds, and any other abuse or gross neglect on the part of HART, its public officers or its employees as defined by the Florida Whistleblower Act.

No employee who is protected by the Florida Whistleblower Act shall be dismissed, disciplined or have any other adverse personnel action taken against him or her solely on the basis of disclosing such information, unless otherwise permitted by law.

Notification and Reporting

Any Employee who has personal or factual knowledge that an employee or HART official has violated any HART policy or has participated in any wrongdoing shall report any alleged violation or wrongdoing immediately to:

- a. The Chief Executive Officer, if appropriate, and/or
- b. The Board Secretary, on behalf of the Board, if appropriate, and/or
- c. Human Resources, and/or
- d. Law enforcement officials, if appropriate.

All notices identified above shall be in writing. An e-mail or a facsimile transmission, with a confirmed receipt shall be considered an appropriate written notice.

Confidentiality

A person submitting a written report requesting protection under this policy may request in that written report that their name and identity remain confidential. Such a request will be respected to the extent permitted by law. *HART Board Policy 410.06*

2-4. Complaint Resolution Policy

A complaint may be defined as an allegation regarding a substantive violation of HART Board policies or an allegation of inappropriate treatment or conduct by management, supervisors or other employees.

- A. Matters not covered by a collective bargaining agreement may be addressed through a complaint procedure. HART employees are encouraged to resolve work-related situations with other employees in a professional manner. If employees are unable to work collaboratively to resolve their issues amongst themselves, they are then encouraged to bring their complaints to the attention of management. Employees will be provided with an opportunity to present complaints which impact substantive employment rights to management. All complaints will be resolved equitably and in a timely manner. Examples of actions which may be causes of complaints include, but are not limited to:
1. Unfair application of policies, practices, rules, regulations and procedures which adversely impact employees;
 2. Treatment considered unfair by an employee, such as coercion, reprisal, harassment or intimidation; and
 3. Improper or unfair administration of employee benefits or conditions of employment such as vacations, fringe benefits, promotions, retirement, holidays, performance review, salary or seniority.
- B. The employee should present a complaint in writing to his/her immediate supervisor unless the supervisor is implicated in the alleged misconduct or violation, in which case, the complaint may be submitted to the Department Head or Human Resources. Any complaint alleging a violation should be submitted in writing and reference the provision or provisions of HART policy, procedure, rule or regulation alleged to have been violated. The complaint should also contain a brief statement of facts which support the alleged violation.

If the complaint is not resolved by the immediate supervisor or the immediate supervisor is implicated in the complaint, the employee may forward the written complaint to the Department Head. The Department Head or his designee will review the underlying facts of the case within 15 working days of receipt of the forwarded complaint unless such time is extended in writing. The Department Head will notify the employee of his/her decision, in writing, within 15 working days of completing a review of the underlying allegations.

- C. A complaint should be brought forward as soon as the facts supporting the complaint might reasonably be known to exist.
- D. When submitting a complaint the employee shall submit a written statement which includes the following information:
1. A complete statement of the complaint and facts upon which it is based;

2. The section or sections of HART Policy claimed to have been violated; and
 3. The remedy or corrective action requested.
- E. HART reserves the right to impose appropriate disciplinary action for any conduct it considers to be disruptive or inappropriate. The circumstances of each situation may differ and the level of disciplinary action may also vary, depending upon factors such as the nature of the offense, whether it is repeated, the employee's work record and the impact of the conduct on the organization.

HART has a zero tolerance policy against retaliation for filing a good faith complaint under this procedure.

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Section 3 - Safety & Security

3-1. Workplace Violence

Nothing is more important to HART than the safety and security of its employees and customers. All HART employees are prohibited from making threats of violence, exhibiting threatening behavior or engaging in violent acts on HART property. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other overtly hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. Threats, threatening behavior or acts of violence against employees, visitors, guests, customers or other individuals by anyone on HART property will not be tolerated. No existing HART policy, practice or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring or a life-threatening situation from developing.

Protective Orders

Individuals who apply for or obtain a protective or restraining order which lists HART locations as being protected areas, must provide to HART's Safety and Security department head or his/her designee or the employee's immediate supervisor or manager, a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or other order which is made permanent.

HART understands the sensitivity of the information requested and has developed confidentiality procedures, which recognize and respect the privacy of the reporting employee(s) to the fullest extent permitted by law. Violations of this policy will lead to disciplinary action up to and including termination or arrest and prosecution.

Should an employee file any document with a court or other government agency seeking protection from a fellow employee, a copy of said document and any notices of hearings should be served upon HART's Director of Human Resources or designee in the same manner as if HART were a party to the action.

Response to Threats of Violence

HART will initiate an appropriate investigation and where probable cause exists will promptly escort the accused person(s) off HART property. HART may also contact appropriate police personnel under those circumstances where it has been alleged that a law has been violated.

Discipline

If the Safety and Security department head or designee makes a determination that the complaint is valid, the Human Resources Department will initiate appropriate measures for resolution of the situation up to and including termination in accordance with HART's disciplinary policy and

procedures. *HART Board Policy 410.03*

3-2. Use, Threatening Use or Possession of Unauthorized Weapon or Firearm

Nothing is more important to HART than the safety and security of its employees and customers. The use and/or possession of an unauthorized weapon or firearm by anyone on HART property will not be tolerated, except as authorized by law. Brandishing or threatening another person with a weapon or a firearm or the possession of an unauthorized weapon or firearm, during the employee's work hours; or on HART property will not be tolerated.

- A 'weapon' is defined as any device or instrument which is designed, redesigned, used or intended to be used for offensive or defensive purposes, the destruction of life or the infliction of bodily injury.
- An 'unauthorized weapon' is any weapon for which the possessor thereof has not previously obtained from the Safety and Security department head or his or her designee written authorization for its possession; during the employee's work hours; or on HART property at any time.

Discipline

If the Safety and Security department head or designee makes a determination that the complaint is valid, he/she will initiate appropriate measures for resolution of the situation up to and including termination in accordance with HART's disciplinary policy and procedures.

Prohibited Conduct

Threats, threatening language or any other acts of aggression or violence made toward or by any HART employee will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto HART premises.

3-3. Reporting Violations

All HART personnel are responsible for immediately notifying the HART Safety and Security department head or designee, their supervisor or any other available management representatives of any potentially dangerous situations including threats, harassment, intimidations and acts of violence by co-workers or others, use, possession, brandishing or threatening of another person with a weapon or firearm which they have witnessed, received or have been told that another person has witnessed or received. Even without an actual threat, personnel should also report any behavior they have witnessed which they regard as threatening or violent, when that behavior is job related or might be carried out on a HART controlled site or is connected to HART

employment.

Employees are responsible for making this report regardless of the relationship between the individual who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior. ***HART Board Policy 410.03***

3-4. Security/Safety

Employees are required to carry out daily work assignments in a safe manner, and must maintain work areas in accordance with established departmental procedures. Employees will abide by all HART procedures relating to security and safety, and must not engage in any conduct that poses a threat to themselves, other employees, the general public, or HART property.

Visitors on Property

For security reasons, all visitors to HART facilities must check in at the reception desk and obtain a visitor pass. The visitor will then be escorted to the proper office by a staff member. The receptionist will not allow an unescorted visitor beyond the reception area. Visitors are not allowed in the drivers' room or maintenance area unescorted.

Advance accommodations for routine vendors, delivery persons and contractors can be made through the Safety/Security Officer. The receptionist and security guard will maintain a list of pre-authorized persons which will be coordinated by the Safety/Security Officer.

As a matter of courtesy, active HART employees should check in with the receptionist before proceeding to the work station of the person they need to see, at any HART facility where they do not routinely work.

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Section 4 - Employment Policies

4-1. Hiring Policy

It is the policy of HART that all employment will be based on individual merit, qualifications, and competence of the applicant.

HART encourages employees to extend their knowledge and training, and thus improve their job performance through formal and informal educational programs made available by HART and otherwise. HART will not discriminate because of race, color, religion, gender, sexual preference, national origin, age, marital status, or disability/handicap (as defined by the Americans with Disabilities Act and Florida and Federal law).

Open positions will be filled by who HART deems as the most qualified individual available and HART's decision regarding the filling of employment openings will be final. HART will ensure that all vacancies are filled based upon objective criteria, taking into consideration the job responsibilities, specific duties, education, and prior experience required to perform satisfactorily.

HART endeavors to promote from within when possible. Current employees will be considered in filling vacant positions consistent with sound personnel procedures and good management.

4-2. Physical Examinations

The safe and efficient operation of HART depends on the ability of its employees to perform the essential functions of the job and not cause a direct threat to the health or safety of themselves or others.

- A. All applicants being considered for employment (pre-employment, post-offer) must be able to successfully pass a pre-employment physical examination (where applicable).
- B. Any employee returning to work after work interruption due to illness of an extended or recurrent nature may be required to submit to a physical examination.
- C. Any employee returning to work after an absence due to a non-work related injury may be required to submit to a physical examination.
- D. Any employee returning from a lay off or a leave of absence without pay may be required to take a physical examination.
- E. Where a question of physical ability or mental or emotional fitness to perform the essential functions of the job, or when there is just cause for HART to suspect an employee has a problem of drug or alcohol abuse, the employee may be required to submit to a physical examination.

- F. Any employee involved in an accident with a HART vehicle may be required to submit to a drug screen and/or complete physical examination.

All physical examinations mandated by HART will be in accordance with set standards and administered by a HART authorized medical professional, at HART's expense.

4-3. Types of Appointment

Regular Full-Time Employees - Employees who regularly work at least 32 hours per week who were not hired on a temporary basis and have successfully completed their probationary period.

Regular Part-Time Employees - Employees who regularly work fewer than 32 hours per week who were not hired on a temporary basis.

Temporary Employees - Employees who were hired for a specific short-term project, or on per diem or temporary basis. Hiring requirements for all temporary positions shall be approved by the Chief Executive Officer or his/her designee. Temporary positions shall extend for no more than one (1) year unless approved by the employee's respective Division Head and Human Resources.

Temporary employees generally are not eligible for HART benefits, but are eligible to receive statutory benefits. Employees may become eligible for certain benefits prior to the completion of their temporary assignment. Please refer to the specific benefit policy.

Individuals placed through an outside agency are not employees and will not be eligible for HART benefits.

Probationary Employee – Employees in either their initial six (6) months of employment, employees in their initial six (6) months in a lateral transfer or employees in their initial six (6) months in a promoted position.

Interim Appointment Employee – Employees who fill vacancies created by the extended leave (one month or more) of a regular employee or a vacancy.

An existing HART employee selected to serve in an “interim” position in a higher pay grade will be compensated in either of two ways:

- a. If the selected employee is to handle the function of a vacant position while continuing in his or her own position, he or she will be compensated at a maximum of 15 percent above his or her current regular position's rate of pay.*

- b. If the selected employee completely vacates his or her regular position duties to function in an acting capacity only for the vacant position, then he or she will be compensated at a maximum 10 percent above his or her regular rate of pay.*

* Not to exceed the maximum of the interim position's salary grade.

Contract Employees – Employees hired for a specific period of time for a specific task. The position may be funded from a grant that applies for a limited time period.

The terms of employment will be defined in the contract executed by the employee, Human Resources and HART's Chief Executive Officer.

Contract employees generally are not eligible for HART benefits, but are eligible to receive statutory benefits. Employees may become eligible for certain benefits prior to the completion of their assignment. Please refer to the specific benefit policy.

In addition to the above classifications, employees are categorized as either “**exempt**” or “**non-exempt**” for purposes of federal and state wage and hour laws. Exempt employees do not receive overtime pay; they generally receive the same weekly salary regardless of hours worked. Such salary may be paid less frequently than weekly. Employees will be informed of their classifications upon hire and informed of any subsequent changes to their classifications.

4-4. Probationary Period

The Employee's first six (6) months of employment, employees in their initial six (6) months in a lateral transfer or employees in their initial six (6) months in a promoted position, is considered a probationary period. This is an opportunity for HART to evaluate your performance, judgment and attendance. HART may extend the probationary period if it desires.

During the probationary period, employees will be evaluated on daily work habits including, but not limited to: teamwork and diversity; accountability; integrity, trust and honesty; cost effectiveness; being customer driven; and innovation in the performance of the essential duties of your function. Those employed in a supervisory or managerial function will be further evaluated on, but not limited to: knowledge of his/her area; planning; analytical skills; creativeness; as well as: judgment skills; implementation skills; interpersonal skills; and training skills. At any time during the probationary period, an employee may be terminated for any reason.

