

DEPARTMENT OF ENVIRONMENTAL PROTECTION

OPS and VOLUNTEER EMPLOYEE HANDBOOK



Herschel T. Vinyard Jr.
Secretary

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Equal Employment Opportunity/Affirmative Action Employer

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Key Phone Numbers

Bureau of Personnel Services	850-245-2511
People First Service Center	866-663-4735
Division of Retirement	888-739-2252
Emergency Assistance Park Police	850-245-2896
Employee Assistance Program	800-860-2058
Florida Retirement System Investment Plan	866-446-9377
General Counsel/Ethics Officer	850-245-2242
Inspector General	850-245-3151
People First Medical Reimbursement Account	800-643-0321
People First Recruitment and Qualifications	877-562-7287
To Report a Workers' Compensation Claim - OptaComp	877-518-2583

PURPOSE

Welcome to the Department of Environmental Protection (DEP). You have joined a team of individuals who are dedicated to the protection of Florida's environment as expressed by the will of the people of Florida through laws passed by the Legislature to conserve, preserve, and protect Florida's environment and natural resources.

The Department seeks to provide all employees and volunteers with an environment conducive to the achievement of the Department's mission and that fosters achievement of each person's professional goals.

With these thoughts in mind, this handbook is intended to be a source of useful information for you. In its pages, you will discover important information to assist you in quickly answering questions that are frequently asked by new employees and volunteers. It also contains information regarding the Department's history, organizational structure, personnel-related policies and rules, programs and practices, employee responsibilities, employment privileges and benefits and our expectations of you as a new member of the team.

The information contained in this handbook is of a general nature and is intended as a guide. It does not alter or replace any Florida Statutes, any rules embodied in the Florida Administrative Code or any Department directives governing your employment. It is not to be construed as a binding contract between DEP and its employees. The contents therefore may be changed, deleted, or expanded upon, at the discretion of management. Applicable laws or rules governing any aspect of information in this handbook take precedence in the event of any conflict between the information in this handbook and the governing law, statute, or rule. Specific answers to any questions concerning your employment, not fully covered or not found in this handbook, should be directed to your immediate supervisor or an appropriate staff member in the Bureau of Personnel Services at 850-245-2511.

It is your responsibility to review the handbook and, after so doing, to complete the "Acknowledgement of Receipt" found on the last page. The signed acknowledgement should be sent to the Bureau of Personnel Services at MS70. For OPS employees, this signed acknowledgment will be placed in your official Personnel file as documentation of you having reviewed a copy of the handbook. For volunteers, the signed acknowledgement should be provided to your volunteer coordinator.

We hope this publication will be an informative and helpful source of information to you and that your employment with DEP is a pleasant and rewarding experience. You are an important contributor to the Department's overall success. We hope too that you will experience personal and professional growth with the DEP.

ROLE OF THE OTHER PERSONAL SERVICES EMPLOYEE AND/OR VOLUNTEER

Other Personal Services (OPS) and volunteer employees perform a variety of very necessary work assignments, which make them valuable members of the Department's team.

In accordance with [Section 110.131](#), Florida Statutes and [Rule 60L-33.005](#), Florida Administrative Code, OPS employment is a temporary employer/employee relationship used solely for the completion of short-term, temporary, or intermittent tasks, typically for a short-term or temporary need, by a person who is not a regular or full-time employee. OPS employees do not fill established positions.

In accordance with [Section 110.501](#), Florida Statutes and [Rule 60L-33.006](#), Florida Administrative Code, "Volunteer" means any person who, of his or her own free will, provides goods and services, or conveys an interest in or otherwise consents to the use of real property pursuant to chapter 260, F.S. to any state department or agency, or nonprofit organization, with no monetary or material compensation.

All OPS employees are assigned to one of the following employment categories:

- **Students or Graduate Assistants.** This category is for bona fide degree-seeking students in an accredited secondary or post-secondary educational program, whose student status is verified by the educational institution. There is no limitation on the number of hours or length of service for an employee appointed under this category. However, [DEP Form 54-605](#), Student Verification, must be completed by the student upon appointment and renewed during each successive September and March and submitted to the Bureau of Personnel Services.
- **Temporary Employee.** This category is used for OPS employees who are employed for the purpose of accomplishing tasks or projects that are short-term or time-limited. A temporary employee may work up to 1,040 hours within each fiscal year following the original appointment date.
- **Seasonal Employee.** This category is used for OPS employees who are employed on a seasonal basis. There is no limitation on the number of hours or length of service for an employee appointed under this category. However, the seasonal period must be defined and documented.

Extension of Hours. OPS employees who are hired in the temporary employment category may work for the Department up to 1,040 hours within each fiscal year following the original appointment date. An extension of OPS hours beyond 1,040 may be authorized by the Office of Policy and Budget on a fiscal year basis. Approval of extensions is based on the criteria in Rule 60L-33.005, Florida Administrative Code.

The time limitation and extension process does not apply to board members, consultants, seasonal employees, students, OPS hired to deal with an emergency situation that affects the public health, safety or welfare, employees hired for a project that is identified by a specific appropriation or time-limited grant.

DEPARTMENT HISTORY

The Department has evolved and changed over many years. This evolution is a direct result of Florida's increasing awareness of its vast environmental assets and the need to protect its natural resources and scenic beauty. Our Department has a rich and varied history of conserving, managing, and protecting Florida's natural resources.

The Public Land Office, early forerunner of the Division of State Lands, is the state's oldest agency. It was created in December of 1845, the year that Florida was admitted to the Union. In 1855, the land office was placed under the newly created Trustees for the Internal Improvement Trust Fund, headed by the Governor and the Cabinet.

In 1907, the Legislature created the Florida Geological Survey to collect data and to prepare reports on the state's water and mineral resources. The Florida Geological Survey came under the umbrella of the Board of Conservation, designated a full Cabinet agency in 1933.

The Florida Archaeological Survey, created in 1935, was placed under the Board of Conservation but, in 1967, was given independent status as the State Board of Antiquities. In 1968, the Legislature combined those duties and responsibilities held by the Board of Conservation and the Department of State Parks to create the Department of Natural Resources.

The Legislature removed the Department of Game and Fresh Water Fish from the Board of Conservation in 1935 and, in addition, created the Department of State Parks with duties formerly held by the Bureau of Forestry. Six years later, the Game and Fresh Water Fish Commission became an autonomous agency when Florida voters ratified a constitutional amendment.

The Florida Environmental Reorganization Act of 1975 created the Department of Environmental Regulation. This Act centralized a number of environmentally related duties and responsibilities, formerly divided among the Department of Air and Water Pollution Control, the Department of Health and Rehabilitative Services, the Department of Natural Resources and the Board of Trustees of the Internal Improvement Trust Fund.

The present day Department became titled as the Florida Department of Environmental Protection (DEP) by the Florida Environmental Reorganization Act of July 1, 1993. This Act combined the Department of Natural Resources and the Department of Environmental Regulation and centralized the responsibilities and efforts of both agencies responsible for the protection, conservation, and management of Florida's environmental and natural resources.

ORGANIZATIONAL OVERVIEW

The Governor constitutes the head of the DEP. The chief administrative officer of our Department is the Secretary, who is appointed by the Governor and is subject to confirmation by the Cabinet and the Senate. The Department is organized into eight divisions, six regulatory districts and several offices.

Office of the Secretary

The Office of the Secretary is comprised of the General Counsel, the Inspector General and Director of the Division of Law Enforcement, and the Chief of Staff. All other organizational entities report to one of three deputy secretaries.

The Deputy Secretary for Water Policy and Ecosystems Projects oversees the Office of Water Policy and Ecosystem Projects and the Everglades/Ecosystems Director.

The Deputy Secretary for Land and Recreation oversees the Offices of Coastal and Aquatic Managed Areas, Greenways and Trails, Florida Geological Survey, Cabinet Affairs, as well as the Divisions of State Lands and Recreation and Parks.

The Deputy Secretary for Regulatory Programs oversees the Divisions of Air Resource Management, Waste Management, Water Resource Management and Environmental Assessment and Restoration. The Regulatory Districts, under the Deputy Secretary for Regulatory Programs, include the Northeast District, Northwest District, Central District, Southwest District, Southeast District, and South District.

Office of the General Counsel.

The General Counsel handles Department rulemaking as well as administrative and judicial litigation.

Office of the Inspector General.

The Inspector General operates under the authority of section 20.055, Florida Statutes. As such, the Inspector General is responsible for ensuring that Department employees carry out their varied missions, in compliance with state and federal laws and rules and regulations, in order to promote ethical employee standards of conduct and fiscal integrity. This Office carries out its responsibilities by assisting Department staff through its program improvement reviews, audits of the Department's program activities and processes and internal investigations related to allegations of misconduct.

Division of Law Enforcement.

The Division of Law Enforcement is responsible for statewide environmental law enforcement as well as providing law enforcement services within state parks, greenways,

trails, aquatic preserves and other lands managed by the Department. Activities include environmental education and enforcement, environmental crime investigation, protection of public safety through proactive patrol on DEP-managed recreational lands, response to natural disasters, civil unrest, hazardous material incidents, and oil spills. Law enforcement officers are constituted state police officers with full powers of arrest. Each law enforcement officer is also federally deputized which allows them to enforce national and state endangered species laws.

Chief of Staff

The Chief of Staff oversees the Office of External Affairs, the Office of the Ombudsman and Public Services, Office of Intergovernmental Programs, Office of Technology and Information Services, the Office of Legislative and Governmental Affairs and the Division of Administrative Services.

Office of External Affairs. The Office of External Affairs is charged with the overall responsibility of communicating the Department’s mission and initiatives to Florida’s residents and visitors, policy makers, businesses and students who are interested in protecting the environment and natural resources. It is comprised of the Office of External Outreach and Public Education, the Office of Environmental Education, the Press Office and the Office of Sustainable Initiatives.

Office of the Ombudsman and Public Services. The Office of the Ombudsman and Public Services ensures open and effective communication with the general public by acting as a liaison to the public and the Department’s programs. The Office assists the public with Department-related issues and complaints, promotes transparency and responsiveness to the public, and coordinates with the Governor’s Office of Citizen Services to provide public assistance. This Office is also the primary contact for public records requests and open government or “Sunshine Law” inquiries and facilitates training to staff on open government. In addition, the Office oversees the Department’s participation in Florida Emergency Information Line operations and is also responsible for operating the Welcome Desk in the Douglas Building (DEP Headquarters Office).

Office of Intergovernmental Programs (OIP). The Office of Intergovernmental Programs is responsible for four separate programs: the Florida State Clearinghouse; the Comprehensive Plan/Transportation Project Review; Offshore Projects and the Florida Coastal Management Program.

The Florida State Clearing house coordinates the state’s position on federal and federally funded projects (e.g. Corps of Engineers’ permits and the use of federal highway funds) and federal consistency reviews and provides environmental feasibility statements on transportation projects. Clearinghouse staff also review proposed transportation projects submitted through the Florida Department of Transportation’s Efficient Transportation Decision Making process.

The Comprehensive Plan/Transportation Project reviews statewide and regional growth management plans; seaport, airport, and campus master plans; comprehensive plan amendments; and evaluation and appraisal reports. Staff also coordinate the Department's involvement in Florida's Area of Critical State Concern program.

