

Policies of the Hillsborough County City-County Planning Commission



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A consolidated city-county agency serving the cities of Tampa, Temple Terrace, Plant City and the County of Hillsborough. An Affirmative Action-Equal Opportunity Employer

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MISSION

The Planning Commission, under the mandates of Chapter 163 Florida Statutes, the County Charter and Chapter 97-351, Laws of Florida, as amended, is the independent planning agency for Hillsborough County and municipalities therein. It is led by appointed citizens and serves all citizens of Hillsborough County by providing a vision for improving the quality of life.

The Planning Commission and its staff serve as agents to promote and coordinate the involvement of all citizens within Hillsborough County in comprehensive planning, public participation, growth management and environmental protection. The Planning Commission monitors the implementation of planning efforts and encourages innovation and creativity in achieving the Vision.

1.0 PURPOSE

The purpose of these Policies is to establish a framework to guide the performance of the staff of the Planning Commission in accomplishing its responsibilities and mission.

2.0 STRUCTURE

2.1 THE PLANNING COMMISSION, the Local Planning Agency for Hillsborough County, Plant City, Tampa, and Temple Terrace, is a consolidated organization consisting of a commission (board) and a staff of technical, professional and support personnel. The Planning Commission shall always be referred to as a single entity. The official position of the Planning Commission is that adopted by the Planning Commission and conveyed by the Chair or designee.

2.2 ROLE OF STAFF: The primary function of the staff is to assist the Executive Director in his or her responsibilities in achieving the Work Program, Goals and Objectives of the Planning Commission. The staff, at the direction of the Executive Director, perform many professional, technical and support tasks. These day-to-day tasks are performed by the staff with the clear understanding that they are being performed at the direction of the Executive Director.

2.3 ORGANIZATION: The professional staff shall be organized under the direction of the Executive Director.

3.0 EXECUTIVE DIRECTOR

The role of the Executive Director of the Planning Commission is to lead the staff of the Planning Commission and to be the primary contact with the Commissioners, as well as between the staff and staffs of other agencies with which they interact. Leading the staff includes directing the development and allocation of resources, planning for the development of the agency and ensuring that the agency accomplishes its legislative mandate and Mission. The Executive Director is accountable for the overall programmatic, operational and fiscal integrity of the Agency.

- 3.1 MONITORING: The Executive Director shall monitor the Work Program and Budget of the Planning Commission, and shall prepare periodic reports relating to the accomplishment of the Work Program and the status of the Budget.
- 3.2 PERSONNEL: The Executive Director shall manage the day-to-day activities of the personnel of the Planning Commission.
- 3.3 PROFESSIONAL & TECHNICAL ASSISTANCE TO THE PLANNING COMMISSION: The Executive Director shall be responsible for the professional and technical assistance provided to the Planning Commission in the performance of the Work Program.
 - 3.3.1: A Planning Commission Member request for existing data or information shall be provided as soon as practical.
 - 3.3.2 A request for data or information that must be compiled or generated will be provided based on availability of staff time and other resources. The Executive Director may bring a request to the Planning Commission for review and approval before acting upon it, depending on factors such as time limitation, appropriateness or magnitude of the request.
- 3.4 REQUESTS FOR SPECIAL STUDIES & TECHNICAL ASSISTANCE: The Executive Director shall present to the Planning Commission any and all requests for technical assistance or special studies requiring a change of one percent (1%) or more in the Work Program, cumulative throughout the year. There shall be no technical work done on these requests unless approved by the Planning Commission.
- 3.5 MEETINGS: The Executive Director or other designated staff members shall be present as technical experts, as needed, at all regular and special meetings, hearings and workshops of the Planning Commission, as well as at all meetings of other public bodies where the Planning Commission appears in its official capacity. The Executive Director shall report to the Planning Commission actions taken by other public bodies with respect to Planning Commission business.
- 3.6 HIRING AND TERMINATION: Hiring and termination of the Executive Director shall be approved by a majority of all of the members of the Planning Commission.