The probationary period may be extended beyond the end of the original initial probationary period by the department head with approval of the Human Resources Department.

Full-time employees accrue both annual leave and sick leave during their probationary period. However, only sick leave use will be authorized during their probationary period at management's sole discretion. All holidays will be paid during the probationary period. All holidays excluding floating holidays and birthdays are eligible for use during the probationary period.

Employees who successfully complete the probationary period shall be placed on regular status. Completion of the probationary period does not alter an employee's at-will status.

4-5. Changes to Appointments

Conversion from Full-Time to Regular Part-Time Status

A full-time employee may voluntarily elect to permanently have their assigned hours reduced to fewer than 32 hours per week provided there is a part-time position available.

- a. The employee's rate of pay will be determined in accordance with the policy on Pay Plan Administration. The employee's benefits would change at the end of the month following the change to part-time status.
- b. The employee will receive a payout of all eligible annual and sick leave as allowed under the annual and sick leave payout policy pursuant to termination of full-time status. All amounts due the employee for annual leave (and/or casual sick leave bank, if eligible, per policy) will be computed as of the last day of full-time status and paid on the next regular pay day. Catastrophic sick leave is not paid out by HART.
- c. The employee will be required to sign an election form which will outline the particular circumstances surrounding their situation and indicate their understanding and acceptance of the terms and conditions of their change in status.

Promotions

- A promotion is defined as the voluntary movement of an employee to a position with a higher pay range and advanced level of responsibility.
- It is the policy of HART to promote from within the organization whenever possible, taking into consideration attendance, demonstrated performance, overall qualifications and the requirements of HART. Following a promotion, employees will be required to serve a probationary period during which the employee's progress and performance will be evaluated.
- HART encourages qualified current employees to apply for vacant positions. Employees may apply for positions if they meet the minimum requirements for the position and have completed their probationary period in their current position.
- Employees who are promoted shall be placed on probation for six (6) months of uninterrupted service. If the probationary period is interrupted for one (1) continuous week [five (5) working days or more] the probation will be extended for a like period.
- Employees will be promoted only if they have successfully completed their probationary period in their current position. Regular employees promoted/demoted and serving the six

(6) month probationary period in the current position are eligible to use their earned leave benefits.

- Any promoted employee not meeting all expectations of the position may be returned to his former position at any time prior to the completion of the probationary period, if the prior position is available.

Transfers

- A transfer is defined as the voluntary movement from one position to the same position in a different area or to a different position which could be in a higher, lower, or the same classification. This may occur within the employee's present department or involve a change to another department.
- It is the policy of HART to consider employees for transfers based upon demonstrated performance, overall qualifications and the requirements of HART. Employees transferring to a new position will have a six-month probationary period. This may be extended by the department head.

Reassignments

A reassignment is defined as the involuntary placement of an employee in another position, usually within a similar or lower pay range than his/her current job position. Reassignment may result from reorganization, the inability of an employee to satisfactorily perform his/her duties or responsibilities in a cooperative, productive or professional manner or for other appropriate reasons as determined by the Chief Executive Officer or his/her designee.

Demotions

Employees who are demoted at their own request, for inability to perform the duties of the position, or for disciplinary reasons, shall be placed on probation for one (1) year of uninterrupted service. If the probationary period is interrupted for one (1) continuous week (five (5) working days or more) the probation will be extended for a like period.

4-6. Employment Records

Personnel File

HART maintains a detailed record of employment for each employee in a separate personnel file. Any HART employee may have access to personnel information contained in his or her own personnel file, upon request, in the presence of a Human Resources representative. The personnel file may not be removed from the Human Resources office. Employees may request correction of inaccurate information and may express disagreement with material contained therein by filing a written statement for review by the Human Resources Department.

Under Florida law, certain employees of HART qualify for non-disclosure of limited information in response to a request to view or copy a public record related to such persons, such as a personnel file. Information that is protected from disclosure varies depending on the covered class. Employees who wish to exercise this qualification should contact the Human Resources Department to determine whether it is applicable.

Medical Records

Information relating to the medical condition or medical status of an employee is confidential information and exempt from disclosure. Medical information is maintained in a separate file and subject to HIPAA Regulations.

Change of Address/Telephone/Personal Status

Employees are required to maintain on file their current address and telephone number. Employees must provide this information and any other pertinent status changes (i.e., divorce, marriage, newborn child, etc.) to the Human Resources Department immediately after the event. This information is essential for the proper administration of the employee's benefit programs.

4-7. Duty to Report

HART promotes a safe work environment for its employees, for the public, and for its fiscal resources. All employees have a duty to report arrests or criminal convictions as well as pleas of no contest, nolo contendere or guilty to any crime.

- A. Duty to report arrests: All employees are required to disclose to the supervisor, manager, or director of the department in which they work any arrest for any crime, and/or issuance of a notice to appear by a law enforcement officer. This disclosure must be made within forty eight (48) hours of the date of the arrest or issuance of the notice to appear or as soon as the employee returns to work on his or her next regularly scheduled work day.
- B. Duty to report convictions, pleas of guilty, no contest, and nolo contendere: All employees are required to disclose to the supervisor, manager, or director of the department in which they work any conviction or plea of guilty, no contest or nolo contendere, whether or not adjudication was withheld, to any crime. This disclosure must be made within forty eight (48) hours of the date of the conviction or plea of no contest, nolo contendere or guilty.
- C. The supervisor, manager, or director of the department will immediately notify the Human Resources Department of the disclosure. Human Resources will then offer guidance and a recommendation of what action, if any, should be taken relative to the employee's continued service with HART.
- D. Failure to comply with these disclosure requirements may result in disciplinary action up to and including termination.

4-8. Working Hours and Schedule

HART's normal hours of operation are as follows:

- 21st Avenue Facility is open 8:00 am to 5:00 pm, Monday through Friday.
- Ybor Administrative Offices is open 8:00 am to 5:00 pm bi-weekly Monday through Friday and 8:00 am to 5:00 pm bi-weekly Monday through Thursday.

Employees will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of our business, at some point we may need to change individual work schedules on either a short-term or long-term basis.

Each HART employee shall be required to be present at their assigned job for the total hours established unless absence from duty is authorized in accordance with HART policies.

Flexible or Staggered Work Hours

Flextime Work Schedule Definition

Flextime refers to a range of flexible formats that permit employees to choose the times they will start and end work. A flextime work schedule is any alternative work schedule for staff members who normally work the traditional eight-hour, five-day work week, usually commencing at 8:00 a.m. and ending at 5:00 p.m.

HART supports the principles of flextime for its employees in order to provide for more efficient utilization of the abilities of its staff members, better service to the public, and improving working conditions for staff members. Departments are encouraged to accommodate the reasonable requests of employees for alternative work schedules when consistent with the needs of the departments to accomplish their objectives.

While staff members may request consideration of a flextime schedule allowing for a specific arrival and departure time, approval of the request will be granted only if all work schedule requirements are met.

Purpose of Flextime

Flextime scheduling permits staff members to select a work schedule that may assist with individual needs, especially commuting needs and family needs. It also provides staff members with a degree of flexibility that may improve employee morale, reduce tardiness, absences for personal business, turnover and overtime costs, and may increase staff as well as departmental productivity and service.

Flextime Work Scheduling Guidelines

- The main priority for each department is to accomplish its mission. Utilization of flextime should neither decrease a department's productivity nor reduce the consideration of

activities between departments, the services provided for HART, staff, other constituents, or the general public.

- Flextime must not increase staffing costs including overtime compensation.
- Flextime is a voluntary option for staff members subject to the approval of management. It should be considered only when it can be managed successfully in helping to meet the needs of the staff member and the Authority.
- Any non-bargaining staff member that wishes to consider a flextime work arrangement must communicate this request with the supervisor of the department.
- All flextime staff members must meet the work schedule requirements (40 hours per week).
- Flextime schedules shall be established for a minimum of one calendar week. However, any approved flextime schedule is considered a trial schedule and may be canceled by the department supervisor if the schedule is found to be unsatisfactory or detrimental to the department.
- Employees who are on flextime will still be required to attend required training/meetings held outside their flextime.
- The department head is responsible for proper flextime scheduling and for ensuring that adequate supervision is provided for all staff members during work hours.
- Most offices shall be staffed and fully operational during normal business hours, between 8:00 a.m. and 5:00 p.m., Monday through Friday.

Requesting Flextime

- Employees requesting flextime shall submit a written proposal to their supervisors.
- Supervisor will respond and discuss the proposal and make the appropriate recommendation to their department head. When reviewing proposals, supervisors and/or managers should take into consideration:
 - External and internal customer service,
 - Coverage for standard business operating hours, and
 - Ability of management to adequately supervise.

HART reserves the right to change this program based on federal/state requirements or to meet HART business needs.

Break Periods

Employees may take one (1) fifteen (15) minute rest break per one-half (1/2) shift and one (1) lunch break per full shift provided that:

- The time of the employee's break shall be as specified by the department head or the employees supervisor.
- Supervisors may adjust an employee's break period on a day-by-day basis due to operational requirements.
- Combining two (2) break periods into one (1) break is not permitted.
- Accumulating breaks from day to day is not permitted.

- Using breaks to lengthen lunch hours, to cover tardiness, or to leave work early is not permitted; unless the employee is working a pre-approved variable or flexible work schedule.
- Rest breaks are a benefit and are not guaranteed. Employees may be required to work through their rest break.

4-9. Timekeeping

Non-Exempt Employees

All HART non-exempt employees are governed by the Fair Labor Standards Act (FLSA) and shall be paid in accordance with those regulations.

Overtime

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1½) his/her normal hourly wage for all time worked in excess of forty (40) hours each week.

Employees may work overtime only with prior management authorization. For purposes of calculating overtime for non-exempt employees, the workweek begins on Sunday and ends on Saturday.

Compensatory Time

HART non-exempt employees who are entitled to overtime compensation may also request compensatory time. Compensatory time is defined as paid time off in lieu of monetary overtime compensation. Compensatory time can be earned and accrued by any non-exempt employee for work performed in excess of forty (40) hours per week. Compensatory time is earned at a rate of not less than one and one-half hours of compensatory time for each hour of overtime worked.

Any overtime work performed and taken as compensatory time may be done only with prior management authorization. Any requests for compensatory time in lieu of monetary compensation must be pre-approved by management. Employees performing unauthorized overtime work will be paid in accordance with the requirements of the FLSA, at a rate of one and one-half times (1½) their normal hourly wage. However, compensatory time is not authorized in this event. Further, employees performing unauthorized overtime work may be subject to disciplinary action.

All compensatory time must be recorded and tracked by management authorizing the overtime work. Compensatory time may not be accrued for more than thirty calendar (30) days. All accrued compensatory time that is not taken as paid time off in lieu of monetary overtime compensation in a thirty (30) day period will be paid at the overtime rate on the next payroll date. The Compensatory Time Tracking form is available from the Human Resources Department.

Work Schedules

Employees should report to work at their regularly scheduled time unless otherwise authorized by their supervisor. Employees should conclude their workday at their regularly scheduled time, unless otherwise authorized by their supervisor.

Non-exempt employees must record their actual time worked for payroll and benefit purposes. It is the employee's responsibility to verify the accuracy of time records through the submission of time cards or any other HART approved method of timekeeping. All time should be recorded in hours and minutes. Leave slips are required for all time off which includes sick, vacation, floating holiday, birthday holiday, and excused or unexcused leave.

Any errors in the employee's time record should be reported immediately to the employee's Supervisor, who will attempt to correct legitimate errors.

Falsification of time records or completion of any information on any other employee's time record will result in disciplinary action up to and including termination.

Exempt Employees

All HART exempt employees are governed by FLSA and shall be paid in accordance with those regulations.

Exempt employees are required to report full days of absence from work for reasons such as leaves of absence, sick leave or personal business. Leave slips are required for all time off which includes sick, vacation, floating holiday, birthday holiday, and excused or unexcused leave.

Falsification of time sheets/time cards or completion of any information on any other employee's time sheet/time card will result in disciplinary action up to and including termination.

4-10. Safe Harbor Policy for Exempt Employees

It is HART's practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. Exempt employees must review their pay stubs promptly to ensure that they are paid properly and that no improper deductions are made. If errors are identified, they need to be reported immediately.