Offshore Projects assess the environmental impact of proposed activities on the Outer Continental Shelf, as well as proposed rules and laws affecting the offshore environment and is the state's single point-of-contact for all oil and gas exploration and development activities.

The Florida Coastal Management Program administers an annual federal grant from the National Oceanic and Atmospheric Administration, ensures that federal activities are consistent with state laws and rules and implements programs that protect coastal resources and communities, such as the beach safety flag and beach access programs and the Waterfronts Florida Program.

Office of Technology and Information Services (OTIS). The Office of Technology and Information Services provides enterprise information technology support services and has implemented a Strategic Plan for Information Technology. This plan includes several strategic themes, which are: Supporting the Mobile Workforce, Advancing Quality, Improving Technical Infrastructure, Enhancing Customer Service, Supporting Business Process Improvement, and Promoting Environmentally Sustainable Information Technology. This service continues efforts to ensure that internal and external Information Technology customers have applications that support mission critical data access needs in a timely fashion and ensures maximum effectiveness in the use of these technologies. By providing robust network/system services that are available full-time ensures maximum use of these aligned resources. Timely computer problem resolution ensures our users maximum operational access and productivity related to problem-free computing. Stakeholders include the Department's divisions and regulatory districts, as well as local governments that utilize regulatory databases. Regulated industries and the public use web-based applications to view performance measures and permit applications.

Office of Legislative and Governmental Affairs (OLGA). The Office of Legislative and Governmental Affairs coordinates the Department's legislative lobbying efforts by preparing legislative proposals, as well as planning, policy and budgetary analysis or recommendations on legislative bills. The legislative program includes developing legislation and support information and finding sponsors for legislation. This Office also serves as a central point for legislators and their staffs for information about the Department's programs.

Division of Administrative Services. The Division of Administrative Services provides centralized administrative and support services to all other Department programs. Services include budget administration and strategic planning; Personnel administration and services, payroll processing, in-house training and staffing the Welcome Desk in the Carr Building; finance, accounting and grants administration; procurement activities,

records and physical property management and mail, duplicating and printing services; facilities services and safety programs.

Deputy Secretary for Water Policy and Ecosystems Restoration

The Deputy Secretary for Water Policy and Ecosystems Restoration directs the Office of Water Policy and Ecosystems Projects. This includes coordination of the water management district functions and consistency to ensure proper management of the state's water resources.

In addition, the Deputy Secretary is responsible for coordinating the state's efforts regarding critical ecosystem restoration projects, including Everglades and the ACF Tri-State Water management effort.

Deputy Secretary for Land and Recreation

The Deputy Secretary for Land and Recreation oversees the Office of Coastal and Aquatic Managed Areas, Office of Florida Geological Survey, Office of Cabinet Affairs, as well as the Divisions of State Lands and Recreation and Parks.

Office of Coastal and Aquatic Managed Areas (CAMA). The Office of Coastal and Aquatic Managed Areas administers the state's programs at the Florida Keys National Marine Sanctuary, the National Estuarine Research Reserves, the Coral Reef Conservation Program, and the state-owned and designated aquatic preserves. CAMA also hosts the Florida Ocean and Coastal Resources Council and coordinates Gulf of Mexico Alliance and the South Atlantic Alliance activities for the Department.

Office of Florida Geological Survey (FGS). The Florida Geological Survey, established in 1907, is the state's primary earth-system research and assessment program that collects, interprets, and stores geologic data used by government agencies, industry, consultants, academia, and the public. The information collected by the Florida Geological Survey aids governmental programs by providing expertise and peer-reviewed reports on which regulatory, land-use planning, conservation, environmental protection and management decisions are based. Specifically, the information and knowledge is used for mineral-resource characterizations and assessments (i.e., aggregates, beach-renourishment sediments), solid and liquid waste disposal, geologic hazards assessments (e.g., coastal erosion, sinkholes, pipe clay areas, radon, mercury), and water-resource development and protection (e.g., aquifer storage and recovery, aquifer mapping, aquifer vulnerability). Pursuant to Chapter 377, Florida Statutes, the Florida Geological Survey provides geologic interpretations to the U.S. Environmental Protection Agency, the U.S. Geological Survey, the U.S. Minerals Management Service, and the Department of Community Affairs, Florida's water management districts, planning councils, counties, cities, and multiple program areas within the Department.

Office of Cabinet Affairs (OCA). The Office of Cabinet Affairs serves as DEP's clearinghouse for all Cabinet agenda items for presentation to the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund and the Power Plant Siting Board. The Office of Cabinet Affairs coordinates the preparation of Cabinet agenda items pertaining to the acquisition, administration, disposition, and use of state lands with the DEP divisions, district offices, and water management districts. The Office of Cabinet Affairs provides technical and logistical support to the Department's executive staff, Cabinet-level reviews of agenda items and transmittal of these items to the Governor and Cabinet. Serving as a liaison with the Cabinet Offices, the Office of Cabinet Affairs coordinates overall programmatic assignments with the Deputy Secretary of Land and Recreation or other DEP staff as needed.

Division of State Lands. The Division of State Lands is Florida's lead agency for environmental management and stewardship. As such, the Division's role goes far beyond just acquiring lands for protection. It provides oversight for the management of activities on more than 11 million acres of public lands including lakes, freshwater springs, and islands. These public lands help assure all Florida's residents and visitors have the opportunity to truly appreciate Florida's unique landscapes.

The Division of State Lands also assists landowners who want to sell land to the state, buy land from the state, or gain access to public lands.

Division of Recreation and Parks. Under the direction of the Deputy Secretary for Land and Recreation, the Division of Recreation and Parks is responsible for the development, maintenance, and operation of the statewide system of parks, greenways and trails, recreation areas, preserves, reserves, museums, ornamental gardens, and special feature sites for public use. It also administers recreation-related programs of financial and technical assistance to local governments and is responsible for preparing and maintaining Florida's Statewide Comprehensive Outdoor Recreation Plan.

Under the direction of the Division of Recreation and Parks, the mission of the Office of Greenways and Trails is to establish a connected statewide system of greenways and trails for conservation, recreation, and alternative transportation purposes. In support of its mission, Office of Greenways and Trails manages greenways and trails, acquires land for trails, provides funding for trail development, coordinates state and regional projects, and conducts other appropriate functions.

Deputy Secretary for Regulatory Programs

The Deputy Secretary for Regulatory Programs oversees the regulatory programs administered by the Divisions of Air Resource Management, Water Resource Management, Waste Management and Environmental Assessment and Restoration and six regulatory district offices located in strategic geographical areas of the state.

Division of Air Resource Management. Under the direction of the Deputy Secretary for Regulatory Programs and in partnership with the United States Environmental Protection Agency, the Division of Air Resource Management is responsible for maintaining Florida's air quality. The Division issues permits for sources of air pollution, develops air quality standards, monitors air quality, and implements programs to reduce air pollution.

As part of the Division of Air Resource Management, the Siting Coordination Office coordinates the interagency licensing process under three siting acts. The siting acts address threshold electrical power plants, electrical transmission lines, and natural gas pipelines.

Division of Waste Management. Under the direction of the Deputy Secretary of Regulatory Programs, the Division of Waste Management works closely with the regulatory district offices to implement state and federal laws to protect the environment from the improper handling and disposal of solid and hazardous wastes. This includes regulatory programs for waste facilities and pollutant storage systems and non-regulatory activities such as financial and technical assistance with waste recycling and reduction. The Division also oversees and contracts for the cleanup of sites contaminated with petroleum products, dry-cleaning solvents, or other hazardous wastes.

Division of Water Resource Management. The Division of Water Resource Management administers programs to safeguard Florida's water quality. The division assists in funding, oversees the construction and operation of drinking water treatment facilities, and domestic and industrial wastewater treatment plants; develops the state's water policy; administers Florida's reclaimed water and ground water protection programs; oversees mined land reclamation; develops and implements Florida's beach management plan for critically eroding areas and provides financial assistance to implement the plan. The division also regulates construction below the mean high water line in marine waters and seaward of the Coastal Construction Control Line, and implements the state's wetland and storm water Environmental Resource Permit program.

Division of Environmental Assessment and Restoration. The Division of Environmental Assessment and Restoration (DEAR) implements strategies to protect and restore Florida's rivers, lakes, streams, estuaries, and aquifers. DEAR establishes the technical basis for the state's surface and ground water quality standards, monitors water quality, manages the associated data, and assesses the health of those water resources. The division directs Florida's watershed management program, including the continuous identification of "impaired" (polluted) surface waters and the establishment of scientific total maximum daily load (TMDL) determinations to address sources of pollution for clean up. In conjunction with this effort, DEAR provides highly specialized biological and chemical laboratory support to DEP programs, Florida's water management districts, and other local, state, and federal entities. The division also manages the Department's quality assurance program, performing laboratory, field, and data audits; developing standard operating procedures for all environmental field activities; and providing training.

Regulatory District Offices. The six regulatory District Offices ensure statewide compliance with Department rules. The regulatory programs affecting air, water and waste management are carried out by the district offices. Within their respective jurisdictions, each district handles matters pertaining to permitting, enforcement, and compliance. Each district office is under the charge of a director of district management, who reports directly to the Deputy Secretary for Regulatory Programs.

Environmental Regulation Commission

The Florida Environmental Regulation Commission (ERC) is a non-salaried, seven-member board selected by the Governor, who represents agriculture, the development industry, local government, the environmental community, citizens, and members of the scientific and technical community. The Commission sets standards and rules that protect Floridians and the environment based on sound scientific and technical validity, economic impacts, and risks and benefits to the public and Florida's natural resources.

Acquisition and Restoration Council

The Acquisition and Restoration Council replaced the Land Acquisition and Management Advisory Council. The Council has sole responsibility for the evaluation, selection, and ranking of state land acquisition projects on the Florida Forever priority list. The Council, with the assistance of staff and the [Florida Natural Areas Inventory \(FNAI\)](#), annually reviews all Florida Forever acquisition proposals, decides which proposals should receive further evaluation through the preparation of detailed resource assessments, determines the final project boundaries, and establishes the priority ranking of Florida Forever projects.

MAJOR EMPLOYMENT LAWS AND POLICIES

Anti-Discrimination Policy

The DEP assures applicants, employees, volunteers, and visitors an equal opportunity in employment and accessibility to facilities or services without regard to that person's age, race, color, sex, religious creed, national origin, political opinion, affiliation, marital status, or disability. The sole exception occurs when job requirements constitute a bona fide occupational qualification necessary to perform essential job tasks. Equal employment opportunity will be attained using both objective and subjective merit principles and shall apply to Department employment practices.

The Department strictly prohibits discrimination or harassment. This policy applies to employees, volunteers, contractors or other persons doing business with the Department as outlined in [DEP Directive 436](#), Discrimination and Harassment.

DEP acknowledges the federal guideline definition of sexual harassment as a request for sexual favors, unwelcome sexual advances, or other verbal or physical conduct of a sexual nature, when submission to such conduct is made either explicitly or implicitly a term or condition of employment; submission to or rejection of such conduct is used as the basis for an employment decision affecting the employee; or the conduct unreasonably interferes with the employee's work performance or creates an intimidating, hostile, or offensive work environment.