4.0 PUBLIC INFORMATION

- 4.1 CLIENT AND CITIZEN INFORMATION: An ongoing information stream will be provided for clients and citizens highlighting the services, work efforts and accomplishments of the Planning Commission, for example: broadcasting meetings; hosting websites; issuing public notices and press releases; scheduling radio spots or television appearances; providing

public forums, open houses, or interactive web events; and providing brochures, pamphlets, newsletters and reports.

- 4.2 ANNUAL REPORT: There shall be an Annual Report of activities of the Planning Commission. This Annual Report, a very important publication of the Planning Commission, shall be published not only in an accurate but also in a very interesting manner. The Annual Report shall describe the progress in achieving the Goals and Objectives of the Planning Commission in the previous year.
- 4.3 COMMUNITY DESIGN AWARDS PROGRAM: There shall be an annual Community Design Awards Program of the Planning Commission, working in concert with an ad hoc committee, which is yearly appointed by the Chair of the Planning Commission. The Awards Program shall be held annually in the spring of each year. With the input of the ad hoc committee, the Executive Director or designee shall begin organizing the Awards Program the preceding year.

5.0 GOVERNMENTAL RELATIONS

- 5.1 PROFESSIONAL AND TECHNICAL ASSISTANCE TO PUBLIC OFFICIALS: The staff shall provide professional and technical assistance to public officials in accordance with the Work Program adopted for the budget year. Except as provided herein for special requests, the scheduled public assistance functions shall be limited to technical or professional planning matters.
- 5.2 THE OFFICIAL POSITION OF THE PLANNING COMMISSION: There shall only be one official position of the Planning Commission, which shall be the position adopted by either a consensus or a vote of the Planning Commission. When the official position of the Planning Commission is requested of the professional staff in the absence of the Chair, the official position of the Planning Commission shall be presented by staff.

6.0 GOALS, WORK PROGRAM AND BUDGET

- 6.1 GOALS: The Planning Commission's Goals and Objectives shall be reflected in the forthcoming year's Work Program and Budget.
- 6.2 WORK PROGRAM: The Executive Director shall prepare a Work Program based on legislative mandates, ongoing requirements, requested studies, technical assistance and the direction and priorities of the Planning Commission, reflecting the formal/informal input of the jurisdictions and other clients. The Work Program shall accompany the Requested Budget and be submitted to the Planning Commission.
 - 6.2.1 Work Program: If the Adopted Budget necessitates it, the Executive Director shall revise the Work Program and present it to the Planning Commission.

6.3 REQUESTED BUDGET: The Executive Director, with the guidance of the Planning Commission, shall prepare the Requested Budget for Planning Commission review and approval.

6.3.1 Requested Budget: The Executive Director shall prepare a Requested Budget based upon the Planning Commission direction and priorities and with formal/informal input from Hillsborough County, Tampa, Temple Terrace, Plant City and others receiving Planning Commission services. The Requested Budget, including (1) previous year's expenditures, (2) the current year's Budget and (3) expenditures to date, shall be presented to the Planning Commission for consideration. Upon approval by the Planning Commission, it shall be submitted to the Board of County Commissioners (BOCC).

6.3.2 Adopted Budget: With final BOCC Budget approval, the Executive Director shall report to the Planning Commission for approval, any changes to the Requested Budget required by BOCC action.

7.0 CODE OF PROFESSIONALISM

7.1 APOLITICAL: The staff members of the Planning Commission shall confine their work time activities to the technical or professional planning assistance required of them as staff members. When, during the course of their employment, staff members are called upon to present their technical or professional planning views or recommendations, such staff members shall not express their personal political views or opinions.

7.2 GIFTS TO STAFF MEMBERS: In order to retain their independence, staff members shall politely decline all gift offers from members of the communities they serve; however, the Executive Director and the staff shall be at liberty to accept dining invitations from any member of the community they serve.