Employees classified as being exempt will receive a salary which is intended to compensate the employee for all hours worked for HART. This salary will be established at the time of hire or when the employee becomes classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, the exempt employee's salary can be reduced for the following reasons:

- Full-day absences for personal reasons, including attending court for personal business.
- Full-day absences for sickness or disability.
- Full-day disciplinary suspensions for infractions of our written policies and procedures.
- Family and Medical Leave absences (either full or partial-day absences).
- To offset amounts received as payment for jury and witness fees or military pay.
- The first or last week of employment in the event the employee worked less than a full week.
- Any full work week in which the employee performs no work.

The exempt employee's salary may also be reduced for certain types of deductions such as the employee portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 401(k) or pension plan.

In any work week in which work was performed, the employee's salary will not be reduced for any of the following reasons:

- Partial day absences for personal reasons, sickness or disability
- Absence on a day because the employer has decided to close a facility on a scheduled work day.
- Absences for jury duty, attendance as a witness, or military leave in any week in which any work was performed.
- Any other deductions prohibited by state or federal law.

However, deductions will be made to the employee's accrued sick leave for full or partial-day absences for personal reasons, sickness or disability. Deductions for partial-day absences will not be made unless the exempt employee works less than four (4) hours in a workday or less than half of their normal work shift. Exempt employees engaging in a pattern of abuse of their exempt status may be subject to disciplinary action.

Anyone believing that they have been subject to any improper deductions should immediately report the matter to their supervisor and to the Human Resources Department.

4-11. Emergency Closing

If in the sole discretion of HART, it is determined that a natural disaster or civil emergency conditions exist which adversely affect HART's services including, but not limited to, riots, civil disorders, natural disasters, hurricane conditions, or similar catastrophes or disorders, the Emergency Operating Procedures as provided by the Safety and Security Office shall become effective. Depending upon the nature and severity of the disaster, HART shall strive to maintain normal payroll dates. However, due to possible emergency circumstances, pay dates cannot be guaranteed.

Until notified by supervisory personnel of HART that HART's operations have been suspended, employees shall report for work at their regularly scheduled time and place. Employees already at work shall continue to perform their assigned duties until notified by supervisory personnel to do otherwise. In the event the offices are closed for some period due to an emergency, employees

may be instructed to report to an alternate location. Employees should be prepared to perform assigned duties that are needed by HART during the period of emergency, which may not be reflected in their normal job description.

4-12. Paychecks and Direct Deposit

HART strongly encourages employees to use direct deposit. Paychecks are distributed to all employees on a bi-weekly basis. Questions regarding paychecks should be directed first to the employee's immediate supervisor. If the immediate supervisor is unable to answer the questions, the Payroll Department will provide assistance. Paychecks will be distributed only to the employee unless a Check Distribution Authorization Form is completed in advance. Authorization forms are available from the Payroll Department.

4-13. Performance Reviews

Depending on position and classification, HART endeavors to review each employee's performance annually. All employees will be evaluated at the end of each fiscal year. However, please note that a positive performance evaluation does not guarantee an increase in salary, a promotion, or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to these formal performance evaluations, HART encourages each employee and their Supervisor to discuss the employee's job performance on a frequent and ongoing basis.

4-14. Employee Identification

Each employee is provided with an identification badge which includes the employee's photograph, name, employee number, job title, and hire date. Employees must be in possession of their badge at all times while on property.

The ID badge is also an access card which allows the employee access to authorized areas of the HART facility. The identification badge is valid only for the Authority employee to which it was issued and must be surrendered upon termination of employment. Employees must present their identification badge upon demand by security personnel whenever on Authority property. A fee will be charged to replace lost or stolen cards. Lost or stolen cards must be reported immediately to the Human Resources Department. Service award pins can be worn attached to the card protector, but not the card itself. Identification badges should not be changed or defaced in any way. Failure to follow this rule could result in disciplinary action.

4-15. Record Retention

HART acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against HART and its employees and possible disciplinary action against

responsible individuals (up to and including termination of employment). Each employee has an obligation to contact the Human Resources Department or a Staff Attorney to inform them of a potential or actual litigation, external audit, investigation or similar proceeding involving HART that may have an impact on record retention protocols.

4-16. Reduction in Force

HART may conduct reductions in force as a result of budgetary constraints, organization restructuring or business necessity. The Chief Executive Officer shall periodically set appropriate procedures to effectuate this policy. A copy of the current procedures may be obtained from the Human Resources Department. *HART Board Policy 400.05*

4-17. Termination of Employment

All employees are required to provide written notification of resignation to their Supervisor at least two (2) weeks in advance. Resignation forms can be obtained from the Human Resources Department. The supervisor will notify the Human Resources Department so that exiting arrangements can be made. These arrangements will include: Return of all HART property, provision of forwarding addresses, the holding of an exit interview if applicable, arranging for benefits continuation or conversion, and final pay. If an employee is terminated by HART, the employee's supervisor will immediately notify the Human Resources Department.

As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

Return of Property

Terminating employees must return all HART issued equipment, tools, uniforms, manuals, keys and ID/access cards, etc., to their immediate supervisor. All items should be returned immediately after termination or separation. Should specific items not be returned, the appropriate amount will be deducted from the employee's final pay. The employee shall also be responsible for repayment to HART of any improper charges made against any HART account (i.e. phone, toll charges, etc.)

Final Pay

Upon separation of employment, final wages owed to an employee will be paid on the next regular payday.

4-18. Rehire

Per HART policy, the rehire of employees is contingent on the approval of the Department Head and Chief Executive Officer. In order for an applicant to be considered for re-employment, he/she must be in good standing and have a positive work record. A former employee whose

employment was involuntarily terminated or who resigned in lieu of termination is ineligible for re-employment with HART. *HART Board Policy 400.04*

4-19. Exit Interview

HART will conduct, or attempt to conduct, an exit interview with all employees who voluntarily leave the organization. It is our hopes that the results of these findings can be used to implement changes in areas that consistently show a deficiency and to maintain and improve areas that perform well.

4-20. Employment Verifications

HART will respond to employment verification requests through the Human Resources Department. HART will provide date of hire, date of termination, positions held and last salary. Requests for employment information must be in writing, and responses will be in writing. Please refer all requests for employment verifications to the Human Resources Department. Only the Human Resources Department may provide employment verifications.

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Section 5 – Benefits

5-1. Benefits Overview

In addition to good working conditions and competitive pay, it is HART policy to provide a combination of supplemental benefits to all eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations and holidays, and insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet your present and future requirements. The information presented here is intended to serve only as guidelines.

Further, HART (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement. While HART intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.

If you have any questions regarding your benefits, please contact the Human Resources Department.

5-2. Leaves of Absence

5-2.1. Holidays

All regular full-time employees shall observe board approved paid holidays each year. The specific holiday and calendar date for observing these holidays shall be designated by the Chief Executive Officer. Employees may be required to work on a designated holiday in order for HART to continue delivery of its normal transit service. The following are additional paid holidays for eligible employees.

- Floating Holiday
- Employee's Birthday

Full-time employees must be on some type of paid status the last scheduled workday before and the first scheduled workday after the designated holiday in order to receive the day off with pay.

Full-time employees not required to work on a designated holiday will receive pay equal to their normal work shift. Only work performed on holidays shall count as time worked when computing overtime.

Should a designated holiday occur while the employee is on authorized paid leave, the holiday will not be charged against the employee's accrued leave. Should a designated holiday fall during an employee's suspension period, the holiday shall be counted as part of the suspension period and the employee shall not be compensated for the holiday.

To take a floating holiday and/or the employee's birthday, these days must be requested 30-working days in advance and submitted to payroll on a leave slip.

Newly-Hired employees will not be authorized to utilize the Floating Holiday and the Employee Birthday Holiday prior to the successful completion of their probationary period.

5-2.2. Annual Leave

HART recognizes that in order for its employees to be able to perform at their peak, it is essential that they have some time off from their regular duties without loss of pay. To accomplish this, all regular full-time employees shall accrue annual leave time.

Annual leave shall be authorized paid time off for the purpose of vacation, personal business, or extended sickness in the event accumulated casual sick leave has been exhausted.

Management may direct the use of annual or sick leave for full or partial-day absences for personal reasons or sickness.

Annual leave will begin accruing at the end of the employee's first full payroll period and biweekly thereafter.

For purposes of annual leave accrual, continuous service shall include service with the City of Tampa for those employees who transferred from the City of Tampa to HART on March 1, 1980.

Use of this earned time shall be granted within the following guidelines:

Years of Service	Accrual per Pay Period	Accrual per Year
0-4 years	4 hours	13 days
5-9 years	4.5 hours	14.65 days
10-14 years	5 hours	16.25 days
15-19 years	5.5 hours	17.88 days
20 years and above	6.2 hours	20.15 days

- Employees with continuous service time up to five (5) years shall earn four (4) hours biweekly.
- Employees with continuous service time of five (5) years but less than ten (10) years shall earn four and one-half (4.5) hours biweekly.
- Employees with continuous service time of ten (10) years but less than fifteen (15) years shall earn five (5) hours biweekly.
- Employees with continuous service time of fifteen (15) years but less than twenty (20) years shall earn five and one-half (5.5) hours biweekly.
- Employees with over twenty (20) years of continuous service time shall earn six and two-tenths (6.2) hours biweekly.

No annual leave shall be accrued for any payroll period in which the employee is on leave without pay for suspension, AWOL, Workers' Compensation, FMLA, excused absence without pay, or leave of absence without pay.

Maximum amount of earned annual leave that may be carried past the end of the fiscal year shall be 240 hours.

Any amount of annual leave accumulated over 240 hours at the end of the fiscal year shall be transferred to the employee's sick leave account at the end of the fiscal year. Three-quarters of the converted balance will go to the employee's casual sick leave bank; the other one-quarter will go to the employee's catastrophic leave bank.

There shall be no advancement of annual leave.

If the employee becomes sick while on authorized annual leave, such leave may be changed to sick leave provided the request includes a physician's verification of illness. This provision applies only to the employee and does not extend to immediate family members.

Use of annual leave shall not be granted during the employee's probationary period.

Requests for annual leave are to be submitted to the immediate supervisor on the standard request form at least two weeks prior to the desired date.

When the leave request exceeds three (3) weeks at one time, the request must be submitted and approved at least three (3) weeks in advance by the appropriate department head.

When approved by the employee's supervisor, non-exempt employees may use emergency annual leave in increments of not more than three (3) days or less than one hour. Exempt employees may use emergency annual leave of not more than three (3) days or less than one (1) day.

During emergencies and/or when a critical work force shortage occurs, HART may alter or suspend any annual leave requested and previously approved. If an annual leave request is cancelled by the Authority, or cannot be scheduled due to workload or manpower demands, an employee may cash out up to 80 hours of accumulated annual leave when a minimum of 80 hours of accumulated annual leave remains at the end of the fiscal year. The employee will apply to their supervisor who will acknowledge the eligibility. The supervisor will submit it to the department head for approval and then it is forwarded to Payroll for processing.

If HART is required to use its option to suspend annual leave and the employee cannot reschedule the leave time off before the end of the fiscal year, the employee shall be allowed to accumulate annual leave in excess of 240 hours that fiscal year, or cash out the time at the employee's option.

Leave request forms may be obtained from the Payroll Department or may be obtained from “Connect”, HART’s internal intranet site. Approved leave request forms must be submitted to the Payroll Department as far in advance as possible, but no later than the Monday following the end of the week in which the leave was taken.

Upon termination of employment, a regular employee shall be paid for unused annual leave at the rate of pay as of the date of termination. Terminated employees who have not completed their probationary period shall NOT receive payment for any accumulated annual leave.

Payout of Annual Leave

- There is a benefit for those employees who do not utilize sick leave during the fiscal year. Employees will be eligible for a cash payout of all the cumulative annual leave over 80 hours. This is an option only if the employee has in excess 80 hours of total accumulated annual leave on October 1 of each year following the yearly period when no sick leave was used. The employee must apply in writing to Payroll on or about September 1 and can expect the payout on or about October 1.
- If an employee has used no more than two sick days during the fiscal year, the employee may cash out any annual leave accrual in excess of 120 hours.

Annual Leave Donation

HART recognizes that on occasion an employee who has an extremely serious and/or terminal illness can exhaust leave and face extended periods of unpaid leave of absence. Other HART employees who wish to assist a fellow employee in this situation may donate his/her annual leave under the following guidelines.