Americans with Disabilities Act

The Department also complies with the Americans with Disabilities Act (ADA). ADA is the federal law which prohibits discrimination against qualified applicants or employees with disabilities. The ADA which states, in part: "...no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination..." in programs, activities or employment.

If the need exists and can be met by the employer without "undue hardship," it also requires that such persons be provided "reasonable accommodation" to participate in the job application and selection process or, if employed, to perform the "essential functions" of their job. If you have questions or concerns about who is covered and whether you qualify for a special accommodation, contact the Bureau of Personnel Services.

Florida Commission on Human Relations

The mission of the Florida Commission on Human Relations is to prevent unlawful discrimination by ensuring people in Florida are treated fairly and are given access to opportunities in employment, housing, and certain public accommodations; and to promote mutual respect among groups through education and partnerships. Section 760.05, Florida Statutes states that the 'commission shall promote and exchange fair treatment and equal

opportunity for all persons regardless of race, color, religion, sex, national origin, age, handicap, or marital status and mutual understanding and respect among all members of all economic, social, racial, religious, and ethnic groups; and shall endeavor to eliminate discrimination against, and antagonism between, religious, racial, and ethnic groups and their members.'

For more detailed information, please contact the Florida Commission on Human Resources at 850-488-7082 or visit their web site at <http://fchr.state.fl.us>.

Where to File Complaints of Discrimination. Complaints of discrimination including complaints of sexual harassment, may be addressed to either the **Bureau of Personnel Services, Office of Inspector General, his/her supervisor, bureau chief or upper-level management or their designee or the Chief of Staff of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, FL, 32399-3000; the Florida Commission on Human Relations within 365 calendar days; or the Equal Employment Opportunity Commission within 360 calendar days.**

Discrimination and harassment complaints are held confidential until the investigation is officially closed. Employees are assured that retaliation or retribution for filing a complaint is prohibited. Complaints will be investigated promptly and thoroughly with the respect and dignity extended to the complainant, and to those accused of discrimination or harassment, and to any persons providing information related to the complaint. Time frames for filing are calculated beginning with the date of the action that gave rise to the complaint. All complaints shall be treated in accordance with [DEP Directive 436](#), Discrimination and Harassment, and the procedures set forth by law, [Chapter 60L-36.004](#), Florida Administrative Code (F.A.C.). All complaints must be documented using [DEP Form 54-102](#), Discrimination and Harassment Policy Statement & Complaint Procedure.

Fair Labor Standards Act

The Fair Labor Standards Act is the federal law requiring that covered employees be paid at least the federal minimum wage and overtime pay (at time and one-half of the employee's regular rate of pay) for all hours worked over 40 hours in a workweek. The State Personnel System refers to employees covered by the Fair Labor Standards Act as "included" and to those not covered by the minimum wage and overtime provisions of the Act as "excluded". All OPS employees are considered "included" except for the following:

- Physicians
- Attorneys
- Teachers

Certain computer-related occupations that are performing exempt duties as outlined in 29 C.F.R., Section 541.312, and being compensated in excess of \$27.63 per hour. The 40-hour workweek is the work period for most included employees. This workweek begins on a Friday and extends through the following Thursday.

BUREAU OF PERSONNEL SERVICES

The Bureau of Personnel Services is responsible for administering all aspects of the Department's Personnel Program. This includes employment status or pay changes, employee and labor relations, employee benefits, employment verifications, Workers' Compensation, Employee Assistance Program, training, dual employment, and other issues related to employees and volunteers.

The staff of the Bureau of Personnel Services is dedicated to serving you and are available to answer questions about your employment. The Bureau of Personnel Services is open from 8:00 a.m. to 5:00 p.m. The telephone number is (850)245-2511. Our office is located in the Carr Building, Room 155, 3800 Commonwealth Boulevard, M.S. 70, in Tallahassee, Florida 32399-3000.

Personnel and Medical Records

Every employee's official personnel file is maintained electronically in the Bureau of Personnel Services. Each file includes the employment application, discipline, personnel/payroll changes and any other information that is relative to an employee's employment.

Under Chapter 119, Florida Statutes, personnel files are considered public records and may be reviewed by anyone upon request. As a matter of courtesy, employees are informed when someone, other than an appropriate supervisor or other authorized personnel, requests and reviews their personnel files.

Your Social Security number and any medical information are exempted from disclosure unless you consent to the disclosure. The Social Security numbers of all current and former employees are exempt from public records, as provided by both the Public Records Law of Florida and the federal regulations of the Social Security Administration. Medical records are exempt from public records, as provided by the Public Records Law of Florida and the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Florida law also provides for additional exemptions from public disclosure for home address, telephone number and photographs of employees in certain positions that are sworn, certified or otherwise designated by the law. Additionally, any document that reveals the identity, home or employment telephone numbers, addresses or personal assets of crime victims is also exempt from disclosure under the Public Records Law of Florida. Other exemptions include both the home and employment telephone number and address of employees who are the spouse or child of a current or former employee in a position, sworn, certified or otherwise designated by the law, as well as the name and location of the schools and day care facilities used by the children of such employees.

You must inform the Bureau of Personnel Services that you qualify for an exemption. To claim the exemption, you will need to complete [DEP Form 54-606](#), Exemption from

Public Records Request - Privacy Test Questionnaire, and submit it to the Bureau of Personnel Services, MS-70.

An employee must also notify the Bureau of Personnel Services of any change in name and/or Social Security number correction. A copy of the new Social Security card showing the correct information must be submitted in order for the change/correction to be made.

Employees are required to update their W-4 information when changing marital status, exemptions, or additional federal withholding tax by accessing their Personal Information in the [People First System](#). Home address, home phone number and emergency contact information can also be updated by the employee through the People First System at <https://peoplefirst.myflorida.com/logon.htm>.

Employment Verification

Should you require employment verification for loans, or when pursuing other job opportunities, ask your financial institution or perspective employer to contact the Bureau of Personnel Services to verify your relevant salary and employment data.

STATE EMPLOYMENT POLICIES

Oath of Loyalty

As a condition of employment, Sections 110.201 and 876.05, Florida Statutes, stipulate that all employees must sign [DEP Form 54-603](#), Oath of Loyalty. This form is furnished in your new employee package to be completed upon your initial employment with the Department and is to be placed in your official Personnel file. Volunteers are not required to sign the Oath of Loyalty.

Code of Ethics for Public Officers and Employees

It is the policy of the state that no officer or employee will have any interest, financial or otherwise, direct or indirect; or engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the proper discharge of his or her duties in the public interest as outlined in Part III, Chapter 112, Florida Statutes. To implement this policy and strengthen the faith and confidence of the people of the state in their government, there is an enacted code of ethics setting forth standards of conduct required of state, county, and city officers and employees, and officers and employees of other political subdivisions of the state, in the performance of their official duties. It is the intent of the Legislature that this code serve not only as a guide for the official conduct of public servants in this state, but also as a basis for discipline of those who violate its provisions.

It is the policy of the state that public officers and employees, state and local, are agents of the people and hold their positions for the benefit of the public. They are bound to uphold the Constitution of the United States and the Florida State Constitution and to perform efficiently and faithfully their duties under the laws of the federal, state and local governments. Such officers and employees are bound to observe, in their official acts, the highest standards of ethics consistent with this code and the advisory opinions rendered by the Florida Commission on Ethics with respect, regardless of personal considerations, recognizing that promoting the public interest and maintaining the respect of the people in their government must be of foremost concern.

Employee Relationships with Regulated Entities

Section 110.233, Florida Statutes and rules of the Florida Administrative Code require that state employees disclose potential or actual relationships with entities (i.e., individuals, partnerships, corporations, and other entities) subject to regulation by or doing business with the employee's agency.

Employees who exercise "regulatory responsibilities" must disclose within five working days if they:

- Make application for employment with a regulated entity; or
- Receive an offer of employment for a contractual relationship for compensation with a regulated entity; or
- Obtain a financial interest in a regulated entity.

You may be considered to have “regulatory responsibility” if you are directly responsible for determining if a regulated entity is in compliance with federal or state statutes/regulations or recommending or approving the issuance, suspension, revocation or cancellation of a license.

Generally, you are prohibited from the following:

- Soliciting or accepting any gift, favor, loan, or service of any value that could cause you to be influenced in your duties;
- Owning a material interest in any business doing business with our Department;
- Using or attempting to use your position to gain special privileges, benefits, or exceptions for yourself or others;
- Accepting other employment with any business subject to regulation by the Department;
- Accepting employment or engaging in self-employment that will create a conflict between your private interest and the performance of public duties; and
- Disclosing information gained by reason of your employment for personal **usage or** benefit or for the personal gain of any other person.

You should talk with your supervisor about the Department’s regulations before becoming involved with potential conflict-of-interest situations. The Office of General Counsel serves as the Department’s Ethics Officer and should be consulted if you have any question regarding what may or not be ethical behavior as anticipated by DEP or the [State of Florida’s Code of Ethics](#). [DEP Directive 202](#), Code of Ethics, contains more information about DEP’s Code of Ethics. In addition, you should report any suspected violations of the Department’s Code of Ethics to your supervisor, bureau chief, director, deputy secretary, Bureau of Personnel Services or Office of the Inspector General as appropriate.

Nepotism/Employment of Relatives

A public official may not employ, promote, advance or advocate the employment, promotion, or advancement of an individual who is a relative, to a position in the Department over which he or she exercises jurisdiction or control in accordance with [DEP Directive 407](#), Nepotism – Employment of Relatives, and Section 112.3135, Florida Statutes.

“Public Official” is defined as an employee of the Department who has the legal authority to appoint, employ, promote, or advance individuals or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment in each agency.

Relatives include: 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.

A public official may employ a relative on a temporary basis in an emergency. An emergency is defined as an event, or threat thereof, whether natural, technological, or manmade, in war or in peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property.

In the event that a public official with jurisdiction or control over an employee becomes related to the employee through marriage or other means after initial appointment, the employee may remain in their position. However, the employee shall not be promoted or recommended for promotion by the public official. In addition to statutory restrictions, no relative of a current DEP employee may be offered employment within the same office, district or division without the approval of the applicable Senior Management representative, Division or District Director, or designee. Requests shall not be approved if there is a supervisory/subordinate relationship.

Political Activities



Our employees are encouraged to register and vote their preference at election time. This is an exercise of constitutional rights and a responsibility of citizenship. However, any other political activities on your part may be limited while you are employed with the Department. The [Federal Hatch Act](#) and Florida law both provide for such restrictions.

You may express political opinions by wearing badges or buttons, displaying posters or bumper stickers in or on your privately-owned vehicle(s), and other means stipulated by the Department of Management Services. When authorized by the Secretary and approved by the Department of Management Services, you may be a candidate for certain elected public offices involving no conflicting or interfering interest with state government. If your position is subject to the Federal Hatch Act as determined by the Department, you may not become a candidate in a partisan election.

Approval to be a candidate for local office shall be requested in writing through normal supervisory channels to the Secretary, no later than 45 days prior to the deadline of qualifying for the office. Each request must show the title and summary of the duties for local public office to be sought, the hours of work involved in campaigning for or holding office, what effect, if any, the campaign or office duties may have on your regular duties with the Department, and the amount of remuneration, if any, which will be received if elected.

If you qualify for the campaign or hold public office without obtaining prior approval as required, you will be ineligible for continued state employment and shall be deemed to have resigned your job.