7.3 EQUAL ASSISTANCE TO ALL: Staff members shall treat all members of the community they serve with respect and consideration, without exception

7.4 STANDARDS: The Planning Commission advocates standards of professionalism, including participation in recognized professional organizations and striving to improve and broaden technical knowledge through office automation.

8.0 PLAN AMENDMENT PROCEDURES

In order to simplify the procedures for Comprehensive Plan adoption and amendment, procedures (e.g., manuals, agreements) shall be prepared for unincorporated Hillsborough County, Tampa, Temple Terrace and Plant City. These procedures should be simple and clear and shall be reviewed by the staff with subsequent changes brought before the Planning Commission for approval.

9.0 ATTORNEY

The Planning Commission shall be represented by an attorney, since many of the responsibilities of the Planning Commission involve legal matters. The attorney is considered a key source of advice for both the staff and the Planning Commission.

- 9.1 PRESENCE AT MEETINGS: The attorney shall, at the request of the Chair or a majority of the Planning Commission or the Executive Director, be present at the regular meetings of the Planning Commission or at special meetings, hearings and workshops of the Planning Commission. The attorney shall attend ad hoc committee meetings upon the request of the chair of the committee.
- 9.2 REVIEW OF ALL OFFICIAL DOCUMENTS: The attorney shall review all official documents of the Planning Commission prior to their being brought before the Planning Commission. Official documents include but are not limited to proposed ordinances, procedures manuals, contracts and those reports selected by the Executive Director for review by the attorney.
- 9.3 WORKING RELATIONSHIPS: The attorney shall give advice to both the staff and the Planning Commission. When advice is sought by the staff, it shall be coordinated through the Executive Director.
- 9.4 SELECTION AND REPLACEMENT: The selection and replacement of the attorney shall be proposed by a majority of the members of the Planning Commission.

10.0 CONSULTANT AND SERVICE CONTRACTS

Selection of service providers to perform services for the Planning Commission on a contractual basis shall be in accordance with all State and local laws governing the selection and this Policy.

- 10.1 CONSULTANT AND SERVICE CONTRACTS NOT EXCEEDING \$25,000: Solicitations for the desired services shall be communicated in a manner reasonably calculated to ensure notice and the opportunity for interested service providers to submit qualifications and proposals. The Executive Director shall cause an appropriate scope of services to be prepared for each service required, and shall have the authority to approve Consultant and Service Contracts according to the following procedures. Price may not be the determining factor, but the rationale for selection of the service provider shall be documented in writing, including, but not limited to, experience of the firm or individuals, availability of personnel, capabilities, past performance and quality of service.

- 10.1.1 Consultant and Service Contracts Not Exceeding \$10,000: The Executive Director is authorized to select any service provider (including professional services) having the qualifications best suited to the task or project, based on the administration's experience and knowledge of a particular service provider's work.

Modifications or amendments to any Consultant or Service Contract let pursuant to this subsection shall not exceed 50% of the original contract amount.