An employee who wishes to donate annual leave time must have a minimum balance of 40 hours of annual leave left in his/her leave bank after the donation is made. An employee wishing to donate accumulated annual leave hours should contact the Human Resources Department.

Recipient Eligibility

This policy is reserved for extreme cases only. In order for an employee to be eligible to receive donations, he/she must have exhausted all paid leave time, have a serious and/or terminal personal illness and will be unable to return to work for at least an additional 30 days beyond exhaustion of all leave. Should the recipient return to work prior to exhaustion of all donated leave, the remaining leave will be prorated back to the donor employee(s).

5-2.3. Sick Leave

- A. All regular full-time employees are eligible to accrue up to ten (10) days of casual sick leave and 23.4 hours of catastrophic sick leave per anniversary year.

- B. HART shall provide sick leave time off for doctor or dentist appointments and for illness of the employee or a serious health condition of a member of the employee's immediate family. Immediate family will be defined as child, spouse or parent.
1. Management may direct the use of sick or annual leave for full or partial-day absences for personal reasons or sickness for exempt and non-exempt employees.
 2. Full-time employees assigned thirty-two (32) hours per week, shall accrue casual sick leave at the rate of 3.1 hours biweekly and catastrophic sick leave shall be accrued at the rate of 0.9 hours biweekly.
 3. A catastrophic sick leave is defined as excused leave due to the employee being diagnosed with, recovering from, or receiving therapy for either a terminal illness; or for illness, injury, or pregnancy requiring a minimum hospital stay and subsequent convalescence period exceeding thirty-six (36) hours. Catastrophic sick leave is not eligible for family members. Accrued catastrophic leave is only available after all accumulated casual sick leave has been exhausted. It is designed to provide income protection for an employee meeting the above definitions. It is not available under any other circumstances. Catastrophic leave is not a benefit in which an employee vests. It is not paid out upon leaving HART.
 4. Leave accrual commences on the last calendar day of the employee's first full payroll period and biweekly thereafter.
 5. Employees may be authorized to use casual sick leave as soon as it is accrued.
 6. There are no limitations to the amount of sick leave accrued by an employee.
 7. There will be no casual or catastrophic sick leave accrual for any payroll pay period in which the employee is on Workers' Compensation, suspension or a no pay status for the entire pay period.
 8. Employees must call their immediate supervisor to request sick leave within one hour after the start of their shift unless otherwise required by the position. In case of an emergency, this requirement may be waived by the supervisor.
 9. Employees may be required to present acceptable medical substantiation from a licensed physician prior to or following the granting of sick leave.
 10. If the employee becomes ill while on authorized annual leave, said leave may be changed to sick leave provided the employee presents a physician's certification. This provision applies only to the employee and does not extend to immediate family members.
 11. When sick leave is paid, the employee's sick leave balance shall be reduced by the same number of hours as the employee was absent.
 12. The use of sick leave is prohibited after the employee tenders his/her resignation.
 13. Advancement or borrowing of sick leave is prohibited.
 14. Employees who have exhausted their earned sick leave must use their earned annual leave.
 15. Catastrophic leave may be used under circumstances described in item 2.
 16. In case of prolonged illness where all leave is exhausted, leave without pay may be granted as a medical leave of absence without pay.
 17. If you are out sick for three (3) or more consecutive days, you may be required to provide your supervisor with a doctor's note on the day you return to work.

Cash out of Sick Leave

- a. Employees who resign or retire and have at least ten (10) years of service with the Authority, including time with the City of Tampa for those who transitioned on March 1, 1980, shall be paid fifty (50) percent of their accumulated unused casual sick leave hours extended at the employees then current rate of pay. Employees who resign or retire and have at least twenty (20) years of service with HART, shall be paid one hundred (100) percent of their accumulated unused casual sick leave extended at the employees then current rate of pay.
- b. Upon the death of an employee who has at least ten (10) years of service with the Authority, payment will be made to the employee's estate in accordance with paragraph a.
- c. Employees who are involuntarily terminated by HART are ineligible for any payments of accumulated unused casual sick leave.
- d. If an employee has used no sick leave during the fiscal year, they may cash out sick leave in excess of 480 hours in their casual sick leave accumulation. This is an option only if the employee has in excess of 480 hours of total accumulated sick leave on October 1st of each year following the yearly period when no sick leave was used. The employee must apply in writing to Payroll on or about September 1 and can expect the payout on or about October 1st.

5-2.4. Bereavement Leave

Upon the death of a family member, full-time or part-time employees will be allowed paid time off of up to three (3) days to assist in attending to your obligations and commitments. For the purposes of this policy, a close relative includes a spouse, domestic partner, child, parent or sibling. Paid leave days only may be taken on regularly scheduled, consecutive workdays following the day of death. You must inform your supervisor prior to commencing bereavement leave. In administering this policy, HART may require verification of death.

HART agrees to provide its employees with time off to be used expressly for periods of bereavement and/or attending the funeral of a relative or immediate family member.

It shall be HART's policy to grant such leave within the following framework.

Employees shall register the names of their relatives and immediate family members at the new hire orientation. Employees are responsible for keeping the list current by contacting the Human Resources Department. Only those names registered shall be recognized for the purpose of authorizing this leave.

Immediate family shall be defined as spouse, child, sibling, parent, mother-in-law, and father-in-law, grandparent, grandchild, or legal ward of the employee residing in the employee's household.

Relative shall be defined as aunt, uncle, niece, nephew, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

Employees may be authorized a maximum of five (5) days per incident of paid funeral leave for the death of an immediate family member, and such leave shall not be deducted from their earned sick or annual leave. For the death of an immediate family member, the employee may, depending on individual circumstances, be authorized additional time off by their department head. This time shall be deducted from the employee's accrued annual leave.

Employees may be authorized a maximum of two (2) days per incident of paid funeral leave for the death of a relative. Such leave shall not be deducted from the employee's accrued annual or sick leave.

- If the employee does not have sufficient accrued leave time, excused unpaid leave may be granted.
- Annual leave may be granted for other relatives or close friends at the sole discretion of the employee's supervisor.

Documentation may be required by the Authority.

5-2.5. Military Leave

If you are called into active military service or you enlist in the uniformed services, you will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, you must provide management with advance notice of your service obligations unless you are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable for you to provide such notice. Provided your absence does not exceed applicable statutory limitations, you will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Please ask management for further information about your eligibility for Military Leave.

If you are required to attend yearly Reserves or National Guard duty, you can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). You should give management as much advance notice of your need for military leave as possible so that we can maintain proper coverage while you are away.

5-2.6. Family and Medical Leave

The Leave Policy

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact the Human Resources Department.

I. Eligibility

FMLA leave is available to “eligible employees”. To be an “eligible employee” an employee must: 1) have been employed by HART for at least 12 months (which need not be consecutive); 2) have been employed by HART for at least 1250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

II. Entitlements

The FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration. The FMLA also entitles employees to certain written notices concerning their potential eligibility for and designation of FMLA leave.

A. Basic FMLA Leave Entitlement:

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a 12-month period measured forward from the start date of the employee’s first FMLA leave.

Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee’s child after birth or placement for adoption or foster care. When both spouses work for the same employer, the aggregate amount of leave that can be taken by both spouses to care for the employee’s child after birth or placement for adoption or foster care is 12 weeks in a single 12-month period.
- To care for the employee’s spouse, son, daughter or parent (but not in-law) who has a **serious health condition**;
- For the employee’s own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee’s job; and/or
- Because of any **qualifying exigency** arising out of the fact that an employee’s spouse, son, daughter or parent is a covered military member on active duty or has been notified of an impending call or order to active duty status in the National Guard or Reserves in support of contingency operation.

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. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post-deployment reintegration briefings.

B. Military Family Leave

There are two types of Military Family Leave available.

1. Qualifying exigency leave. Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of their Basic FMLA Leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, son, daughter or parent, is on active duty or called to active duty status in support of a contingency operation.

Qualifying exigencies may include:

- Short-notice deployment (up to 7 days of leave)
- Attending certain military events
- Arranging for alternative childcare
- Addressing certain financial and legal arrangements
- Periods of rest and recuperation for the service member (up to 5 days of leave)
- Attending certain counseling sessions
- Attending post-deployment activities (available for up to 90 days after the termination of the covered service member's active duty status)
- Other activities arising out of the service member's active duty or call to active duty and agreed upon by the company and the employee

2. Leave to care for a covered service member and veterans. There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has been rendered medically unfit to perform his or her duties due to a serious injury or illness incurred in the line of duty while on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. When both husband and wife work for the same employer, the aggregate amount of leave that can be taken by the husband and wife to care for a covered service member is 26 weeks in a single 12-month period.

C. Notice of Eligibility for, and Designation of, FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from HART telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) HART's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

The HART may retroactively designate leave as FMLA leave with appropriate written notice to employees provided HART's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, HART and employee can mutually agree that leave be retroactively designated as FMLA leave.

III. Employee FMLA Leave Obligations

A. Provide Notice of the Need for Leave

Employees who take FMLA leave must timely notify HART of their need for FMLA leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice

To trigger FMLA leave protections, employees must inform the Human Resources Department of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow HART to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency cause by a covered military member being on active duty or called to active duty status; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered service member with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to HART's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which HART has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

2. Timing of Employee Notice

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, or the approximate timing of the need for leave is not foreseeable, employees must provide HART notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with HART and make a reasonable effort to schedule treatment so as not to unduly disrupt HART's operations, subject to the approval of an employee's health care provider. Employees must consult with HART prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both HART and the employees, subject to the approval of an employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, HART may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered service member, HART may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise HART of the reason why such leave is medically necessary. In such instances, HART and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting HART's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three types of FMLA medical certifications: an **initial certification**, a **recertification**, and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide HART with timely, complete and sufficient medical certifications. Whenever HART requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after HART's request, unless it is not practicable to do so despite an employee's diligent, good faith efforts. HART shall inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. HART will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, HART (through individuals other than an employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide HART with authorization allowing it to clarify or authenticate certifications with health care providers, HART may deny FMLA leave if certifications are unclear.

Whenever HART deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered service member, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If HART has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at HART's expense. If the opinions of the initial and second health care providers differ, HART may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by HART and the employee.

2. Medical Recertification

Depending on the circumstances and duration of FMLA leave, HART may require employees to provide recertification of medical conditions giving rise to the need for leave. HART will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide HART medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. HART may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

D. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the active duty or call to active duty status of a covered military member, HART may require employees to provide: 1) a copy of the covered military member's active duty orders or other documentation issued by the military indicating the covered military member is on active duty or call to active duty status and the dates of the covered military member's active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different active duty or call to active duty status of the same or a different covered military member.

When leave is taken to care for a covered service member with a serious injury or illness, HART may require employees to obtain certifications completed by an authorized health care provider of the covered service member. In addition, and in accordance with the FMLA regulations, HART may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered service member confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid FMLA Leave

Employees must use any accrued paid time while taking unpaid FMLA leave.

The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with an employee's FMLA entitlement.

Leave of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement.

Upon written request, HART will allow employees to use accrued paid time to supplement any paid disability benefits.

F. Pay Employee's Share of Health Insurance Premiums

During FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless HART notifies employees of other arrangements, whenever employees are receiving pay from HART during FMLA leave, HART will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA leave is unpaid, employees must pay their portion of the group health premium through a 'pay-as-you-go' method.

HART's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If an employee's payment is more than 15 days late, the HART will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse HART for the cost of the premiums HART paid for maintaining coverage during their unpaid FMLA leave.

IV. Exemption for Highly Compensated Employees

HART may choose not to return highly compensated employees (highest paid 10% of employees at a worksite or within 75 miles of that worksite) to their former or equivalent positions following a leave if restoration of employment will cause substantial economic injury to the Organization. (This fact-specific determination will be made by the Organization on a case-by-case basis). The Organization will notify you if you qualify as a "highly compensated" employee, if the Organization intends to deny reinstatement, and of your rights in such instances.

V. Questions and/or Complaints about FMLA Leave

If you have questions regarding this FMLA policy, please contact the Human Resources Department. HART is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact the Human Resources Department immediately. HART will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

VI. Coordination of FMLA Leave with Other Leave Policies

The FMLA does not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law, which provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult HART's other leave policies in this Handbook or contact Human Resources.