We recommend that you seek guidance from the Bureau of Personnel Services if you decide to run for public office or participate actively in any political campaign. Failure to comply with rules governing this issue could cause you to forfeit your employment without appeal rights.

For more information, consult [DEP Directive 490](#), Political Activities and Section 110.233, Florida Statutes.

Financial Disclosure

In accordance with Section 112.3145(1)(b), F.S., OPS attorneys are subject to Financial Disclosure and are required to file a Financial Disclosure form within 30 days of employment and then annually by July 1 of each year. Visit the [Florida Commission on Ethics](#) for more information on financial disclosure and code of ethics.

Separations

Resignations. If you are leaving your job for any reason, please notify your supervisor of your intentions at least two weeks, or as soon as practicable, before your last day on the job. It is recommended that a letter of resignation be submitted to your supervisor and that you specify if you are moving to another agency or going to work in the private sector. A [Certificate of Termination](#) form must be completed by the employee and the employee's immediate supervisor and be forwarded to the Bureau of Personnel Services, MS-70. It is your responsibility to return any state property, (i.e., ID badges, etc.) which DEP issued to you. [DEP Form 54-616](#), Checklist of Employee Separation Information, documents return of all items and terminates your access to all computer applications. Your supervisor/ delegated authority will complete this form prior to your final day of work. Your signature acknowledges return of these items. Failure to comply could result in legal action. Your final timesheet in People First should be completed and submitted to your supervisor. Remember to ensure your home address shown in People First is up-to-date prior to leaving. If you participate in the Deferred Compensation Program, you will need to contact your investment provider(s) to ensure timely processing of distributions.

Dismissals. OPS employees are considered 'at will' employees. This means that while enjoying the protection of federal and state laws prohibiting unlawful discrimination, OPS employment may be severed at any time, without the right to appeal or grieve the decision. No employee may be dismissed due to discrimination on the basis of age, race, gender, national origin, religion, marital status or similar lawfully protected status. The volunteer relationship may also be terminated at any time.

COMPENSATION

The following information about compensation (pay) for OPS employees is summary in nature and not intended to address all situations or circumstances. For complete information, please refer to appropriate Florida Statutes, Florida Administrative Code (rules), and federal codes. If any information in this handbook conflicts with the Florida Statutes, rules, or federal codes, those statutes, rules, or codes are the final authority.

Compensation for Hours Worked and Overtime

Rate of Pay. OPS employees may be hired at any rate of pay that is deemed appropriate by their supervisor, which is usually in accordance with the prevailing rates in the local labor market. However, OPS employees must be paid at least the current State of Florida minimum wage. Because OPS employment is intended to be for a short-term or temporary purpose, OPS employees are ineligible for benefits such as paid holidays, annual leave, sick leave, and administrative leave.

Pay Day. An OPS employee is paid for the actual number of hours worked and paid on a bi-weekly pay-period which begins on a Friday and ends on the second Thursday following.

How Are OPS Paid. OPS positions subject to the provisions of the Fair Labor Standards Act (FLSA) are called “included” positions. Most OPS positions are “included”. All hours of actual work in excess of 40 at the end of the work week are paid at one and one-half times the employee’s hourly rate of pay. When the method of compensation for an OPS position does not meet the guaranteed salary provisions of the federal Fair Labor Standards Act, the position is designated as “excluded”. For instance, even though physicians, lawyers, teachers and certain highly paid (minimum \$27.63 per hour) computer-related occupations are paid on an hourly basis, such OPS employees maintain exempt status and are not subject to the Fair Labor Standards Act overtime provisions. For further information, refer to the [Federal Fair Labor Standards Act \(FLSA\)](#).

Pay Deductions. It is compulsory that deductions be made from an employee’s pay for Federal Income Withholding Tax. OPS employees who are not covered by the Florida Retirement System in a dual employment situation or as a retiree also contribute to a qualified retirement plan. For more information on this plan, refer to the next section, State Sponsored Benefits and Programs.

Contributions for certain charitable organizations, deferred compensation and deductions for credit union transactions are all payroll deductible. If you find an error in your deductions, immediately notify the Bureau of Personnel Services.

Earnings Statement. Employees are encouraged to verify their earning statements on the Department of Financial Services website at <https://apps.fldfs.com/EIC/EmployeeInfoCenter/> on the Tuesday prior to the warrant date to ensure their pay has been processed correctly. If there appears to be a problem, the

employee should IMMEDIATELY contact their supervisor and/or the Bureau of Personnel Services at 850-245-2511.

Direct Deposit. OPS employees are encouraged to have their salary payments deposited directly into a savings or checking account at their financial institution. Such deposits are eligible to be accepted by banks, savings and loan associations, and credit unions. The [direct deposit](#) information should be completed in the People First System. Contact the Bureau of Personnel Services for further information.

Dual Employment

Dual Employment within State Government. Prior approval must be obtained for any employee to be employed or compensated by more than one state agency or position within state government as provided in [Section 216.262](#), Florida Statutes. If a current DEP employee wishes to be employed within state government, either part-time, or in a regular established position, a [Request for Approval of Dual Employment and Compensation Form](#) must be completed, approved by your director and filed with the Bureau of Personnel Services before secondary employment within state government can begin. This approval is required if an employee is compensated simultaneously by more than one state employer or state agency whether part-time, temporary, Career Service, Selected Exempt Service, Senior Management Service or OPS. Additional information about dual employment is contained in [DEP Directive 401](#), Dual State Employment and Secondary Employment Outside of State Government.

Secondary Non-State Employment (Outside State Government). Secondary non-state employment is defined as services rendered to any employer other than the State of Florida (including self employment) and for which the employee receives compensation. Secondary non-state employment may be acceptable as long as it does not:

- Represent a conflict of interest as specified by Chapter 112, Part III, F.S.;
- Does not interfere with the ability and availability of the employee to perform his or her regular OPS duties; and
- Does not require the use of state space, time, personnel, equipment, or supplies.

Secondary non-state employment shall be reviewed by your director based on the above criteria only. A copy of [DEP Form 54-613](#), Notification of Secondary Non-State Employment, shall be submitted to the Bureau of Personnel Services to be placed in your official Personnel file.

OPS BENEFITS AND PROGRAMS

BENCOR Retirement Plan

The State Personnel System adopted a qualified retirement plan for part-time, seasonal or temporary OPS employees, who are not covered by the Florida Retirement System. OPS participation is mandatory unless you meet one of the few exceptions and your enrollment starts with your first paycheck. Exceptions are limited to non-immigrant students and exchange aliens (determined by visa), re-employed retirees of the Florida Retirement System and employees concurrently employed as OPS and FTE (FRS members). This plan, called the State of Florida 401(a) FICA Alternative Plan, meets all the federal requirements to be a retirement plan for OPS employees in place of Social Security. BENCOR, Inc. administers this plan in accordance with [Section 110.1315](#), Florida Statutes. It offers several advantages:

- You are not subject to Social Security taxes while covered by this plan. (However, you will contribute to Medicare coverage which is matched by the state.)
- You contribute to this plan with pre-tax money. This is the least expensive way to save for retirement, and allows you to accumulate a higher retirement benefit. You pay taxes only on the contributions or earnings in the plan when you withdraw them.
- You will make contributions to an individual account in your name, which is updated daily. Only you (or your designated beneficiary) can receive distributions from this account.
- If you leave a position covered by this plan for any reason, you can withdraw the balance of your account or continue to save the funds for retirement.
- Through BENCOR, Inc., Diversified Investment Advisors and Transamerica Financial Life Insurance Company provides the investments, and you, the participant, control them. Refer to the [plan booklet](#) for information on the 17 different investment options available and use the tear-off election form to designate a beneficiary and make your investment elections. You can change investments by getting a new investment election form from BENCOR Administrative Services. If you decide not to choose your fund investments, BENCOR Administrative Services will automatically place your funds in the Guaranteed Pooled Account.
- You will receive an annual statement from the plan after the end of each calendar year.

Deferred Compensation

You are encouraged to explore the benefits of the [State Deferred Compensation Program](#). Employees should plan to put aside savings to supplement their retirement. Deferred Compensation is an easy way to do this and at the same time reduce your federal income tax liability. The program allows you to set aside as little as \$20 per month. The plan is administered by the State of Florida in accordance with the Internal Revenue Code, Section

457. Additional information on the State of Florida Deferred Compensation Plan can be found at www.myfloridadeferredcomp.com.

Florida State Employees' Charitable Campaign

The Florida State Employees' Charitable Campaign is an annual organized event during which employees can donate to eligible charities of their choice, either through payroll deduction or a one-time gift. Employees are encouraged to use payroll deduction, which allows them a full calendar year to finance their gift with small payments. The campaign is the only authorized solicitation of state employees allowed at the workplace during work hours. Employee contributions to the campaign and participation in any campaign fund-raising event are entirely voluntary.

United States Savings Bonds

Employees may secure U.S. Savings Bonds through an automatic direct debit by requesting that TreasuryDirect debit your personal bank account to purchase securities on a schedule of your choice. Learn more about this by visiting TreasuryDirect.

Series "EE" Bonds are an appreciation-type security with a maturity period of 12 years. They may be redeemed at any time after six months from issue date. Each bond costs one-half of its face value. Denominations are available in \$100, \$200, and \$500 bond purchases. Interest earned is exempt from state and local taxes, and federal tax reporting may be deferred until redemption or final maturity, whichever comes first. Series "HH" Bonds are available in exchange for Series "EE" Bonds and/or U.S. Savings Notes with a total redemption value of \$500, or more.

Awards Program



DEP recognizes the contributions of employees and volunteers as a means of encouraging improvement and increasing staff satisfaction. OPS and volunteers are encouraged to participate in this program through one of the following components:

- Employee or Team of the Month component. This component recognizes exceptional, continued and/or outstanding service to the Department or the public by Career Service, Selected Exempt Service, Senior Management Service, OPS employees and volunteers;
- Spot Award for Excellence in Customer Service. This component recognizes Career Service, Selected Exempt Service or OPS employees and volunteers for specific acts of exceptional customer service; and
- Division/District Awards. The final component of the program is a division/district award where employees or volunteers are recognized. Directors are required to develop written procedures governing administration of these awards.

DEP also participates in the Prudential Davis Productivity Awards Program each year. Many DEP employees have received cash and honor awards through the Davis Awards Program.

For additional information concerning awards or recognition, or to obtain assistance in submitting ideas or suggestions, speak with the [DEP Awards Coordinator](#) in the Bureau of Personnel Services, your supervisor or contact your Division or District awards representative.

Blood Bank

As a benefit to you and/or your immediate family, the Department maintains a blood bank group account with the Southeastern Community Blood Center. Quarterly drives are held at various Department building sites in Tallahassee. While donations are encouraged, they are strictly voluntary. For employees outside the Tallahassee area, other arrangements are available for blood donations. For additional information, contact the Department's blood bank coordinator through the Office of Citizen Services.

ATTENDANCE AND WAGE INFORMATION

Attendance and Leave Overview

Employees and volunteers are expected to be available for work on a regular basis. Unexpected or unavoidable events can occur from time-to-time. Such unplanned occurrences should be infrequent in nature. Frequent absences from work, especially when unplanned, create a hardship on the work unit. Absenteeism, even for legitimate reasons, can become excessive to the point that management must take appropriate remedial action, including disciplinary action, if necessary. Your job is an important one. If you are absent, your work must be assumed by someone else or be left undone. You are encouraged to consider the value of the work you do, consider the impact of absences on your fellow employees and your supervisor, and plan your absences accordingly.