- 10.1.2 Consultant and Service Contracts in Excess of \$10,000, but Not Exceeding \$25,000: After reviewing at least three (3) written proposals, the Executive Director shall select the service provider. (Facsimile or other electronic transmission is acceptable as a written proposal.) In the event the Executive Director or designee determines that the desired services are only available from a single source, or if less than the required number are obtained after reasonable efforts are made to obtain competitive proposals, the Executive Director may contract with the sole source or the preferred service provider. Prior to entering into a sole source provider contract, the Executive Director shall make reasonable efforts to obtain competing proposals and provide documentation for the determination. Modifications or amendments to any Consultant or Service Contract let pursuant to this subsection shall not exceed 50% of the original contract amount or \$25,000, whichever is less.
- 10.1.3 Alternative Process for Certain Consultant and Service Contracts Not Exceeding \$25,000: In lieu of the selection process set forth in Subsections 10.1.1 and 10.1.2 above, the Executive Director may, with the assistance of a staff committee (the "Staff Committee"), develop a list of approved service providers for specialized services that are routinely utilized by the agency, for example, consultants providing certain types of services such as group or meeting facilitators. To initiate this process, the Executive Director shall invite requests for qualifications, and the Staff Committee shall develop standards or criteria for use in certifying (for purposes of creating the list) that the interested service provider is fully qualified to render the required service (an "Approved Service Provider"). Subsequently, at least biennially for as long as the services are needed, the Executive Director shall issue a renewed request for qualifications. Interested service providers may also make application for certification at any time by submitting the information required per the most recent request for qualifications. The Executive Director may select any Approved Service Provider from the list, and shall document the file as to the rationale for selection.
- 10.1.4 Emergency: If the Executive Director determines in writing that an immediate danger to the public health, safety or welfare, or other substantial loss to the Planning Commission requires emergency action, the Executive Director may proceed to procure services necessary to avoid the immediate danger or loss without regard to the requirements of Section 10.1, provided the contract does not exceed \$25,000.

10.2 CONSULTANT AND SERVICE CONTRACTS EXCEEDING \$25,000: For any Consultant or Service Contract in excess of \$25,000 (referred to below as a "Major Service Contract"), the professional staff shall evaluate the proposals for such contract in accordance with the criteria set forth in this Section. Any Major Service Contract shall be approved by the Planning Commission, upon the recommendation of the professional staff.

10.2.1 Scope of Services: The scope of services for a Major Service Contract shall be carefully prepared, and expert assistance may be obtained when deemed necessary by the Executive Director.

10.2.2 Evaluation Criteria: The selection process for a Major Service Contract shall utilize the following evaluation criteria, where appropriate, which shall be scored according to the value assigned to each category relative to the importance of that particular criterion to the project:

- (a) Special experience with the type of project;
- (b) Qualifications of the firm;
- (c) Qualifications of the staff designated for the project;
- (d) Firm's current capability to undertake the project;
- (e) Performance on similar projects;
- (f) Quality of the written proposal submitted;
- (g) On time;
- (h) Cost;
- (i) Failure on similar projects;
- (j) Originality on approach to project;
- (k) Grasp of scope, needs, and special circumstances of project;
- (l) Sensitivity to local issues (e.g., citizen/political concerns);
- (m) Conflict of interest - other clients, investments, relationships to interested boards, commissions, authorities, councils; and
- (n) Schedule.

10.3 CONTRACT DOCUMENTS: The Planning Commission and the service provider shall execute a contract that includes standard contract language, a budget (i.e., the mutually agreed to price), the description/scope of the work to be performed, and a date for completion. A "short form" standard contract approved by the Planning Commission Attorney may be used by the Executive Director for contracts that do not exceed \$25,000. Contract documents for contracts in excess of \$25,000 and those not utilizing the Planning Commission's "short form" contract shall be reviewed and approved by the Planning Commission Attorney.

10.4 WAIVER: From time to time in emergency circumstances, the Planning Commission staff may find it necessary to recommend waiver of the above

policies and procedures. In these cases, the Planning Commission shall schedule on its agenda the consideration of waiver and vote on it before considering the proposed consultant contract. No waivers shall be approved if prohibited by state or local laws.

10.5 CONSULTANT AND SERVICE PROVIDER DIVERSITY: The Planning Commission seeks to assure diversity in its selection of consultants and service providers.

10.5.1 Ensuring Diversity: The Executive Director is responsible for ensuring implementation of this policy, with the guidance of the Chair. Participation of qualified businesses that are 51 percent or greater owned by a citizen of the United States who is an African-American, Hispanic-American, Asian-American, Native-American, American Woman or Service-Disabled Veteran (minimum 10% disability) shall be assured through the Planning Commission's purchase of services and commodities utilizing Hillsborough County's purchasing and procurement system. In addition, Executive Director will ensure that Planning Commission daily operating procedures accommodate this diversity policy.