5-2.7. Leave Without Pay

Under certain circumstances, at the sole and absolute discretion of HART, a leave without pay may be available upon request up to a maximum of sixty (60) calendar days. Requests must be made in writing by completing a Request for Leave of Absence form available through the Human Resources Department. Only one leave of absence request will be approved per year (365 days), regardless of duration of the approved absence. Your request will be considered on the basis of staffing requirements and the reasons for the requested leave. When you anticipate your return to work, please notify management of your expected return date. This notification should be made at least one week before the end of your leave. Upon completion of your personal leave of absence, HART will attempt to return you to your original job, or to a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed. Requests must be approved by the Department Head and the Human Resources Department.

Failure to advise management of your availability to return to work, failure to return to work when notified, or your continued absence from work beyond the time approved by HART will be considered a voluntary resignation of your employment.

5-2.8. Civic Leave

HART realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law.

Employees who are summoned to jury duty or subpoenaed as witnesses on behalf of a public jurisdiction will be paid for their time away from work in accordance with the guidelines set forth below. Nothing contained herein shall apply to employees who are the defendant or plaintiff in either a civil or criminal case.

- For purposes of this policy a public jurisdiction is defined as an agency or office of the Federal, State, or local government.
- Notification to the immediate supervisor must be given as far in advance as possible.
- Employees will be required to show proof of the subpoena or summons.
- Employee shall notify their supervisor immediately upon their release and report to work as directed. A failure to do so will mean the employee is AWOL.
- Employees in a work pay status shall be required to turn over to HART any fees received from civic service.
- Employees may be required to provide proof of actual time spent in civic service.

5-2.9. Domestic Leave

HART will permit an employee to request and take up to three (3) working days of leave from work in any 12-month period if the employee or a family or household member of an employee is the victim of domestic violence or sexual violence. This leave will be taken without pay. This leave is available to employees who have been employed by HART for 3 or more months.

Domestic leave applies when an employee or a family or household member of the employee uses leave from work to:

1. Seek an injunction for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence;
2. Obtain services from a victim services organization, domestic violence shelter or program or a rape crisis center due to an act of domestic violence or sexual violence;
3. Obtain medical care or mental health counseling, or both for the employee or a family or household member to address physical or psychological injuries resulting from an act of domestic violence or sexual violence;
4. Make the employee's home secure from the perpetrator of the domestic violence or sexual violence or to seek new housing to escape the perpetrator; or
5. Seek legal assistance in addressing issues arising from the act of domestic violence or sexual violence or to attend and prepare for court-related proceedings arising from the act of domestic violence or sexual violence.

Notice of use of leave under this policy is appropriate when:

Except in cases of imminent danger to the health or safety of an employee, or to the health or safety of a family or household member, an employee seeking leave from work under this section must provide to HART appropriate advance notice of the leave when it is known to the employee, along with sufficient documentation of the act of domestic violence or sexual violence as required by HART.

Employee rights and responsibilities:

- An employee seeking leave under this policy must first exhaust all other accrued leave types, including annual leave and sick leave before HART will proceed under this policy.
- An employee has no greater rights to continued employment or to other benefits and conditions of employment than if the employee was not entitled to leave under this policy.
- The sole remedy for any person claiming to be aggrieved by a violation of this policy is to bring a civil suit for damages or equitable relief, or both, in circuit court.

Employer responsibilities:

- HART will not interfere with, restrain, or deny the exercise of or any attempt by an employee to exercise any right under this policy.
- HART will not discharge, demote, suspend, retaliate, or in any other manner discriminate against an employee for exercising his or her rights under this policy.
- Personal identifying information contained in records documenting an act of domestic violence or sexual violence submitted to HART in compliance with this policy, shall be confidential and exempt from disclosure under Section 119.07, Florida Statutes.
- Written requests for leave submitted to HART in compliance with this policy, shall be confidential and exempt from disclosure under Section 119.07, Florida Statutes.

Sunset.

This policy will sunset by natural means on October 2, 2013 unless saved from repeal by the Florida State Legislature.

5-2.10 Leave Access Restrictions

Employees not on active work status due to any leave of absence under this section are not authorized to be on HART property without prior approval of management or Human Resources.

5-3. Insurance

5-3.1. Health Insurance

HART shall provide a group health insurance program for its regular full-time employees and their dependents which shall include hospitalization, medical and prescription benefits.

- Coverage shall be effective the first of the month following completion of the employee's first thirty (30) days unless otherwise specified under contract.
- Where applicable, any amount due for health insurance will be deducted from the employee's paycheck.
- If an employee is out on extended leave and does not receive a paycheck, the employee is required to pay his/her portion directly to HART. Failure to pay the required portion may result in cancellation of the employee's insurance.

For further information on current plan payment amounts and coverage, please contact the Human Resources Department.

5-3.2. Dental Insurance

HART shall provide a dental insurance program for its regular full-time employees and their dependents.

- Coverage shall be effective the first of the month following completion of the employee's first thirty (30) days unless otherwise specified under contract.
- Any amount due for dental insurance is deducted from the employee's paycheck. If an employee is out on extended leave and does not receive a paycheck, the employee is required to pay his/her portion directly to HART. Failure to pay the required portion may result in cancellation of the employee's insurance.

For further information on current plan payment amounts and coverage, please contact the Human Resources Department.

5-3.3 Vision Insurance

Currently HART offers a vision insurance benefit.

5-3.4. Life and AD&D Insurance

Regular full time employees are eligible for Life/Accidental Death & Dismemberment insurance. The amount of insurance is 1.5% of the employee's individual base annual salary. There is no cost to the employee for this benefit.

Part time employees are not eligible for Life/Accidental Death & Dismemberment insurance unless otherwise specified under contract.

Coverage shall become effective on the first of the month following completion of the employee's first thirty (30) days of employment.

5-3.5. Long-Term Disability Insurance

HART will provide long-term disability coverage to all regular, full-time employees. This coverage shall be for lost wages due to disability from a non-work related injury or illness. The term and degree of "disability" shall be determined by the Provider's plan document. HART shall administer this policy within the following framework:

- For each illness or injury there shall be a waiting period of 120 days before payment begins. Employees can use their sick leave, vacation leave and catastrophic leave in order to receive pay during the initial 120-day waiting period. Maximum number of days allowed for return to work without interruption of waiting period is 40 days.
- Employees receiving full disability benefits shall be placed on disability leave status up to a maximum of two years or until the employee qualifies for either social security disability or Florida Retirement System disability, whichever is earlier. While on leave of absence, employee shall be required to abide by the provisions of the long term disability insurance policy.
- Employee shall receive 60% of their basic monthly earnings, less other income benefits, up to a maximum of \$5,000 per month, for the length of their disability up to the maximum benefit period outlined below:

<u>Age at Disability</u>	<u>Maximum Benefit Period</u>
61 or less	to age 65 or to Social Security Normal Retirement Age, or 3 years and 6 months, whichever is longer
62	to Social Security Normal Retirement Age, or 3 years and 6 months, whichever is longer
63	to Social Security Normal Retirement Age, or 3 years, whichever is longer
64	to Social Security Normal Retirement Age, or 2 years and 6 months, whichever is longer
65	2 years
66	1 year and 9 months
67	1 year and 6 months
68	1 year and 3 months
69 or older	1 year

- Employees who have accrued more leave time than required by the waiting period may supplement the disability benefit to equal their regular rate of pay.
- Payments shall be made directly to the employee and shall be subject to taxes as required by law.
- If an employee is out on extended leave without pay and does not receive a paycheck, the employee is required to pay his/her portion of health insurance premiums directly to HART. Failure to pay the required portion may result in cancellation of the employee's insurance.

For further information, please contact the Human Resources Department.

5-3-6. Employee Assistance Program (EAP)

HART recognizes that a wide range of human problems may have an effect on an employee's job performance. The primary goal of HART's Employee Assistance Program (EAP) is to help those employees and/or their family members with personal, family or work issues, and problems that may affect their job performance or general well-being by providing access to assistance. The voluntary EAP program allows for a maximum of three (3) paid EAP sessions per year.

Participation in the program will not be a factor in evaluating employee performance or affect future employment or advancement. Participation in the program is not a substitute for corrective discipline, nor will it protect the employee from disciplinary action for substandard job performance or rule infractions. Regardless of the cause, poor job performance will be handled within the established personnel procedures.

Counseling through the EAP is generally performed on a voluntary basis. Employees are encouraged to contact the EAP on their own. However, when an employee is experiencing a job performance problem, a Supervisor or Manager may suggest the employee seek assistance through the program. EAP counseling may be required by HART as a condition of continuing employment. EAP brochures that describe the program are available through the Human Resources Department.

5-3.7. Section 125 Plan (Flex Spending Account)

HART's Section 125 cafeteria plan allows employees to use pre-tax dollars to pay for certain benefit costs. Pre-tax dollars can be used to pay for out-of-pocket expenses for health insurance premiums and supplemental insurance premiums by having them deducted from the employee's gross pay before taxes are calculated. It also enables employees to use pre-tax dollars to pay for expenses under the Flexible Spending Account which allows them to redirect a portion of salary to provide reimbursement for two specific types of expenses: non-reimbursable medical expenses and dependent care.

Once elections are made during the enrollment period, it may be impossible to modify them during the plan year, so employees should consider their options carefully. IRS rules prohibit the modification and/or revocation of elections before the beginning of the next plan year unless there is a qualifying change in status (e.g., change in marital status, employment status, work

schedule, number of tax dependents, dependents' eligibility or worksite, or as otherwise defined by the IRS).

The **Health Care Reimbursement Account (HCRA)** allows you to pay on a pretax, salary reduction basis for eligible health care expenses not covered by your medical, dental, or vision plans such as co-payments for physician visits and prescriptions.

The **Dependent Care Reimbursement Account (DCRA)** allows HART employees to pay for certain dependent care expenses on a pretax, salary reduction basis. It works just like the Health Care Reimbursement Account described in the article above. You may use your Dependent Care Reimbursement account to pay for eligible expenses for the following eligible family members: a child under age 13 in your custody whom you claim as a dependent on your tax return; a spouse who is physically or mentally incapable of self-care; and a family member who lives with you, such as a child over age 13, parent, sibling, or in-law, who is physically or mentally incapable of self-care, and whom you claim as a dependent on your tax return. If care is provided outside the home, the family member must live in your home at least eight hours each day.

5-4. Retirement

5-4.1. Deferred Compensation Plan

Full time employees are eligible to participate in the company's Deferred Compensation Plan. Employees will choose a HART sponsored plan.

The deferred compensation plan comes under the Internal Revenue Code (IRC) 457 savings plan authorized by Congress. Under the plan, an employee contributes a set sum each pay period to an investment account in the employee's name. Deferred compensation is a voluntary, payroll-deducted retirement program which offers the opportunity of setting aside a portion of income on a pre-tax basis and investing those monies into one or more funds selected by the employee. Contributions to the investment account are made out of pretax income and the earnings of the account are not taxed until they are withdrawn, usually at retirement.

In an effort to encourage employees to save for their retirement, the company will match the employee's contribution dollar for dollar up to the equivalent of three and one-half (3 ½) percent of the employee's salary on an annual basis.

More information and sign up forms may be obtained from the Human Resources Department.

5-4.2. Retiree Benefits

Medical, Hospitalization, Dental, and Vision Coverage

Retired employees may continue medical, hospitalization, dental and vision coverage through HART by paying the monthly premium. The cost will be the same monthly premium as HART

pays. Payments to continue medical, hospitalization, dental and vision coverage are paid directly to HART and should be sent to the benefits office.

Life and Supplemental Insurance Plans

Retired employees have the right to convert their life or supplemental policies to individual policies. All premiums will be billed directly to the retired employee.

Contact the benefits office in Human Resources for information on continuing insurance.

Bus Passes

Retirees can request a free I.D., which will allow them to ride the bus free of charge. Spouses of retired employees are not eligible for this benefit.

5-4.3. Retirement Plan

HART is a member of the Florida Retirement System (FRS). Permanent employees automatically become participants in the Florida Retirement System. Temporary employees on HART's payroll become participants after six months of employment retroactive back to the date of employment. Contributions to the Florida Retirement System are paid entirely by HART; no money is deducted from the employee's salary. HART pays retirement contributions of a certain percentage of each employee's salary each month as determined annually by Florida Statute. Retirement contributions are governed by the rules and regulations of the Florida Retirement System.