An employee or volunteer who expects to be absent from or tardy to work for any reason is required to request approval, in writing, from his or her immediate supervisor. Advance approval is required, except for illness or emergency situations, so that disposition of the employee's work may be made to avoid undue hardship on fellow employees or volunteers. When you know you will be late or absent from work due to illness or emergency, notify your supervisor as soon as possible at the beginning of the workday. Each work unit may establish operating procedures for reporting absences. Your supervisor will inform you of your work unit's specific requirements in this regard.

An employee or volunteer who is confronted with an emergency situation should contact his or her immediate supervisor as soon as reasonably possible, explain the situation and request verbal approval for the absence. Upon returning to work, the employee or volunteer shall obtain documented approval for the absence from the immediate supervisor.

Attendance and Leave Reporting. An OPS employee is paid for the actual number of hours worked on a bi-weekly basis which begins on a Friday and ends on the second Thursday following. Proper completion, submission and approval of timesheets in the People First System by the established due date is necessary for an employee to be paid on time. If an employee's timesheet is not submitted and approved by the due date, (s)he will not be paid until the next supplemental pay period. The Department's goal is to ensure that an employee receives a timely pay warrant. Please do your part by submitting your timesheet promptly. You can obtain the OPS Payroll Schedule from your supervisor or the Department's website at <http://www.dep.state.fl.us/admin/Personnel/files/HolidayPayrollSchedule.pdf>.

Work Hours and Breaks. All employees are expected to report to work and begin working on time in accordance with their established work schedule. Supervisors will discuss working hours and schedules with employees. Should a change in a schedule be necessary, supervisors are encouraged to provide employees with reasonable prior notice whenever possible.

A 15-minute work break may be given to employees in the morning, and also in the afternoon (if work schedules permit). These breaks may not be saved or accumulated to provide for a longer lunch period, or to compensate for arriving late to work, or leaving early. OPS employees are expected to report to work as scheduled. If they are not going to be on time, except in the case of an emergency, their supervisor must be notified at the beginning of the same workday. Volunteers shall communicate what hours and days they are willing to assist the work unit. If they are not going to be on time, or able to come in, they must contact their supervisor.

Overtime. Overtime occurs when the actual number of hours worked by an employee exceeds the required hours in the established workweek, 40 hours for fulltime employees. OPS positions have been designated as “included” [subject to the overtime provisions of the Federal Fair Labor Standards Act.] The Fair Labor Standards Act is the federal law requiring that covered employees be paid at least the federal minimum wage and overtime pay (at time and one-half of the employee’s regular rate of pay) for all hours worked over 40 hours in a workweek. The DEP’s established workweek is Friday through Thursday.

Holiday observance **does not count** toward “hours worked” for the purpose of calculating when overtime is earned. In addition, the Department is required to adjust any overtime worked, when possible, to offset the extra hours worked. Therefore, if an employee works extra hours on one day of the week, but leaves during regular work hours for an appointment in the week, the extra hours worked are used to “offset” the time taken for the appointment.

An “included” OPS employee **may not** “volunteer” to work extra hours beyond 40 without compensation. Supervisors **may not** require an OPS employee to work overtime without compensation and are prohibited from instructing employees to not record actual hours worked. Any employee who works extra hours or works outside the assigned work schedule without supervisory approval is subject to disciplinary action. Falsification of a timesheet or instructing an employee to falsely report actual attendance is grounds for disciplinary action, up to and including dismissal.

[DEP Directive 425](#), Attendance and Leave, governs the timekeeping procedures of the Department. This directive is accessible via the [DEP Internet home page](#), or by contacting your supervisor or the Bureau of Personnel Services.

Holidays. The Department observes the following holiday schedule as provided by Section 110.117, Florida Statutes:

- New Year’s Day
- Martin Luther King’s Birthday
- Memorial Day
- Independence Day
- Labor Day
- Veteran’s Day
- Thanksgiving Day
- Friday after Thanksgiving
- Christmas Day

If any of these holidays fall on Saturday, the preceding Friday shall be observed as a holiday; if any of these holidays fall on Sunday, the following Monday shall be observed as a holiday.

The birthday of Dr. Martin Luther King shall be observed on the third Monday in January; Memorial Day shall be observed on the last Monday in May; and Labor Day shall be observed on the first Monday in September.

OPS employees are not paid for holidays unless they are required to work on a holiday. See the section on Overtime for more information.

Family and Medical Leave Act. The [Family and Medical Leave Act \(FMLA\)](#) is a federal law that allows OPS employees to take up to 12 workweeks of unpaid, job-protected leave within a 12-month period for one of the following reasons (FMLA-qualifying events):

- the birth of the employee's child and to care for the newborn child;
- the placement of a child with the employee for adoption or foster care;
- the employee is needed to care for a family member (child, spouse or parent) with a serious health condition;
- the employee's own serious health condition makes the employee unable to perform the functions of his/her job; or
- a qualifying exigency (as defined by the U.S. Department of Labor) arising from a spouse, child, or parent's call to active military duty in support of a contingency operation.

In addition, an employee who is the spouse, parent, child, or next of kin of a current member of the armed forces (including the regular armed forces) who was injured while on active duty, may be eligible for up to 26 weeks of FMLA leave in a 12-month period. The 26 weeks of leave allowed includes the types of leave above.

OPS employees must have their doctor complete [DEP Form 54-202](#), Medical Certification, which they provide to their supervisor. The supervisor is responsible for forwarding a copy of the certification to the Bureau of Personnel Services. When the Department determines that the medical absence is qualified for a leave of absence under the Family and Medical Leave Act, the Department will notify the employee and supervisor.

During any period that an employee is on Family and Medical Leave Act leave, the employee is guaranteed the right to return to the same position or to an equivalent position with equivalent pay and with seniority accumulated prior to the leave period. The employee will be placed on authorized leave without pay status. An employee on authorized leave without pay status is responsible for coordinating payment of payroll deductions with the People First Service Center (866-663-4735) to ensure continuation of coverage of any deductions such as deferred compensation, where necessary.

Employees requesting leave under the Family and Medical Leave Act should obtain [DEP Form 54-202](#), Medical Certification, which must be completed by a health care provider and returned to the Bureau of Personnel Services. Consult with the Bureau of Personnel Services for assistance in processing a family medical leave of absence request and assistance with payroll questions.

TRAINING

Required Training

The following classes are required within 30 days of hire for all new DEP employees:

- OPS New Employee Orientation (Online)
- Harassment Is...Government Version (Online)
- Diversity in the Real World (Online)
- DEP Code of Ethics (Online)
- DEP Public Records (Online)
- DEP Civil Rights Training (Online)
- Information Security Awareness Training (Online)

Annually thereafter, all employees are required to take a Combo-DEP Annual Refresher Course. You must have completed the full version of the seven courses listed above before you will receive credit for taking the Combo-DEP Annual Refresher Course. All of these courses are online and can be taken by accessing the Bureau of Personnel Services [Training Opportunities](#) web site. **NOTE:** DEP Civil Rights Training will be added to the refresher course in 2012.

The following classes are highly recommended for all new DEP employees:

- People First Orientation Training (Online)
- Quality Service in the Public Sector (Online)
- Plain Language Initiative (Online)
- Supplemental Supervisory Skills Training, if you are a supervisor (Classroom, webinar)

Section 110.112, Florida Statutes, requires all supervisory personnel to receive training in the principles of equal employment opportunity and affirmative action, the development and implementation of affirmative action plans, and the establishment of affirmative action goals. These subjects are covered in the Supervisory Skills Training class, Recruitment and Selection, which is offered as classroom training and is also available as a webinar class. Refer to the Training Class Schedule on the Bureau of Personnel Services web site.

Other Training

In addition, there are a number of online classes on various subjects of interest to employees. Some titles include Americans with Disability Act, Family Medical Leave Act, Interviewing, Defensive Driving, and Documenting Discipline. Classroom training is scheduled for 'lunch and learn' topics as well as retirement planning, deferred compensation, and as requests are provided to the Training Section in the Bureau of Personnel Services. A monthly training calendar is sent to all staff with information on available classes.

HEALTH AND SAFETY

Safety/Loss Control Management Program

It is DEP's policy to provide a safe and healthy work environment for the protection of our most vital resources - our employees. The safety of employees is of the greatest interest to all levels of management and supervision - ranking in importance above production, quality, cost, and service. The Department is continually striving to provide safe and healthy working conditions for all employees. Your safety is a great concern and management is fully committed to preventing injuries, illnesses, and accidents in the field, office, and home.

The Department's basic philosophy is that we can prevent all personal injuries. While the ultimate responsibility for safety begins and ends with the Secretary, all DEP employees share that responsibility. For example, Division/District Directors are responsible for the safety of their staff. All employees, at every level, are fully responsible for their own safety and for the safety of those with whom they work. There is no tolerance in the Department for unsafe conditions for any employee. The Department will maintain a vigorous safety and loss prevention program at each location and will allocate the necessary resources to assure a safe and healthy work environment.

REMEMBER, accidents do not just happen -- they are caused! Statistics indicate that 99% of all accidents are preventable when causes are known. Seventy-five percent (75%) of all accidents are caused by unsafe acts and twenty-five percent (25%) are caused by unsafe conditions. Unsafe acts include:



- Taking short cuts;
- Not paying attention;
- Inadequate training;
- Outdated policies and procedures; and/or
- Failure to wear Personal Protective Equipment (PPE).

[DEP Directive 710](#), Workplace Safety and Loss Control Management Program, and the [DEP Health & Safety Manual](#) provide an explanation of the Department's safety/loss control management program. Valuable health and safety information about the DEP safety/loss control management process may be viewed at the [Safety and Loss Control Management](#) web site. The Division of Administrative Services, Director's Office, administers and coordinates the DEP safety/loss control management process.

Safety Advisory Board

Safety Advisory Board. The Department has also designated a [Safety Advisory Board](#) to work with the Office of Safety/Loss Control Management and coordinate Department-wide administration of our safety process.

The Safety Advisory Board consists of one Safety Program Coordinator from each Division/District and is chaired by the Safety Program Administrator. The Safety Advisory Board meets quarterly or at the call of the Safety Program Administrator to address the Department's safety program. For further details or information, contact the DEP Safety and Loss Control Management Program Administrator, Division of Administrative Services. **MAKE SAFETY A HABIT- IT'S A WAY OF LIFE!**

Reporting Accidents

Any accident occurring during work hours must be reported immediately to your supervisor who will see that you receive proper medical treatment. Never fail to report an accident because you think it may be minor or unimportant.

Workers' Compensation



All employees are covered by Workers' Compensation insurance. This insurance provides for medical care and compensation for injury or disability sustained in the line of duty. This coverage pays all medical costs for medically necessary services. This plan also provides payment for part of the wages you may lose if injury or illness disables you for more than 40 work hours.

