

**BREVARD COUNTY
MERIT SYSTEM POLICIES
POLICY VI**

Title: **GENERAL TERMS AND CONDITIONS OF EMPLOYMENT**

I. OBJECTIVE

To provide standardized terms and conditions for employment in the County Service.

II. DIRECTIVES

A. OUTSIDE EMPLOYMENT AND ACTIVITIES

1. Employees of the County Service shall not engage in any outside employment, enterprise, or other activity, whether paid or unpaid, which would interfere, be inconsistent, incompatible, or in legal, ethical or technical conflict with their duties as County employees or with the functions and responsibilities of the department or office for which they work.
2. Any County employee who engages in non-County employment or activity shall be ineligible to receive Workers' Compensation or short term income protection plan payments under the County's Workers' Compensation or disability plan when illness, injury or disability results from such outside employment or other activity.
3. Permission to engage in outside employment or other activities may be denied or withdrawn at any time when it is determined by the appointing authority such activity interferes with the employee's production, efficiency, causes discredit to, or is in conflict with the interests of the County.

B. EMPLOYEE FITNESS AND HEALTH

An appointing authority may at any time require an employee under his jurisdiction to submit to such medical, physical, and/or other examinations when there is reason to believe the employee's physical or mental capacity impairs the employee from carrying out the essential requirements of the position. The appointing authority may designate an examining physician and the cost of any such examination shall be borne by the unit. Pending results of the examination the appointing authority may require the employee to use sick or annual leave, or be placed on leave without pay if paid leave is not available.

C. EMPLOYMENT OF RELATIVES

The intent of this provision is to restrict the employment of relatives within County departments/offices and prohibit preferential treatment or favoritism such relationship may cause.

GENERAL TERMS AND CONDITIONS OF EMPLOYMENT (continued)

1. No relative of a County employee may be appointed, employed, retained, promoted or transferred within the same program unless such employment has been determined in the best interest of the County and approved by the County Manager or his designee.

Exceptions will be narrowly interpreted and shall only be applied when circumstances obviously benefit the County. An example of such circumstances would be the employment of a husband and wife team as youth advisors, or a relative possessing a specialized and needed skill after recruitment has been unsuccessful in locating a non-relative with the required skill.

2. Under no circumstances will an individual be appointed, employed, retained, promoted, or transferred to any position in a department/office where a relative of the individual has direct supervision, jurisdiction or control over that position.
3. If, while employed by the County, individuals become related by marriage or adoption the following policy shall apply:
 - If neither individual has direct or in-line supervision, control or jurisdiction over the other, both employees may retain their positions.
 - Should marriage or adoption occur between a supervisor and a subordinate employee, one of the employees must transfer to end the supervisory relationship if possible, or if not possible, be terminated from the position.
 - The decision as to which party is to be transferred or terminated will be made by the appointing authority involved.

D. USE OF COUNTY PROPERTY

1. An employee who has been provided County equipment such as tools, vehicles, materials, uniforms, etc. is expected to exercise reasonable care in the use and preservation of such equipment.
2. Personal use of County owned equipment is prohibited and may subject the employee to dismissal.
3. County equipment shall not be loaned for personal use by anyone and may subject the employee to dismissal.
4. County equipment shall not be loaned for official business without expressed permission from the employee responsible for the equipment and in the case of capital equipment the custodian or his designee.

GENERAL TERMS AND CONDITIONS OF EMPLOYMENT (continued)

E. CONFLICT OF INTEREST

No employee shall accept, or agree to accept, directly or indirectly, any favor, gift, loan, fee, service or other item of value in any form whatsoever from any organization or individual if it is intended to reward or influence or gives the appearance of rewarding or influencing the employee in carrying out his duly appointed duties. This policy is not intended to prevent an employee from accepting an award or recognition for meritorious or outstanding achievement for community or government service.

F. DRESS AND APPEARANCE

Employees of the County shall maintain their dress and appearance in accordance with generally accepted contemporary standards. Appointing authorities are authorized to require an employee to modify their dress or grooming when such dress or grooming would create a safety hazard to the employee or others, or does not comply with accepted standards.