Employees will choose between two FRS Retirement plans:

- **FRS Pension Plan:** A participant in this plan is vested after completing 6 years of service. Requirements for normal full retirement include earning 6 or more years of service and reaching age 62; or having 30 years of service regardless of age. For more information on this plan, call 1-877-377-3675. Participants will receive an annual statement prepared by the Florida State Division of Retirement.
- **FRS Investment Plan:** A participant in this plan is vested after completing 1 year of service. For more information on this plan, call 1-866-446-9377

Being vested means an individual is eligible to receive a retirement benefit.

Full details are available during orientation, through the Human Resources Department, or by contacting FRS directly at one of the numbers above or at their website: <http://www.frs.state.fl.us>.

5-5. Miscellaneous

5-5.1. Workers' Compensation

HART will provide appropriate Workers' Compensation coverage for compensable occupational injuries and illnesses in accordance with the provisions of Florida law. Compensation and medically necessary services and supplies will be provided to the employee without regard to fault or negligence. Fraudulent cases will be thoroughly investigated, and if necessary, pursued to prosecution.

Any accident or injury arising out of and in the course of employment must be reported to the employee's supervisor immediately. After any immediate medical needs are handled, HART's Workers' Compensation Adjuster/Risk Specialist will be notified. Should an accident or injury occur after hours; the Risk Specialist must be notified immediately. The First Report of Injury or Illness shall be completed by 8:30 a.m. the next business day. If an emergency relating to a Workers' Compensation injury arises after doctors' office hours, the emergency room of University Community Hospital should be used. In life threatening emergencies, the nearest medical facility should be used.

If medical attention is required, the injured employee will be transported to HART's designated medical facility for initial diagnosis and treatment. If the injured employee is given a written diagnosis, treatment report, or any other document, the original(s) must be submitted to the Workers' Compensation Adjuster/Risk Specialist. It is mandatory to report to the Workers' Compensation Adjuster/Risk Specialist after each medical appointment. Prescriptions are billable to workers' compensation and do not go through the employee's group health insurance plan.

The Florida Workers' Compensation Law provides a seven day waiting period during which no lost wage benefits are paid. If more than 21 days are lost from the job as a result of an accident, benefits will be paid for the seven day waiting period. Casual sick leave may be applied to any time which is not reimbursed by HART through workers' compensation. However, should worker's compensation benefits subsequently become applicable to any time previously charged as sick leave, the sick leave will be reimbursed by the employee to HART and leave hours will be reinstated to the employee's leave balance.

Compensation benefits will not exceed two-thirds (66 2/3%) of the employee's average weekly wage up to a statewide maximum. The average weekly wage is calculated by averaging the employee's weekly wages for the 91 days preceding the accident.

Florida Statute §440.09 (5) states that safety appliances and equipment as well as safety rules must be used and/or followed. When employees do not comply with regulations, work related injuries are compensated at twenty-five percent (25%) less than the full amount. Safety equipment such as, but not limited to, safety shoes, goggles while handling liquid solutions, and seat belts while driving are prime examples. All employees are required to observe all safety regulations and rules.

Group health insurance benefits continue while an employee is on workers' compensation if the employee continues to pay the portion of their group health insurance premium that is normally deducted from the employee's paycheck.

If an employee is released to work with restrictions, the Workers' Compensation Adjuster/Risk Specialist will arrange through the Human Resources Department for the employee to return to work in keeping with restrictions, if such work is available.

It is the employee's obligation to use the doctor provided by HART. If the employee is not satisfied with the treatment, the employee has the right to request a different doctor. All Workers' Compensation requests and issues are to be coordinated through HART's Workers' Compensation Adjuster/Risk Specialist.

5-5.2. Credit Union

Employees are eligible to participate as a member in the Tampa Bay Federal Credit Union. Once becoming a member, employees are eligible to participate in all credit union services including checking accounts, savings accounts, loans, direct deposit, etc. All deductions and changes are handled directly between the credit union and the employee. Information is available through the Human Resources Department. The credit union also handles direct deposit for those employees desiring to have direct deposit.

5-5.3. Employee Recreation Committee

The Employee Recreation Committee allows employees the opportunity to contribute to a fund wherein as a member they can plan and attend various functions throughout the year. The Committee dues are \$2 per pay period and the amount is deducted from the employee's paycheck. The Committee also receives funds from sales from the food truck and vending machines. The Committee plans three or four functions per year--usually a spring dance, a summer family picnic, a fishing trip, and more. For more information, please contact the Human Resources Department.

5-5.4. Free Employee Transportation

HART employees will be allowed to ride HART buses at no charge by showing a current employee identification card to the operator when boarding the bus.

Renewable bus identification passes are provided free of charge to HART retirees on an annual basis. Spouses and children of current employees are eligible to purchase an annual bus identification pass at the cost of \$2 and must present verifiable identification. Spouse and children identification passes expire annually.

Annual bus identification passes are purchased at the reception desk at the 21st Avenue location and allow unlimited use of the system. Any violation of the use of the pass shall result in cancellation of the free bus ride privilege.

Employees terminating employment for any reason are required to surrender their identification card, their spouse and children's annual bus identification passes and thus they do not retain the right to ride the bus system free.

5-5.5. Prepaid Legal

Prepaid legal services are available to employees through the organizations plan. For a bi-weekly deduction amount, employees will be able to get professional, legal guidance and support through a network of experienced attorneys and financial advisors. This comprehensive plan will cover almost any legal situation that might be encountered. Additional information can be obtained from the Human Resources Department.

5-5.6. Employee Recognition and Awards

Employees are selected to be recognized for exemplary performance in their job functions, and their contribution and involvement in this organization and the community. Specific eligibility criteria and awards for all of the programs are available for your review on HART's Intranet. Hard copies can also be obtained by contacting the Human Resources Department.

Employee Suggestions

HART encourages employees to make suggestions that will improve productivity, working conditions or customer service. All employees who submit a suggestion will receive an acknowledgment and a small gift. If HART implements a suggestion, the employee will receive a \$50 cash or gift certificate. Suggestion forms and deposit boxes are located in the Operations and Maintenance areas at the 21st Avenue HART facility.

Note: Employees who receive an item that has cash value (e.g. cash, gift certificates, savings bonds, etc.) will be subject to the appropriate payroll taxes as directed by the Internal Revenue Code.

5-5.7. Time Off for Community Involvement

HART believes that it is important to have its employees involved in community affairs that promote the interests or recognition of HART. Time off required to perform any duties directly related to these activities shall be granted on a case-by-case basis and employees may be required to use leave for related absences. Community involvement and participation during the workday shall be limited to membership in civic clubs and City and/or County boards or committees. Membership and/or appointments to organizations which require time away from the work site must be approved in advance by the department head.

5-5.8. Tuition Reimbursement

HART will reimburse regular full-time employees for tuition fees and books required for approved training courses. HART will not reimburse for materials, supplies, application fees, or transportation.

The employee must apply to the Human Resources Department for an application for tuition reimbursement and receive approval from both Human Resources and the appropriate department head before beginning the selected course of study. Requests for reimbursement may not be approved if this procedure is not followed. Approved training shall include courses which are related to the employee's present job or to a promotional position. Courses shall be completed at a technical or trade school or an accredited college or university approved by the Authority. Tuition reimbursement will be capped at a maximum of \$325 per credit hour with a maximum for tuition and books of \$5,250.00 per calendar year.

- The employee must present the following documentation along with the Tuition Reimbursement Request form: (1) registration receipt(s); (2) class schedule; (3) book receipt(s). An employee may request 75% advancement on the cost of tuition and books at the onset of course registration if it has been approved by the Authority. The employee will be reimbursed for the outstanding 25% of the cost of tuition and books upon evidence of successful completion of the course of study. If an employee does not request 75% advancement at the onset, tuition will be reimbursed at 100% upon successful completion of course(s) of study or training.
- Successful completion of course(s) of study or training is defined as completing a course with a grade of "C" or higher or passing grade for the course. In the case of training, presentation of a Certificate of Completion duly authorized by the trade school or institution attended will meet the documentation requirement.
- The employee is responsible for providing a copy of their final grade to Human Resources as soon as it is received. In the event that 75% of tuition costs were advanced to the employee and the employee fails to successfully complete the course or receives a grade lower than a "C", the employee must pay back the amount of the advance to HART.
- An employee who has received a tuition advancement who does not immediately notify the Authority of dropping a course, receiving an "Incomplete" or a grade less than a "C", will not only be responsible for paying HART back the monies advanced, but will also not be eligible for future advancements on tuition and book costs for the duration of the fiscal year.
- An employee receiving a scholarship or grant for education is not eligible for tuition reimbursement. Such scholarships and grants include, but are not limited to, Veteran's benefits, Social Security benefits, Federal Pell Grant, Federal Supplemental Educational Opportunity Grant, Florida Student Assistant Grant and tuition waivers. Employees who fail to disclose this information will be required to pay back any funds distributed and will be subject to discipline up to and including termination.
- An employee who resigns or is dismissed from employment prior to the completion of an approved training course or classes shall not be eligible for reimbursement. If an employee resigns or is dismissed from employment prior to completing the approved course, the amount advanced will be deducted from the employee's final paycheck, to the extent

permitted by law. An employee who is laid off or retires during the training or class shall be eligible for reimbursement upon successful completion of the training course.

- If a change in work assignment causes an employee to have a conflicting schedule with a pre-approved course in progress, HART will make a joint effort to accommodate the employee's need to attend class.

Any state or federal income tax requirements on this benefit will be the responsibility of the employee and whenever possible will be deducted from the employee's paycheck.

The Tuition Reimbursement Request form is available from the Human Resources Department.

5-5.9. Annual Physical

Employees may elect to receive an annual physical with two (2) hours paid time and reimbursement for his/her insurance co-payment. The two hours paid time is not counted toward hours worked for the purpose of overtime.

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Section 6 – General Standards of Conduct

6-1. Workplace Conduct

HART endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge, in HART's sole discretion. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Completing another employee's time records.
3. Dishonesty; falsification of HART records.
4. Violation of safety rules and policies.
5. Negligently or willfully damaging, threatening to damage, misusing or destroying HART property or property of another employee. (Wasting of work materials).
6. Coercing, intimidating, threatening, or interfering with other employees.
7. Failure or refusal to follow instructions, direct orders, or perform work as assigned; insubordination.
8. Failure to report dishonest activities on the part of employees or managers.
9. Use of abusive or profane language or engaging in obscene, lewd, or other inappropriate conduct.
10. Violations or disregard of a HART rule, policy or procedure.
11. Habitual tardiness reporting to work, leaving work without authorization, excessive absenteeism or sleeping on the job.
12. Refusal or failure to submit to a fitness-for-duty examination or to a urine, or breathalyzer test.
13. Procuring, soliciting or engaging in immoral acts on the job.
14. Causing an unnecessary disturbance (horseplay) or disruption of business on the job.
15. Creating hazardous or unsanitary conditions on the premises.

16. Offensive, discourteous or rude conduct towards supervisor, other employees and/or general public.
17. Failure to notify your supervisor or department head of circumstances that would affect your ability to perform your job.
18. Failure to return to work as scheduled after an approved leave of absence, or accepting other employment while on a leave of absence.
19. Unauthorized sharing or removal of HART information.
20. Purchasing, possessing, selling or being under the influence of alcohol or illegal drugs on the premises or in a HART vehicle at any time whether on-duty or off-duty.
21. Damaging or unauthorized possession or removal from the premises of Authority property or property of another employee.
22. Behaving in a manner that may be construed as discriminating or harassing or otherwise in conflict with applicable laws relating to individual civil rights.
23. Conduct on or off duty that adversely reflects on the Authority, or interferes with performance.
24. Failure to maintain a pattern of behavior that reflects a positive attitude relating to HART, management personnel, other co-workers, and customers.
25. Unauthorized possession or use of weapons or physical force against another person.
26. Failure to attend mandatory meetings or training sessions without the approval of your supervisor or department head.
27. Abuse of authorized leave. Excessive absenteeism or Feigning illness.
28. Performing work of a personal nature during working time.
29. Gambling on HART property.

Note that all employees are employed at-will, and HART reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. HART will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation. However, HART will endeavor to utilize progressive discipline but reserves the right in its sole discretion to terminate an employee at any time for any reason. The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

6-2. Punctuality and Attendance

Employees are hired to perform an important function at HART. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on fellow employees and Supervisors. We expect excellent attendance from each employee. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

We do recognize, however, that there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify their Supervisor as early as possible, but no later than the start of the work day. Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the illness and its expected duration. Employees should call every day that they are absent.