Regardless of how minor you feel an injury may be, it is important that you report it to your supervisor immediately. Your supervisor must report job-related injuries and/or illnesses to OptaComp, the Workers' Compensation provider, and the Bureau of Personnel Services **within 24 hours**, otherwise claims may not be paid. OptaComp is the Medical Administrator for Workers' Compensation. Unless an injury is life threatening, contact OptaComp before obtaining medical attention. A physician authorized by OptaComp must provide medical treatment for any injury or illness, except a life-threatening injury.

DEP Directive 450, Workers' Compensation and Return-to-Work Program, provides detailed information about Workers' Compensation, including questions regarding the proper procedures for reporting job-related injuries and illnesses. You can also contact the Bureau of Personnel Services at 850-245-2511.

Medical Monitoring Program

Employees working in designated positions are required to participate in the Department's Medical Monitoring Program. This program includes safety training related to the work performed, and medical surveillance physical examinations.

Department supervisors decide who will participate in this program. Supervisors make these determinations by comparing the employee's job duties to guidelines from the federal Occupational Safety and Health Administration (OSHA) and federal Environmental Protection Agency (EPA) guidelines.

If your position is designated to participate in the Medical Monitoring Program, you will undergo a medical examination upon employment, transfer or promotion into a position requiring medical monitoring. Thereafter, these examinations occur based on the risk category of the position. Employees leaving the Department or transferring into a job that does not require medical monitoring will also be required to undergo an "exit" physical examination (unless the employee's last physical examination occurred any time within six months prior to the effective date of termination or transfer).

Medical surveillance physical examinations are paid for by the Department, and are scheduled in a manner that is convenient for the employee whenever possible. Results of the examinations are strictly confidential between the employee and the physician. The Department will only be notified of any job-related medical condition(s) that may require the employee to take additional safety measures, i.e., safety equipment or that may require an adjustment in the employee's job duties. Should a medical examination discover a condition resulting from job performance and requiring medical attention, treatment will be provided at no cost to the employee through the state's Workers' Compensation Insurance Plan.

For additional information, review [DEP Directive 477](#), Medical Monitoring or contact the Medical Monitoring Coordinator in the Division of Administrative Services.

GENERAL INFORMATION

Personal Appearance

Although DEP does not have an official dress code, we do expect our employees to maintain a neat, clean, and appropriate appearance. Your job may require that you wear certain types of clothing or gear for health, safety or security reasons. Unless approved by your supervisor, clothing worn in recreational activities, such as shorts or attire that doesn't cover the torso, is inappropriate in an office. You should dress appropriately for the work setting and type of work you perform.



Hairstyles, jewelry, wigs, beards, mustaches, sideburns, and other grooming effects are generally considered a personal matter, unless your job performance or safety may be affected because of them.

Fingerprinting

Employees filling certain positions in state government may be required to be fingerprinted for purposes of conducting a criminal history record check. Applicants will be advised of this requirement prior to appointment to such a position.

Smoking Policy

The Department's Smoking Policy prohibits smoking at all times in all buildings and main entries owned or leased by the Department. Smoking is permitted outside of DEP buildings, but only in those areas designated with the appropriate disposal containers. Smoking is prohibited at or near the direct entrances to all DEP buildings.

Smoking is prohibited at all times in all DEP vehicles, except those classified as Class C. (Refer to [DEP Directive 366](#), Smoking Policy, for definitions of Class C vehicles). At the request of smokers, breaks shall be granted during any trip in excess of one hour, but the number and duration shall not exceed employee break periods allowed by [DEP Directive 425](#), Attendance and Leave.

Violations of this directive or the Florida Clean Indoor Act may result in a disciplinary action pursuant to [DEP Directive 435](#), Conduct of Employees.

Questions concerning the Department's smoking policy should be directed to the Facilities Manager in the Division of Administrative Services or to the Director of the Division of Administrative Services.

Bulletin Boards/Newsletters/DEP Intranet

The Department has placed employee bulletin boards in your work location. Bulletin boards are often used to post notices important to you, such as insurance notifications, job announcements, memoranda from the Secretary, policy updates, safety publications, etc. Each employee should review the bulletin board(s) near his/her workstation for such announcements.

The Department bulletin boards are not for personal use or for personal advertisements, etc., and should be limited to work-related business or notices. If you have questions concerning the bulletin boards or wish to post a notice, advertisement, or announcement, contact your supervisor or the Bureau of Personnel Services for information concerning bulletin boards that may be available for the item you wish to post.

The Department as well as some divisions within the Department also publish newsletters that will also include important information. Employees are encouraged to read these newsletters to remain current on important Department issues.

Information about current events within DEP is also posted on the [DEP Intranet](#). Supervisors are responsible for providing information communicated via the e-mail system or DEP Intranet to employees who do not have access to these computer resources. The DEP Intranet is an electronic information source available to most DEP employees. DEP directives and forms, Department news, messages from the Secretary and other useful information are posted on this electronic information medium. The [DEP Home Page](#), on the Internet, is another useful information resource available to the general public and employees.

Use of State Property, Equipment or Personnel

State property, equipment, supplies and time of personnel are intended for official state business. The Department recognizes that there are occasions when personal use of equipment may be allowed. Examples include taking or receiving incidental personal telephone calls to attend to personal responsibilities, receiving incidental personal e-mails or using a state vehicle while in travel status to drive to and from a restaurant after working hours.

Information Security. The DEP relies heavily on the application of computer-based systems for efficient and effective management of its complex organization. The value of data and software, in terms of restoration costs or losses due to unauthorized disclosure, far exceeds the value of its associated hardware. For this reason, information processing by computers must be recognized as a major state asset and be protected accordingly.

Within the Department, people represent the greatest asset in maintaining an effective level of security. At the same time, people represent the greatest threat to information security. No security program can be effective without maintaining employee awareness and motivation. Information security policies and standards apply to all employees of the Department and each employee is responsible for adhering to [DEP Directive 390](#), Information Resources Security Policies and Standards, as it relates to his/her employment.

Policies and standards apply to automated information systems, which access, process, or have custody of data. They apply to mainframe, minicomputer, microcomputer distributed processing, and networking environments of the Department. They apply equally to all levels of management and to the personnel they supervise. Each employee shall be held responsible for systems security to the degree that his/her job requires the use of information and associated systems. Fulfillment of security responsibilities is **mandatory**.

All employees are required to acknowledge their understanding of these responsibilities. Within the first three days of your employment with the Department, you will be asked to sign [DEP Form 54-614](#), Receipt of Acknowledgement of Key Directives. By signing this document, you are attesting your awareness of key department policies, one of which is [DEP Directive 390](#), Information Resources Security Policies and Standards. Further, within 30 days of employment, you will be required to complete Information Security Awareness training. This course will explore [DEP Directive 390](#) and help you understand what your minimum responsibilities are to make sure the Department's computer information is safe and that your use of DEP's computer resources is appropriate. The policies presented in this course apply to all agency employees, contractors and vendors, as well as, private organizations and citizens granted account/computer access to DEP resources. As with all courses, completion is documented in the system's database. Upon completion of this training, you will also be provided with a certificate that you may keep for your records.

Annually, you will also be required to take Combo-DEP Required Annual Refresher Course, a mandatory course that serves as a refresher training.

Use of Non-Department Software. The use of personal, shareware or other non-Department owned software on Department owned information resources is not allowed unless approved by the Chief Information Officer in consultation with the Information Security Manager. Public Domain, freeware and other software, which offers unrestricted use without charge, may be approved by the appropriate Information Technology Coordinator, provided the software's use is not in conflict with policies or standards established by the Department. This software, along with any data disk introduced into Department information systems, should first be virus checked prior to use on Department computer systems. If in doubt, contact the respective Information Security Representative or the Information Security Manager.

Making Software Copies. Copying licensed, leased, or state-owned software is prohibited unless authorized by said license lease.

Reporting Security Problems, Concerns, and Suggestions. Report your security concerns to the Information Security Manager or supervisor so the Department can improve or correct security problems.

Reporting Security Violations. You are responsible for reporting suspected violations of established security policies or procedures to your supervisor or directly to the Information Security Manager immediately.

Specific Threats to Department Information Security.

- Malicious Damages:
 - Computer viruses that destroy computer data
 - Physical destruction of Department property
- Fraud/Criminal Element:
 - Duplication of licensed or DEP software
 - Collusion with internal or external persons
 - Invasion of Privacy - Viewing confidential records
- Human Error:
 - Erroneous data input
 - Running wrong version of program
- Equipment Failure:
- Power failures without data backup equipment
- Floppy disks malfunctions
- Natural Disaster:
 - Fires, hurricanes, floods

Your Security Responsibilities.

- For Official Use Only. State-owned, leased, or licensed computer hardware and software must only be used to conduct state business. Employees must only use Department provided Internet access for official business, unless otherwise approved by the supervising authority.
- Password Control. All employees issued a computer password will ensure the confidentiality of that password.
- Access Control. Employees having access to computer data will ensure adequate protection of such data.
- Data Integrity and Security. Make backup copies of all data at periodic intervals acceptable for the importance of the information you are archiving. Secure it from unauthorized use.

E-mail Usage. The [DEP Directive 202](#), Code of Ethics and [DEP Directive 390](#), Information Resources Security Policies and Standards, as well as this Handbook, contain provisions addressing e-mail usage. Please review these documents and as a reminder, these are some of the specific provisions:

- Employees shall not use the Department's e-mail services to access, send, store, create or display inappropriate or illegal content, including sexually suggestive or explicit material, gambling, profanity, political activities, obscenity, harassment or discrimination regarding age, race, color, sex, religious belief, national origin, political opinion or disability.
- Employees shall not use the Department's computers to visit non-state sponsored "chat rooms" or to visit Internet sites that contain sexually suggestive or explicit material.
- Employees shall not use the Department's e-mail services for unlawful activities, commercial purposes outside the Department, personal financial gain, or uses that violate other Department policies or guidelines.
- Employees shall not use the Department's e-mail services to represent, express opinions, or otherwise make statements on behalf of the Department or any unit of the Department unless authorized to do so.
- Employees shall not use computers for personal reasons while working, except for incidental use. Such incidental use should be infrequent and not interfere with the Department's operation of computers or e-mail services, burden the Department with noticeable incremental cost or interfere with the e-mail user's employment obligations to the Department.
- Employees shall not use computers to make personal purchases with a state e-mail or physical address for shipping or billing purposes or to store personal files.
- Employees shall not use the Department's e-mail services for purposes that could reasonably be expected to cause, directly or indirectly, excessive strain on any computing resources, or unwarranted or unsolicited interference with the use of e-mail or e-mail systems by others (e.g., animated e-mail signatures).
- Employees shall not send mass e-mails unless authorized. This restriction does not preclude an employee from sending multiple e-mails to a finite group for official business. Large attachments with graphics, streaming video, or sound effects are discouraged.