G. POLITICAL ACTIVITIES OF EMPLOYEES

1. **Applicability:** The provisions of this policy apply to all employees of the County Service unless a particular provision specifies otherwise. An employee subject to this policy continues to be covered by such policy while on annual leave, sick leave, leave without pay, administrative leave or other employment status.
2. **Prohibited Activities:**
 - No person shall be appointed to, demoted, or dismissed from any position in the County Service, or in any way favored or discriminated against with respect to employment in the County Service because of political opinions or affiliations.
 - No employee shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the County Service, or an increase in pay or other advantage in employment in any such position for the purpose of influencing the vote or political action of any person, or for any consideration provided, however, that letters of inquiry, recommendations and references by employees in the County Service shall not be considered political pressure unless any such letter contains threatening, intimidating, irrelevant, derogatory or false information.
 - No employee shall, directly or indirectly, give, render, pay, offer, solicit or accept any money, service, or other valuable

GENERAL TERMS AND CONDITIONS OF EMPLOYMENT (continued)

consideration for or on account of any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in, a position in the County Service.

- No employee shall use his/her official authority or influence for the purpose of interfering with an election, or a nomination of office, or coercing or influencing another person's vote or affecting the result thereof, or directly or indirectly coerce or attempt to coerce, command or advise any other officer or employee to pay, lend or contribute any part of his/her salary, kick-back any sum of money, or anything else of value to any party, committee, organization, agency or person for political purposes provided, however, that nothing in this paragraph shall prohibit an employee from suggesting to another employee in a non-coercive manner that he/she may contribute something of value to any party, committee, organization, agency or person for political purposes.
- No employee shall take any active part in a political campaign or perform any services for any political candidate, party or organization while on duty or within any period of time during which he/she is expected to perform services for which he/she receives compensation from the County.

3. Employees Seeking/Holding Elective Public Office:

Any employee seeking elective public office, not spoken to previously in this policy, shall have the option to request thirty (30) days leave of absence without pay or utilize accrued annual leave or compensatory time for a period not to exceed thirty (30) days prior to the scheduled election day for said public office.

Any employee holding elective public office shall be required to use annual leave or leave without pay when the duties of the elective public office require the attention of the employee during the employee's normal duty hours.

Nothing in this section supersedes the authority vested in the appointing authority to prohibit any employee from engaging in conduct or activities otherwise prohibited by this policy.

No County equipment, supplies, vehicles, or staff time may be used by an employee in the performance of the duties of, or process of seeking, his/her elective public office.

GENERAL TERMS AND CONDITIONS OF EMPLOYMENT (continued)

H. PERSONAL MAIL

Employees are expected to use their home address or post office boxes to receive personal mail. Use of County stationary, postage, electronic mail or courier service for personal mail is not permitted.

I. EQUAL OPPORTUNITY

It is the continuing policy of the Board of County Commissioners of Brevard County, State of Florida, to promote the concepts of equal opportunity for all of its employees and applicants for employment. The County will continue to recruit, hire, train, and promote on merit principles, persons in all job classifications without regard to race, color, religion, gender, national origin, ancestry, age, marital status or disability which does not preclude the performance of the essential functions of the job, with reasonable accommodations provided as necessary.

Decisions on employment will be based on the principles of equal employment opportunity. Promotional decisions will be in accordance with the principles of the merit system, which affords equal opportunity by imposing only valid, job related requirements for promotion.

All personnel actions, such as compensation, benefits, transfers, layoffs, return from layoff, County sponsored training, education, social and recreational programs, will be administered without regard to race, color, religion, gender, national origin, ancestry, age, marital status or disability which does not preclude the performance of the essential functions of the job, with reasonable accommodations provided as necessary.

J. PUBLIC RELATIONS AND RELEASE OF INFORMATION

Employees shall at all times be courteous to those members of the public who seek information. Employees are cautioned that information concerning subjects under discussion or consideration often change in content and meaning before becoming an accomplished fact. Any release of such information before final decisions or disposition of the matter could cause misunderstanding and confusion resulting in waste of time and money. An employee will decline courteously to reveal such information and shall direct such inquiry to the appointing authority or County Manager, keeping in mind that it is not the intent of the County to be secretive, or to withhold valid information, but to assure that all information released is true and accurate. This policy is in no way intended to restrict the release of information concerning matters of fact that the employee is expected to provide the public, or other employees or officials in the normal course of employment.

GENERAL TERMS AND CONDITIONS OF EMPLOYMENT (continued)

K. SOLICITATION AND DISTRIBUTION

Employee contributions to recognized charitable organizations are purely voluntary. No coercion of an employee to make contributions shall be permitted. Employees are prohibited from soliciting any other employees of the County on behalf of any organization during working hours or the working hours of the employee solicited unless the solicitation has been expressly approved by the County Manager. Employees are prohibited from distributing literature which promotes any organization in any area where County work is performed. Distribution of literature for County sanctioned programs is not restricted by this policy.

Effective 08/01/96