Unreported absences of three consecutive work days generally will be considered a voluntary resignation of your employment with HART.

6-3. Use of Communication and Computer Systems

The means for oral, written and electronic communication are each made available solely to serve the business purposes of HART. Any personal use shall be permitted only as incidental to and shall not be permitted to interfere with the normal course of HART's business. All such communications and evidence or traces of such communications are considered HART property and HART management reserves the right to review and/or archive all such communications, with or without notice to employees. There can be no expectation of privacy in the use of any means of communications available on, in or in connection with any HART facility, vehicle or equipment. Any use of such means for communication may be subject to public records requirements and any employee's use of such means for communications shall be an acceptance by that individual that such communications are public information. Each employee shall sign a statement acknowledging and accepting this policy.

Telephone and Voice Mail

- Use of telephone equipment and voice mail for personal purposes are only allowed on breaks or lunch periods provided said use is within acceptable time limits.
- Numerous lines at HART are recorded and/or monitored to insure proper and acceptable communication, ascertaining that the standards of quality customer service are being met, and evaluating job performance. HART provides a “beep” tone on lines being recorded such as customer service, hot lines, radio communication channels, etc. However, lines may be monitored without a “beep” tone. Employees concerned about their personal conversations being monitored should utilize the pay phones located throughout the buildings.

- All voice mail is subject to review and recording without notice to the employee or anyone else.

E-Mail

- Electronic communication (E-Mail) is provided by HART for employees to conduct HART business and is encouraged when it results in the most efficient and/or effective means of communication.
- All electronic communications are part of the HART computer system and, therefore, are considered HART property. HART management reserves the right to review all electronic communications either through direct access or the use of archival data, with or without notice to employees. Deletion from an employee's file does not constitute deletion from the archived files.
- The use of computer equipment may be monitored to identify potential abuses. Employee use may be restricted, as necessary, to conform to HART guidelines. Retrieved communications may be used in disciplinary proceedings.

Software and Computers

- HART provides software and computers for employees to conduct HART business. Use of the software and computers may be required to complete certain job functions and in the continuous learning process of employee development. A principle aim of employee development is to improve computer skills in the present position as well as in an upgraded position. It is important that all employees recognize that the software and computers are to be used for business purposes only.
- HART expressly prohibits the following use of HART provided software and computers:
 - Duplication of copyrighted materials (software and programs) in violation of copyright laws.
 - Use of software and computers in any way to conduct or promote a private commercial enterprise.
 - Adding, moving, deleting or altering software without the permission of the Information Systems (IS) Division.
 - Loading personal or any other software without permission of the IS Division.
 - Giving, passing or transmitting user passwords (passwords are confidential) to anyone without the permission of the IS Division.
- All software and computers are part of the HART computer system and, therefore, are considered HART property. HART management reserves the right to review all computer operations carried out either through direct access or the use of archival data, with or without notice to employees. Deletion from an employee's file does not constitute deletion from the archived files.
- To accommodate security issues, the use of computer equipment may be monitored to identify potential abuses. Employee use may be restricted, as necessary, to conform to

HART policy. When necessary, records of unauthorized use may be retrieved for use in disciplinary proceedings.

Internet/Intranet

- Internet/Intranet access is provided by HART for employees to conduct HART business and is encouraged when it results in the most efficient and/or effective means of gathering information or data. It is important that all employees recognize that the Internet/Intranet is to be used for business purposes only.
- As a condition of providing Internet/Intranet access to its employees, HART places certain restrictions on usage and encourages usage for the following:
 - To communicate with fellow employees, outside agencies and contractors regarding matters within an employee's assigned duties.
 - To acquire information related to or designed to facilitate the performance of, regular assigned duties.
 - To facilitate performance of any task or project in a manner approved by an employee's supervisor.
- HART expressly prohibits use of the Internet/Intranet for the following:
 - Downloading and/or playing of Internet/Intranet games.
 - Dissemination or printing of copyrighted materials (including articles and software) in violation of copyright laws.
 - Sending, receiving, printing or otherwise disseminating any, out of the sunshine, confidential information of HART in violation of HART policy or proprietary agreements.
 - Offensive or harassing statements or language including disparagement of others based on their sex/gender, color, race, national origin, age, disability, religion, veteran status or sexual orientation.
 - Sending or soliciting sexually oriented messages or images or seeking/soliciting sexually oriented information or activity.
 - Operating a business; usurping business opportunities; soliciting money for personal gain, outside business or other unauthorized activity or searching for jobs outside of HART.
 - Sending chain letters, gambling or engaging in any other activity in violation of local, state or federal law.
- All Internet/Intranet communications are part of the HART computer system and, therefore, are considered HART property. HART management reserves the right to review all communications carried out either through direct access or the use of archival data, with or without notice to employees. Deletion from an employee's file does not constitute deletion from the archived files.
- To accommodate security issues, communications may be monitored to identify potential abuses. Employee use may be restricted, as necessary, to conform to HART policies.

When necessary, records of unauthorized use may be retrieved for use in disciplinary proceedings. *HART Board Policy 610.20*

6-4. Camera Phones/Recording Devices

Due to the potential for issues such as invasion of privacy, sexual harassment, and loss of productivity, employee may operate the camera feature on a company cell phone, personal cell phone and other electronic devices while on company property or while performing work for HART. However, the use of this feature must be used solely for legitimate business purposes.

The use of tape recorders, dictaphones or other types of voice recording devices anywhere on HART property, including to record conversations or activities of other employees or management, or while performing work for HART, is also strictly prohibited, unless the device was provided by HART and is used solely for legitimate business purposes.

6-5. Smoking

HART recognizes that individuals working or visiting in HART buildings or vehicles or other space occupied by HART are entitled to an environment, which is reasonably free from contamination. Employees, patrons and members of the public are permitted to smoke under limited conditions, consistent with the Florida Clean Indoor Air Act, Florida Statute 386.201 through 386. Signs that can be easily read shall be placed in appropriate places in buildings and facilities as determined by the Safety and Security department head or designated officer. Accordingly, smoking is authorized in designated smoking areas only.

Consistent with this policy, smoking is prohibited in the following areas:

- Smoking is prohibited in areas which are enclosed under roof at HART owned and/or operated business offices and all transit transfer centers. This will include all hallways and corridors, all restrooms, the bus operator training room and the administrative reception area
- Smoking is prohibited in all HART revenue and non-revenue vehicles, which includes staff cars, vans, streetcars, trolleys, maintenance vehicles and buses. It is also prohibited in the fuel island and around flammable products; in HART's vehicle storage/yard area - east and west lots; and while performing job duties and while walking through HART's vehicle storage/yard area.

The designation or changing of the designation, of any smoking area shall be determined by the individual characteristics of the building or area, such as size, ventilation, the purposes for which it is utilized, and other criteria relating to public health, safety, and comfort. The Chief Executive Officer or his/her designee, in accordance with this policy shall make this determination. A visit to designated smoking areas in no way relieves an employee of responsibility to promptly report for a scheduled work assignment. *HART Board Policy 610.10*

6-6. Solicitation and Distribution

Solicitation by employees while on working time is prohibited. “Working time” is defined as the time an employee is engaged, or should be engaged, in performing his/her work tasks for HART. Solicitation of any kind by non-employees on HART premises is prohibited unless otherwise expressly authorized by the Chief Executive Officer or his or her designee.

Distribution of advertising material, handbills, printed or written literature of any kind in working areas of HART is prohibited at all times. Distribution of literature by non-employees on HART premises is prohibited at all times.

6-7. Bulletin Boards

All general announcements, job openings and employee communications are posted on bulletin boards that have been placed in strategic locations at HART facilities. Frequently, discount programs and/or tickets to popular events are available. Announcements of these programs and events are posted as they become available. Employees wishing to post personal items on the bulletin boards must contact the Human Resources Department prior to posting. HART retains the right to disallow and/or remove posting of materials it feels are inappropriate or not in the best interest of HART.

6-8. Communication/Information

Special instructions to employees may be issued either verbally by members of management or in the form of e-mail or memos, circulated to employees or posted on bulletin boards. It is the responsibility of all employees to check the bulletin board located in the employee’s work area on a daily basis as well as e-mail when applicable. If any doubt exists regarding notices or instructions, an employee should see his/her immediate supervisor to obtain additional information or clarification.

Employees also receive instruction through performance reviews as well as through written work assignments and task and job procedures. Periodic and/or routine meetings and training sessions are held to provide instruction, work on problems, coordinate projects, counsel employees, etc. Monthly newsletters are distributed to employees; the Transit Development Plan is updated annually and is made available to employees for review and a personal copy is available on request. Minutes of Board meetings and packets of the information used by the Board at the meetings are available on HART’s website.

6-9. Confidential Company Information

During the course of employment, an employee may become aware of confidential information about HART’s business or personnel. An employee also may become aware of confidential information belonging to HART’s customers or business partners. It is important that all such information remain confidential and should not be disclosed without appropriate authorization. Any employee who improperly copies, removes (whether physically or electronically), uses or

discloses confidential information to anyone outside of HART may be subject to disciplinary action up to and including termination. Employees may be required to sign an agreement affirming these obligations.

6-10. Blogging and Social Media

HART respects the right of any employee to maintain a blog or the use of social media. However, to protect HART's interests and ensure employees focus on their job duties, employees must adhere to the following rules:

1. Employees may not post on a blog or social media site during work time or with HART equipment or property unless it is within the purview of their job duty or they are directed to do so by their supervisor. HART's policy on the use of communication and computer systems applies to the personal use of social media.
2. All rules regarding confidential information apply in full to blogs and the use of all forms of social media. Posts by employees to blogs and social media sites about HART are considered to be actions of official business, and therefore subject to Florida's public records laws. Furthermore, postings with information legally protected from these public records laws (i.e. employee health information) must not be posted. Employees with questions about what is considered confidential and protected information should consult with HART's legal services.
3. If an employee publishes content to a website or social media outlet that has something to do with their work or subjects associated with HART, the employee must identify himself or herself as an employee and the post must state "The opinions expressed on this site are my own and do not necessarily represent the views of HART." This is necessary to preserve HART's good will in the marketplace.
4. Internet postings should not include company logos or trademarks unless permission is asked for and granted. Internet postings must respect copyright, privacy, fair use, financial disclosure and other applicable laws.
5. Any conduct which under the law is impermissible if expressed in any other form or forum is impermissible if expressed through a blog or social media venue.
6. Any social networking conduct by a HART employee must be consistent with all policies in the HART Employee Policy Manual, whether HART is expressly named in the online activity or not. Employees using social media are expected to use good judgment in their use of statements and images online. For example, when HART is listed as the employee's workplace on a user profile, all content should be consistent with how the employee would wish to present himself or herself to the HART management, board, business contacts, colleagues and peers.

HART maintains a strong corporate presence online with a company blog, Facebook, Twitter, You Tube, and LinkedIn accounts. HART encourages all employees, before posting to a HART blog or social media page, to contemplate how the speed and manner in which information

posted to a social media site can be relayed and often misunderstood by readers. Employees are accountable for the statements that they make online. An individual can be liable for misrepresentation of information or perpetuating statements or images that are defamatory, harassing, libelous or create a hostile work environment, even if they believe the information to be true or harmless. HART communications on our social media pages are managed in a coordinated manner through designated spokespersons. Thus, HART urges all employees to not post information regarding HART or their jobs which could lead to morale issues in the workplace or which could detrimentally affect HART's business. Employees should consult with their supervisor if there is any doubt about how a post could impact the organization. Users who violate the Policy may be subject to discipline, up to and including termination of employment.

6-11. Use of Equipment and Facilities

All HART property, equipment and facilities are made available solely to serve the business purposes of HART. Any personal use must be authorized by HART management and will be permitted only on a limited basis provided that such use does not interfere with the normal course of HART's business. Any personal use of HART property, equipment or facilities shall be construed as acceptance by employees that any communications or information involved in such use is public information and may be subject to monitoring and review.

The use of HART office equipment, including but not limited to photocopy machines, fax machines, typewriters, computers, and telephones, is for official purposes only unless otherwise authorized by management. Employees are not permitted to use HART property such as stationary, letterhead, mail or facilities for personal use, outside business or other unauthorized activity. The misuse of HART property including money, facilities, equipment, supplies, mail services, telephones, fax, photocopiers, E-Mail, and motor vehicles is a serious offense and may lead to disciplinary action up to and including immediate termination of employment.