10.5.2 Non-Discrimination: No person or firm shall be excluded from participation in or discriminated against in connection with the award of any Planning Commission contract or procurement activity on the grounds of race, color, creed, national origin, religion, gender, sexual orientation, age, disability, political affiliation, or marital status in any form or manner.

10.5.3 Annual Report: The Executive Director shall prepare an annual report for the Planning Commission identifying Consultant and Service Contracts executed during the previous twelve (12) month period, including utilization of businesses that are 51 percent or greater owned by a citizen of the United States who is an African-American, Hispanic-American, Asian-American, Native-American, American Woman or Service-Disabled Veteran (minimum 10% disability).

11.0 EMPLOYMENT

11.1 PURSUIT OF EXCELLENCE: Recruitment of employees shall be with the aim of attracting the very best and dedicated personnel to the Planning Commission and be done by highlighting the conditions of employment with the Planning Commission as a total package.

11.2 STAFF DEVELOPMENT: Incentives shall be developed and implemented to encourage the pursuit of excellence and the longevity of the staff. These incentives shall be developed by the Executive Director and included in the Budget as necessary.

11.3 EXIT INTERVIEWS: The Executive Director shall request an exit interview with each member of the professional staff who is terminating employment with the Planning Commission for reasons other than those covered in sections 11.5 and 11.6 herein.

11.4 EQUAL OPPORTUNITY: The Planning Commission shall not discriminate on the grounds of race, color, creed, national origin, religion, gender, sexual orientation, age, disability, political affiliation, or marital status in any form or manner against its employees or applicants for employment. The Planning Commission shall abide by the *Hillsborough County Affirmative Action Plan*.

11.5 SUBSTANCE ABUSE POLICY:

11.5.1 Purpose: The Planning Commission recognizes that employees are its most important resource and that the efficiency of the services performed by the Planning Commission is directly related to the individual performance of each employee. The Planning Commission also recognizes that alcohol and drug abuse by its employees can seriously impact the quality of services provided to local government and to the public, and desires to provide a healthy, safe and secure drug-free work environment for all of its employees. The policies and procedures adopted herein are performed pursuant to Section 440.102, Florida Statutes; Rule 38-F-9, Florida Administrative Code; and applicable portions of state and federal law.

11.5.2 Policy: Planning Commission employees are strictly prohibited from using, possessing, selling, distributing, dispensing or manufacturing any controlled substance or illegal drugs while at work, whether on or off the premises, or in any agency vehicle. Employees shall not report to work or perform work at the Planning Commission while under the influence of any controlled substance, illegal drug or alcohol.

Pre-employment drug testing shall be required as a condition for any new hire, and all employees shall be subject to reasonable suspicion testing. Any employee violating this policy shall be subject to disciplinary action in accordance with Hillsborough County Civil Service Rules and, if terminated, shall forfeit eligibility for medical and indemnity benefits as required by law. The Planning Commission strongly supports the rehabilitation of any employee found in violation of this policy and encourages such employees to participate voluntarily in appropriate rehabilitation programs.

Each employee of the Planning Commission, including temporary employees, shall be provided with a copy of the Substance Abuse Policy and shall be required to:

- (a) Acknowledge, in writing, receipt of a copy of the Substance Abuse Policy;
- (b) Provide written notification to his or her supervisor within five days after any conviction of a criminal drug statute for any violation occurring at the work place or for any violation outside of the work place, if the offense could reasonably be expected to affect the employee's job function. (A criminal drug statute is any local, state, or federal law which makes it unlawful to manufacture, distribute, dispense, use or possess any controlled substance or illegal drug.);
- (c) Abide by the terms of the Planning Commission's Substance Abuse Policy; and
- (d) Report to his/her supervisor any employee suspected of using or being under the influence of drugs or alcohol in the work place.