We recognize that you do not have control over who sends e-mail to you. However, if you receive an inappropriate e-mail (see bullet above) and do not recognize the sender's name or e-mail address, you should:

- Create a new e-mail with "Spamreport" as the Department's e-mail address to send to and then drag the inappropriate e-mail into the body of this new e-mail so that it becomes an attachment. Press Send. (The name "Spam Report" is a Department e-mail address that will fill in when typed in the "To" field.)
- Click the Shift and Delete keys simultaneously on your computer to permanently delete the e-mail you received.
- If receipt continues, contact the Department IT Help Desk by phone at 850-245-7555 or e-mail helpdesk@dep.state.fl.us.
- When you receive an inappropriate e-mail from a non-Department person you know personally or from a Department employee, you should:
 - Respond to the sender by e-mail, letting the sender know he/she has reached your work e-mail address and his/her e-mail may be a violation of [DEP Directive 390](#), Information Resources Security Policies and Standards. Ask that they send future e-mails of this nature to your personal e-mail address or not at all.
 - Do not forward the original e-mail and any attachments to others.
 - Click the Shift and Delete keys simultaneously on your computer to permanently delete the original e-mail you received.
 - Report any additional receipt of unsolicited e-mails from this individual to your supervisor by e-mail to document that you have reported the incident as required by the Department's directive.

Discipline for Inappropriate Computer Use. Inappropriate use of the Department's computers may result in disciplinary action up to and including dismissal. As DEP employees, we must take seriously the following security message that appears each time we log on to a Department computer:

NOTICE TO WORKSTATION USERS: Successful log-on and access to this workstation and the information systems it provides constitutes acceptance of applicable Department policies and procedures. You should have no expectation of privacy as to your use of Department information technology resources as all data is potentially subject to Florida's public records law. Use of this workstation is subject to monitoring per DEP 390 with or without prior consent."

Use of State Vehicles. When traveling on state business, a DEP vehicle should ordinarily be used unless one is not available. The most economical means of travel should be considered in determining the type of vehicle used. If a DEP vehicle or other cost-effective means of transportation is not available, an employee may be reimbursed .445 cents per mile for using a private vehicle under certain circumstances.

Accidents involving a state vehicle (even those where the employee is not at fault) are recorded in the employee's personal driving record. The employee's insurance company is not liable for such accidents. Employees are required to wear seat belts when operating a state vehicle. No employee is authorized to operate a state vehicle without a valid driver license.

Only authorized persons may travel in a state vehicle. Employees are not permitted to transport family members or friends in a state vehicle, even if such travel is incidental, unless such persons are authorized to travel for legitimate departmental or state business reasons. The pick-up and conveyance of hitchhikers or other persons while driving a state vehicle is prohibited.

Personal use of a state vehicle or driving under the influence of alcohol or drugs is also prohibited. Except under special circumstances authorized by a director, a state vehicle may not be used to transport alcohol. State vehicles are never to be used to transport or to contain illegal drugs or prescription drugs obtained unlawfully. Employees are cautioned to remember that members of the public have a right to expect state employees to use a state vehicle for legitimate purposes only. When traveling on state business, care should be exercised to drive in a safe manner, obeying all traffic laws, and to refrain from taking the vehicle to locations that could be perceived as inappropriate for a public servant.

Consult [DEP Directive 620](#), Motor Vehicle/Watercraft Assignment and Utilization and [DEP Directive 630](#), Reporting of Accidents Involving State-Owned Motor Vehicles/Watercraft and the Procurement of Related Repairs, for more information concerning use of state vehicles.

Alternative means of transportation may be used when state vehicles are not available. When taxis and limousines are impractical or financially prohibitive for an employee who is on an out-of-town assignment, a rental car may be obtained under state contract. For more information concerning use of rental cars, contact the Bureau of Finance and Accounting.

Additional information on fueling or purchasing items or services for state vehicular use may be obtained from the Bureau of General Services. Whether traveling by state vehicle or by a personal vehicle, an employee should keep fuel receipts or any other receipts from out-of-pocket expenses incurred to operate the vehicle while on official business.

Travel



All travel must be approved in advance. The initial authorization to travel is granted by the employee's supervisor or cost center administrator. During periods of economic downturn, additional approvals are required. Consult with your supervisor to ensure all necessary approvals are received prior to traveling. Prior authorization is obtained by completing an "Authorization to Incur Travel Expenses" form, located on the [Finance and Accounting](#) forms webpage. The request must include: registration fees, the most economical transportation cost, rental cars when justified, and per diem or travel expense allowance.

A travel day is divided into four quarters of six hours, with the first quarter beginning at midnight. The per diem rate for reimbursement is currently \$20.00 per quarter. If a traveler's actual expenses exceed \$80.00 per day, s/he may be reimbursed for actual costs, substantiated by receipts.

State travel is divided into classes. Class A is continuous travel over 24 hours from the employee's official headquarters; quarters begin at midnight. Class B travel is 24 hours or less, requiring overnight absence; quarters begin at the time of departure. For both Class A and Class B travel, per diem is computed on the number of quarters the individual is away from the regular duty station. Reimbursement time includes the period of actual travel. Class C travel requires the employee to be away from the official headquarters on short, daytime trips. No per diem is paid or meal allowance is provided for Class C travel.

All claims for reimbursement of travel expenses and per diem must be on a completed "Authorized Travel Expense Voucher," located on the [Finance and Accounting](#) forms webpage and submitted for payment to the Bureau of Finance and Accounting.

If a state contract for airfare has been established, it must be used when flying to cities covered by the contract unless justification for the use of other airfare is shown on the travel voucher. For more information concerning travel, contact the Bureau of Finance and Accounting, Travel Section or review [DEP Directive 610](#), Travel Policy, for additional information.

Building Security and Maintenance

Each building (or group of buildings) has specific building security and building maintenance telephone number(s). Please become familiar with these numbers for your particular work location.

Building Access. Some DEP facilities may require a security access code or device during normal working hours or only for access to a DEP facility after hours. Your supervisor will inform you if you will need an access code or access device and how to obtain one.

Evacuation Procedures under Emergency Conditions. Each work unit has specific evacuation procedures due to fire, storm or other threats, such as bomb threats. Please become thoroughly familiar with those procedures and ask your supervisor any questions you may have about what to do in the event of an emergency. Fire/evacuation drills are conducted periodically. Employee floor wardens will assist staff in the evacuation procedures during these drills. Please take these drills seriously and follow the warden's instructions.

Identification Cards. Employees in certain positions are issued identification cards. These cards are to be used for identification in connection with official business only. They are not transferable, remain the property of the Department, and are to be returned to the appropriate supervisor upon termination from the Department or transfer from the program necessitating the issuance of the identification card.

Solicitation. There is only one state-sponsored and recognized charitable solicitation authorized during working hours. It is the Florida State Employees Charitable Campaign, on behalf of United Way Charities in Florida. Other charitable solicitation by employees on behalf of recognized and reputable charitable organizations is permitted in keeping with guidelines specified in [DEP Directive 476](#), Access to and Use of DEP Facilities for the Purpose of Soliciting DEP Employees, as long as the privilege is not abused. Employees are permitted to solicit for other causes and distribute literature during non-working hours (including lunch and rest periods) as long as employees who are working are not involved.

After receiving prior approval, non-employees are allowed to solicit and distribute literature only in public areas. Representatives of the State Insurance Plan and Deferred Compensation providers are exempted from the State Solicitation Policy, but are required to adhere to the Department's solicitation policy stated in [DEP Directive 476](#), Access to and Use of DEP Facilities for the Purpose of Soliciting DEP Employees. Employees who are on work time or in a work location are not permitted to be involved in any unauthorized solicitation or solicitation by an employee. Solicitation and distribution is not to interfere with the intended use of the public area. Representatives of other insurance programs must abide by solicitation rules for non-employees contained in DEP Directive 476 or required by the Department of Management Services for facilities under its management. If you are the recipient of unwanted solicitation, by telephone or by someone in person, notify your supervisor and contact the Facilities Manager in the Division of Administrative Services for further information.

CAREER ADVANCEMENT AND RECRUITMENT

The DEP is an “Equal Employment Opportunity Affirmative Action” employer, and its policy is to employ the best qualified candidate for each and every position. Job advancement will be administered in accordance with applicable federal laws, collective bargaining agreement provisions and Chapters 110 and 295, Florida Statutes, Rule 60L-31 and 60L-33, Florida Administrative Code and [DEP Directive 404](#), Recruitment and Selection Procedures. The Department also recognizes the importance and value of recruiting employees for employment opportunities within the organization and encourages all OPS and volunteer employees to pursue Career Service, or other FTE opportunities within the Department. Many long-term Career Service employees began working with the state as OPS or volunteer employees. If an OPS or volunteer employee is interested in an FTE position, (s)he may refer to the Department’s Careers website.

Vacant positions are advertised via the Internet at <http://www.dep.state.fl.us/careers/> or the [People First](#) website which can also be accessed through <http://www.myflorida.com/>. Through the People First website, you may apply for a vacant position when announcements are posted. Eligibility for selection consideration will be based on an applicant’s ability to meet the position’s required knowledge, skills, and abilities and preferred criteria.

If you have questions about a particular position, you should contact the office listed on the announcement. Positions advertised as “Internal Agency Opportunity” are opportunities available only to DEP employees currently employed in FTE positions; employees in OPS positions are not eligible to apply. Positions advertised as “State Personnel System” opportunities are open only to employees currently in FTE positions in the Career Service system regardless of the Department. Positions advertised as “Open Competitive” are open to any applicant.

To be considered for any advertised vacancy, a completed [State of Florida Employment Application](#) must be entered in the People First system and submitted for the vacancy by the closing date for the position. Additional information may be obtained by calling the People First Service Center at 1-877-562-7287.

Veterans’ Preference

Veterans’ Preference is not available to applicants applying for OPS employment. However, since OPS employees and volunteers may apply for FTE positions, we have included information on Veterans’ Preference. Section 295, Florida Statutes, sets forth the requirements for public employers to provide preference in employment, retention, and promotion, to eligible veterans and spouses of veterans who are Florida residents applying for Career Service positions. Selected Exempt Service and Senior Management Service positions are exempt from Veterans’ Preference.

To be eligible for Veterans' Preference, an applicant/employee must state which of the five categories best represent their situation on the State of Florida Employment Application and provide a copy of their DD214 or equivalent document prior to the close of a job announcement. This is normally done online through the People First System.

An eligible veteran, or eligible spouse of a veteran, who meets the minimum requirements of the position is entitled to preference at each step of the selection process, including being granted an interview. However, the preference does not guarantee that a veteran will be selected to fill the position. Preference applies to:

- Only external applicants, (i.e. either non-state employees or current state employees applying to positions outside of their current employing agency.
- Where a layoff is necessitated in a "covered position", (within the Career Service System) similar preferences must be given to the covered employee in the retention process.
- When a Career Service employee leaves employment for the purpose of serving in the armed forces, he or she is entitled to reinstatement or reemployment upon release or discharge from active military service. To qualify, the employee must serve at least one day during a wartime period as stated in section 1.01(14), Florida Statutes, then the employee may again request Veterans' Preference with that same agency.
- Promotion preference applies only to a veterans' first promotion after reinstatement or reemployment, without exception.

Supplemental Application

All new hires/promotions/demotions/reassignments for full-time equivalent or OPS positions are required to complete [DEP Form 54-706](#), the Supplemental Application Process and provide the required documentation.

E-Verify System

The Immigration Reform and Control Act of 1986 prohibits employers from knowingly hiring illegal workers. We are to employ individuals who may legally work in the United States; either U.S. citizens or foreign citizens who are authorized to work in the U.S.

E-Verify, an Internet-based system, is used to determine the eligibility of employees to work in the United States. The verification is done by staff in the Bureau of Personnel Services who compare information from an employee's Form I-9, Employment Eligibility Verification, to data from the U.S. Department of Homeland Security and the Social Security Administration records to confirm employment eligibility. The supervisor or administrative contact is notified of the results by staff in the Bureau of Personnel Services.