- **Photocopy Machine:** Limited use of the copier machine at the cost of 15 cents per page for personal purposes is allowed on breaks or lunch periods provided said use is within acceptable time limits and does not interfere with the normal course of business. This money will be paid directly to the Accounting Department. It is a violation of this policy if employees make copies of lewd, distasteful or suggestive literature; any item of a political nature; any copyrighted materials or any other materials deemed to be inappropriate by HART.
- **Facsimile Machine:** Employees will be allowed limited use of the fax machine for personal purposes on breaks or lunch periods provided said use is within acceptable time limits and does not interfere with the normal course of business. Such local area personal faxes free of charge. If the personal fax is long distance there will be a cost of \$1.00 per page. Employees will be allowed to receive personal faxes under the same conditions for a fee of 15 cents per page. It is a violation of this policy if employees send or receive material that could be interpreted as lewd, distasteful or suggestive; any item of a political nature; any copyrighted materials or any other materials deemed to be inappropriate by HART.

Reimbursement to HART for the cost of equipment misuse will be required where applicable.
HART Board Policy 610.30

Use of HART Vehicles

Employees may be required to leave their regular work site during the workday to engage in HART-related business. Employees who have need of a HART vehicle shall be allowed the use of a HART staff car or van, if available and the employee has a valid driver's license. Travel to the business location must be made through use of the most direct route. Use of a HART vehicle for the sole purpose of personal business is expressly forbidden. Those employees operating a HART vehicle on a daily basis are responsible for maintaining the vehicle (i.e. interior/exterior cleanliness, tires, gas, fluids). A pre-trip inspection must be completed daily. Any damage must be reported to the employee's supervisor or the department head immediately.

Employees are not allowed to smoke, drink alcoholic beverages, or be under the influence of alcohol or controlled substances while in an Authority vehicle. Employees are not allowed to carry unauthorized passengers in HART vehicles.

Take Home Cars

Staff cars are only to be taken home in emergency situations and with prior authorization. Staff cars are for official use only and should not be used for personal use. In the event a department head authorizes a car to be taken home, it must be documented in an authorization memorandum and kept on file in the Risk Management Department.

Drivers' License

Employees who are involved in an accident while operating a HART vehicle when they knew, or should have known, they had a suspended, revoked, or canceled license and/or required endorsement, shall be discharged immediately regardless of who is at fault. "Knew or should have known" as defined in this paragraph includes, but is not limited to, Department of Motor Vehicle (DMV) issuance of a notice of suspension, revocation, cancellation or disqualification.

The Authority conducts DMV checks on all applicants and periodically conducts DMV checks on employees who are required to operate staff vehicles as part of their job requirement. If it is discovered that an employee has operated a HART vehicle when they knew they had a suspended or revoked license, the employee shall be discharged. Copies of DMV reports are retained in the Human Resources Department.

Cellular Phone Usage When Driving

Employees with cell phones shall refrain from using cell phones while operating HART vehicles. Regardless of the circumstances, including slow or stopped traffic, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employee is driving, the employee must use a hands-free device.

Employees who are charged with traffic violations resulting from the use of their phones while driving will be solely responsible for all liabilities that result from such actions.

6-12. Health and Safety

The personal safety and health of each employee and the prevention of occupational injuries and illnesses is of paramount importance to HART. HART will take measures to prevent and eliminate job hazards known to HART which the employee may encounter at his/her place of work, in accordance with applicable federal, state and local regulations.

An employee involved in an accident on duty shall immediately report said accident and any physical injury sustained to one of the following persons: Dispatch, department supervisor, department head. An employee shall fill out an accident report in writing on forms furnished by HART and turn in the names and addresses of all available witnesses to any accident.

Employees shall report all defects of equipment or unsafe conditions to their immediate supervisor and/or the Safety/Security Department. In the event continued defects of equipment or unsafe conditions are experienced, a written complaint must be filed with the Safety/Security Department.

HART complies with the rules of the Federal Occupational Safety and Health Administration (OSHA) and the Florida Occupational Safety and Health Administration (FOSHA). Consequently, employees may be required to attend periodic training sessions on various safety-related matters, including training on preventing the transmission of blood-borne pathogens. Employees are expected to review and familiarize themselves with HART's Safety Program. Specific procedures can be viewed and/or obtained from the HART Safety/Security Department.

Accident/Incident Reporting

Accidents are divided into three categories: Crash (contact made with an object or vehicle), Passenger (customer injured while boarding, alighting or on the unit), and Employee (personnel work related injury).

Incidents are defined as any other events which take place outside the normal scope of, and/or in violation of HART Standard Operating Procedures (SOP) and HART policies.

A primary tool used by HART to identify the area of accidents and incidents is a thorough and properly completed official Accident/Incident Report. The results of each accident/incident will be reduced to writing and submitted for review by management.

Procedures for reporting Accidents and Incidents are as follows:

- Depending on the area in which they occur and the employee involved, all accidents and incidents, no matter how minor or slight, must be reported at the time of occurrence to one of the following personnel:
- Dispatch

- Supervisor
- Manager
- Chief
- Risk Manager or Risk Specialist

Employees involved in work related injuries are to report the injury immediately to one of the above management personnel as soon as possible, regardless of the severity of the injury or accident. If the employee requires medical attention, the Risk Management Department will be notified immediately.

The employee involved in the accident or incident, and any employee who may have witnessed the event, must complete a detailed written report.

An employee involved in an accident or incident may be required to participate in the accident/incident investigation process. Should an employee receive a notification letter from the Risk Management Department requesting an informal, non-disciplinary meeting, the employee shall respond within the time frame allotted on the notification letter.

An employee who is indirectly involved in an accident or incident, such as making an observation of damage to a HART vehicle parked in the HART parking lot, must report it verbally to the proper management personnel and complete a written accident and Accident/Incident Report

All employees are to be advised that disciplinary action will result from a violation of the safety rules. Employees involved in an accident or incident who fails to follow the above established reporting procedures may be subject to the appropriate disciplinary action, including termination of employment.

6-13. Employee Dress and Personal Appearance

Personal appearance not only demonstrates pride in ourselves, but influences HART is perceived by others. Appropriate attire impacts our performance as well as the performance of those around us. Every HART employee is expected to present a neat, professional and well groomed appearance.

Business Casual attire is standard office attire Monday through Thursday unless otherwise notified.

- Business Casual is typically a classic, understated look that is comfortable yet communicates a professional business environment. The following are examples of business casual attire:
 - **For women:** casual slacks (cropped below calf), sweaters, blouses, oxford (long/short), dressy blouses (long/short/sleeveless – not tank style), golf shirts, skirts/dresses, and shoes (boot, lace up, loafer, heels...open/closed toe, sandals with heels). Socks/hose are optional.

- **For men:** casual slacks (khakis), sweaters, shirts with collars, golf shirts, denim shirts, socks and shoes.

Traditional Casual attire is permitted on Friday, unless otherwise notified.

- Traditional Casual is more casual and relaxed than business casual but still appropriate and in good taste. This attire is acceptable on Fridays unless otherwise announced.
 - **ALL Employees:** Jeans (in good condition), denim attire of any type (except overalls), dressy tee-shirts, and clean athletic shoes may be worn.

Traditional Professional attire is required, **regardless of the department or day of the week**, when you are attending external functions representing HART and/or visitors are expected at the 21st Avenue or Ybor offices. Traditional Professional is the traditional standard exhibited in most office/professional work environments. This means:

- **For women:** business/professional dresses, suits, slacks, jackets, blouses, skirts, sweaters, hose and shoes.
- **For men:** business/professional suits, sport coats, slacks, shirts, ties, socks and shoes.

Hair should be clean, combed and neatly trimmed or arranged. Shaggy, unkempt hair is not an acceptable appearance standard. Sideburns, mustaches and beards should be neatly trimmed. Jewelry and accessories that interfere with job performance are inappropriate. Moderate earrings are acceptable. Body piercing and/or body art in any other visible parts of the body is not an acceptable appearance standard. Any clothing that is too revealing, too tight or exposing the midriff should never be worn.

Employees should avoid extremes in fragrance. There may be times where you will be asked to refrain from wearing fragrances.

UNACCEPTABLE/INAPPROPRIATE ATTIRE

The following are some examples of inappropriate dress regardless of the day of the week. Contact the Human Resource Department if you are uncertain about the appropriateness of the attire.

- Faded, ripped, and/or tattered jeans. No overalls. Any article that is dirty, torn, or in disrepair.
- Clothing which displays offensive or suggestive or discriminatory writing, pictures, or symbols.
- Any attire that may contain identification or promotion of illegal activities, racial commentaries, or any comment that is disrespectful to the basic rights of every individual. Gang related symbols or graphics.
- Shorts, cut-offs, spandex tops or bottoms (i.e. leggings), sweatpants, sweatshirts, low-cut shirts, tank tops, or tube tops.
- Any clothing with spaghetti straps, any clothing that reveals bare backs, midriffs, or shoulders, or any revealing or provocative clothing.

- Dresses, skirts, culottes, or city shorts that are shorter than mid-thigh.
- Stirrup pants worn with short or inappropriate top that is not at least mid-thigh in length.
- Flip flops.

If, in the opinion of your manager or other members of management, your appearance does not meet the standards of HART, you may be required to leave the premises. Any work time missed because of failure to comply with this policy will not be compensated, and repeated violations of this policy may be cause for disciplinary action up to and including discharge.

6-14. Public Information

It shall be the policy of HART to make available or disseminate any and all non-privileged information of public interest relative to its operations.

In order that such information is as complete and accurate as possible, thereby assuring the public is knowledgeable of all the facts, HART has set forth the following procedure for distribution of all policy positions, statements and press releases or comments.

- Information requests from the media and/or general public shall be referred to the official spokesman as designated by the Chief Executive Officer.
- The Chair of the Board of Directors or the Chair's designee, shall be the official spokesperson on all policy matters pursued or adopted by the Board.
- In the absence of the Chair, the Vice Chair shall be designated the official spokesperson.
- The CEO of HART or his/her designee shall be responsible for all press releases or public statements relative to the administration and operation of HART.

Requests for public records will be handled through the HART Public Records Process. Information obtained from any individual other than those listed above shall not reflect the official position of the Board or the administration of HART. *HART Board Policy 630.20*

6-15. Parking

HART offers parking to all employees at all work locations. All employees are required to register their vehicle(s) with the Human Resources Department. Information for parking at either location may be obtained from the Human Resources Department.

6-16. Trespass Policy

The purpose of this policy is to establish guidelines regarding trespass and HART hereby incorporates by reference into these rules Florida Statute 810.08 through 810.09 and 810.14.

- Trespass shall mean any person who willfully enters or remains in any structure or conveyance without being authorized, licensed or invited or having been authorized, licensed or invited is warned to depart and refuses to do so.
- Voyeurism shall mean any person with lewd, lascivious or indecent intent that secretly

observes, photographs, films, videotapes or records another person when such other person is located in a structure or conveyance and such location provides a reasonable expectation of privacy.

- Structure shall mean a building of any kind, either temporary or permanent, which has a roof over it, together with the curtilage thereof.
- Dwelling shall mean a building or conveyance of any kind, including any attached porch, whether such building or conveyance is temporary or permanent, mobile or immobile, which has a roof over it and is designed to be occupied by people lodging therein at night, together with curtilage thereof.
- Conveyance shall mean any motor vehicle, ship, vessel, railroad vehicle or car, trailer, aircraft or sleeping car; and “to enter a conveyance” includes taking apart any portion of the conveyance.
- Posted land is that land upon which signs are placed not more than 500 feet apart along, and at each corner of, the boundaries of the land, upon which signs there appear prominently, in letters not less than 2 inches in height, the words “no trespassing” and in addition thereto the name of the owner, lessee or occupant of said land. Said signs shall be placed along the boundary line of posted land in a manner and in such position as to be clearly noticeable from outside the boundary line.

Actions by HART Officials and Employees

Signs that can be easily read shall be posted in conspicuous places declaring that trespassing is not permitted.

- The appropriate agency will be contacted when a person has been warned to depart and fails to do so and charges will be pressed as warranted.

The Safety and Security department head or his/her designee shall establish procedures to address trespass notices and set up appropriate standards to ensure fairness and consistency with trespass violations. ***HART Board Policy 650.10***

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