Selective Service System

Selective Service Registration is not a requirement for OPS employment. However, since many OPS employees apply for vacant full-time equivalent positions within the Department, we are providing information about Selective Service requirements.

In accordance with Section 110.1128, Florida Statutes, and the Military Selective Service Act, 50 U.S.C. App. 453, male applicants/employees applying for Career Service, Selected Exempt Service or Senior Management Service positions, born on or after October 1, 1962, are prohibited from promotional and employment opportunities if they fail to register or provide a letter of exemption from the Selective Service System prior to their 26th birthday. Effective November 2008, any DEP male employee who was required to register, but failed to do so, may continue in their current pay grade. However, they will not be eligible for promotions within the Career Service or any subsequent appointment to Selected Exempt Service or Senior Management Service, and if they leave state government they will not be eligible for rehire.

Job Announcements

The Department recognizes the importance of promoting employees who exhibit and possess the knowledge, skills and abilities necessary to perform the duties of a higher-level position. In every case, the Department's policy is to select an individual from among the best-qualified applicants. All job announcements are posted on the Department's website at http://www.dep.state.fl.us/careers/find_job.htm and at the [People First](#) website.

Employees are encouraged to submit completed State of Florida employment applications for each vacant position for which they wish to be considered through this venue. Questions concerning job qualifications and additional information may be directed to the People First Service Center at 1-877-562-7287.

EMPLOYEE RELATIONS

Standards of Conduct

Standards of Conduct were established for the benefit of employees, as well as for the Department and employees are expected to follow these standards of behavior. For example, employees have a duty not only to refrain from, but to report, unlawful activities such as, embezzlement, bribery, solicitation of bribes, official misconduct, extortion, fraud against the government, and conspiracy to commit any of the foregoing unlawful activities, as well as any other unlawful or unethical behavior. In addition, employees are expected to adhere to all policies, procedures, and instructions.

Failure of an OPS, volunteer or any employee to abide by the Department's Standards of Conduct may subject him/her to disciplinary actions up to and including dismissal. Our Standards of Conduct as described in the Department's Directive DEP 435 provide a constructive means for correcting inappropriate behavior. Employees are expected to refrain from engaging in any of the unacceptable behaviors cited in the DEP 435 and to abide by socially accepted behaviors while at work, while acting as a representative of the Department or during off-duty hours such that the employee's conduct will at all times reflect positively on the Department and the State of Florida. Employees are to be aware of and abide by the Department's Code of Ethics, found in DEP 202. Employees are also expected to be aware of and abide by all Department directives and work unit policies and procedures.

Unacceptable conduct includes, but is not limited to, tardiness; absenteeism; failure to perform; negligence; stealing; falsifying records; selling, using or possessing illegal drugs or other illegal substances; using and/or possessing alcohol or being under the influence of alcohol while on duty; loafing; harassment; fighting; horse playing; gambling; disruptive behavior; insubordination; and any conduct that is unbecoming of a state or public employee. Every employee is encouraged to discuss with his/her supervisor not only the performance and behavioral expectations of the supervisor, but also of the Department.

Employee Assistance Program

The Employee Assistance Program (EAP) is available to help employees and members of their immediate family with personal, familial, behavioral, medical, financial, or other problems as provided in Section 110.1091, Florida Statutes. Such problems may affect or have the potential to affect work performance. The program goal is to address these issues to prevent them from progressing to the point that job performance is adversely affected. Participation in this program may be as a self-referral, an informal supervisory referral, a formal supervisory referral or as a condition of continued employment. Regardless of how an employee accesses the Employee Assistance Program, the Department pays for the cost of the initial assessment and referral consultation. Employees are allowed to count up to six (6) visits as "time worked." An employee's job security may not be jeopardized, nor will disciplinary action be taken solely for participation or non-participation in the EAP through

a self- or supervisory referral.

Records associated with an individual's participation in an EAP will be kept only in clinic or treatment files and will be maintained in a strictly confidential manner, independent of the Department's Personnel records or other Departmental records. DEP cannot obtain access to medical information in EAP files without your specific consent to allow access to your medical records. Florida law protects the privacy of employees who participate in the EAP by exempting from disclosure any records relating to the EAP under the Public Records Law, Chapter 119, Florida Statutes. For more information about EAP, refer to [DEP Directive 460](#), Employee Assistance Program, the [EAP](#) provider website or contact any Employee Relations representative in the Bureau of Personnel Services. The EAP provider may be contacted directly at 800-860-2058.

Drug-Free Workplace Policy



The Department has a zero tolerance policy for use or possession of illegal drugs or illegally obtained controlled substances. DEP prohibits the unlawful manufacture, distribution, dispensing, storage, possession or use of a controlled substance, including alcohol, in any Department work location or by any Department employee while on or off duty and in a work location or while in any state vehicle or vessel. Any employee

found to be in violation of this prohibition is subject to disciplinary action, up to and including dismissal. Refer to the [DEP Directive 420](#), Drug-Free Workplace and Drug Testing, and Section 112.0455, Florida Statutes, for additional information.

Each Department employee shall abide by these requirements as a condition of employment. Further, Department employees are required to notify their immediate supervisor of any **arrest** or conviction for a drug or alcohol violation on or off the job, by the end of the first working day following the occurrence. Violations of this policy will result in referral to EAP and/or disciplinary action against such employee, up to and including dismissal.

Drug Testing. Some positions are subject to pre-employment or random drug testing. Sworn law enforcement positions require pre-employment drug testing. Employees who operate motor vehicle equipment requiring a Chauffeur's license require both pre-employment and random drug testing. Other employees may only be drug-tested under reasonable suspicion circumstances, as specified in [DEP Directive 420](#), Drug Free Workplace and Drug Testing, and Section 112.0455, Florida Statutes. The Bureau of Personnel Services coordinates drug-testing activities and can answer your questions about the Department's drug-free workplace policy and drug testing.

Employee Arrest Reporting Requirements

If you are arrested for a drug or alcohol violation on or off the job, you must notify your immediate supervisor by the end of the first working day following the occurrence as provided in [DEP Directive 420](#), Drug-Free Workplace and Drug Testing. Your immediate supervisor will be responsible for notifying their Director, the Personnel Officer and the Inspector General of such an occurrence. Your failure to provide notification of arrest by the end of the first working day following the occurrence may result in dismissal.

If arrested for a third-degree misdemeanor or higher for a violent offense, filed or issued an injunction, or convicted for an incident of domestic or other violence, you must report such information to your immediate supervisor, the Office of the Inspector General and the Bureau of Personnel Services, within 24 hours of receipt or the next working day as provided in [DEP Directive 421](#), Violence-Free Workplace Policy. A copy of the injunction must be provided to the supervisor and the Office of the Inspector General immediately upon receipt. The Office of the Inspector General will contact other appropriate personnel as may be warranted concerning the injunction.

If you are a law enforcement officer and you receive an injunction, you must provide a copy of the injunction to your immediate supervisor and to the Office of the General Counsel. The Office of the General Counsel will review the injunction and determine as soon as possible whether the injunction meets the criteria established in 18 USC, Section 922(g)(8) which prohibits the shipping, transporting, receiving or possessing of any firearm or ammunition by a law enforcement officer who is the subject of a domestic violence injunction. Upon a determination that an injunction meets the criteria established in 18 USC, Section 922(g)(8), the Director of Law Enforcement will notify the law enforcement employee of appropriate actions that will be taken in accordance with applicable Department procedures. Disciplinary procedures as provided in [DEP Directive 435](#) shall be followed in administering any disciplinary action warranted by threats or acts of aggression or violence.

If you are convicted or have been the subject of an investigation by the Inspector General's Office with a sustained finding for a first or subsequent occurrence of domestic or other violence, you will be disciplined in accordance with [DEP Directive 435](#), Conduct of Employees, up to and including dismissal. If you are convicted or have been the subject of an investigation with a sustained finding by the Inspector General's Office for a second or subsequent occurrence of domestic or other violence, you will normally be dismissed, unless there are compelling mitigating circumstances.

Violence-Free Workplace Policy

The Department has adopted a zero tolerance policy for violent behavior and prohibits any act of violence at any DEP facility or by any DEP employee at any time as provided in [DEP Directive 421](#), Violence-Free Workplace Policy. This includes threats of violence or any action that a reasonable person would consider an act or threat of violence. Employees are expected to handle disputes in accordance with the processes described herein or through other non-violent and socially acceptable means.

The Bureau of Personnel Services has information about services available to employees who may be subjected to domestic violence, including instituting Personnel records confidentiality provisions. Section 741.313, Florida Statutes, provides that employees may take up to three days of leave within a 12-month period for certain activities resulting from an act of domestic violence. The employee may use personal leave or take leave without pay.

Employees (or family household members of the employee) who are either the victim of domestic violence or who have reasonable cause to believe he or she is in imminent danger of becoming the victim of any act of domestic violence, may file a sworn petition for an injunction for protection against domestic violence.

The Bureau of Personnel Services, the Department's Safety Officer, Department of Management Services building security personnel, the Office of Inspector General and the Division of Law Enforcement coordinate resources to obtain services or institute appropriate safety measures to address any potential threat of violence. Swift and severe disciplinary action or dismissal will be taken against any employee who commits or threatens violence. For more information, employees can refer to [DEP Directive 421](#), Violence-Free Workplace Policy.

Complaints of Discrimination, Including Sexual Harassment

Every employee will be afforded the opportunity to work in an environment free from unwelcome sexual advances, demands for sexual favors, and other verbal or physical conduct of a sexual nature. The public policy of the State of Florida is zero tolerance of any form of sexual harassment.

The state does not condone nor does it tolerate sexually offensive or harassing behavior of its employees pursuant to Section 110.1221, Florida Statutes. Complaints of harassment and/or discrimination may be reported to the Bureau of Personnel Services, the Inspector General's Office or the Chief of Staff. In the alternative, employees may file such complaints with the federal Equal Employment Opportunity Commission or the Florida Commission on Human Relations. [DEP Form 54-102](#), Discrimination and Harassment Policy Statement & Complaint Procedure and [DEP Directive 436](#), Discrimination and Harassment, may be accessed on the DEP web site.

Employees who are found to have sexually harassed or knowingly filed a false complaint of sexual harassment against another employee will be subject to disciplinary action, up to and including dismissal.

Whistleblower's Act of 1986

This Act prevents agencies or independent contractors from taking retaliatory action against an employee who reports violations of law on the part of a public employer or independent contractor, as defined in Section 112.3187(3)(d), Florida Statutes, that creates a substantial and specific danger to the public's health, safety or welfare. It also prevents

agencies or independent contractors from taking retaliatory action against any person who discloses information to an appropriate agency alleging improper use of governmental office, gross waste of funds, or any other abuse or neglect of duty on the part of an agency, public officer, or employee.

Violations of this act should be reported in accordance with Section 112.3187, Florida Statutes. Any employee who has a complaint should immediately contact the supervisor, the next level supervisor, Chief of Staff, Office of the Inspector General, the Chief of the Bureau of Personnel Service, and/or the People First Service Center.



[PRINT](#) the Acknowledgement of Receipt of DEP OPS Handbook.