11.5.3 Drug and Alcohol Testing:

- (a) ***Pre-employment Testing*** - All job applicants shall be required to submit to a drug screen urinalysis or similar test and sign a consent agreement releasing the Planning Commission from liability. Refusal to submit to such a test or a positive confirmed drug test shall disqualify the applicant from consideration until reapplication procedures are successfully met. Applicants who fail the pre-employment drug test may reapply for employment with the Planning Commission after 12 months from the date of the positive test, provided the applicant successfully passes a subsequent pre-employment drug test.
- (b) ***Reasonable Suspicion Testing*** - Upon reasonable suspicion, the Planning Commission may require an employee to submit to a drug or alcohol test. The term **reasonable suspicion** is defined as a reasonable belief by Management that an employee is using and/or is under the influence of drugs or alcohol in violation of this policy, drawn from specific, objective and articulable facts, and reasonable inferences drawn from those facts in light of experience. Decisions to test shall be based on factors that include, but are not limited to the following:
 - observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug (e.g., slurred speech; impaired or altered motor skills; and changes in appearance, attendance, and/or attention span);
 - abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
 - a report of drug use, provided by a reliable and credible source;

- evidence that an individual has tampered with a drug test during his/her employment with the current employer;
- information that an employee has caused, contributed to, or been involved in an accident while at work; provided, however, that any employee responsible for causing a work related accident or injury resulting in that employee or another person receiving medical treatment, or any employee responsible for the operation of a vehicle involved in an accident while at work shall be subject to reasonable suspicion testing at the option of Management, and, if reasonable suspicion testing is required, the occurrence of such an accident or injury shall constitute good cause for the drug test; and
- evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

Upon the belief that an employee is under the influence or is impaired by drugs or alcohol, the employee's supervisor shall remove the suspected employee from the work area and advise the employee of the reason for removal. The supervisor shall thereafter immediately contact the Executive Director, Assistant Executive Director or any Team Leader, in that order (herein referred to as "Management"), who shall be a supervisor at least one level higher than the employee's immediate supervisor and who may require the employee to submit immediately to medical tests administered for drug and/or alcohol testing (herein referred to as the "drug test"). In such event, the employee is required to submit body specimens of breath, urine and/or blood for chemical analysis. If reasonable suspicion is found, Management shall promptly complete and sign an Observation Checklist form, which shall also be initialed by the reporting supervisor whenever such a drug test is required by the Planning Commission. A copy of the Observation Checklist shall be provided to the employee upon request, and shall be retained by Management for at least one (1) year from the date on the Observation Checklist.

The supervisor or another appropriate person designated by Management shall inform, with appropriate witness, the employee being required to submit to drug testing of the consequences of noncompliance. A designated person shall also accompany the employee to the testing facility and shall remain with the employee until the testing is completed. The supervisor or Management shall, there-after, arrange for the employee to be escorted home and shall not permit the employee to operate any motor vehicle. However, under no circumstances shall the designated person be required to transport an employee

exhibiting violent or threatening behavior and, in such cases, shall immediately contact the appropriate law enforcement agency.

Any employee required by Management to submit to a drug test shall also, as a condition of employment, agree in writing to the disclosure of such test results to the Planning Commission. A permanent employee who refuses to submit to a reasonable suspicion drug test or authorize disclosure of the test results or who violates any aspect of this policy may be subject to disciplinary action, including termination and ineligibility for medical and indemnity benefits. Probationary or temporary employees found to be in violation of this policy shall be dismissed.

- (c) *Follow-up Testing* - After an employee enters into an employee assistance program for drug related problems or a drug rehabilitation program, the employee shall be required to submit to follow-up drug testing as a condition for continued employment, unless the employee voluntarily entered into the program. In those cases, the employer shall have the option to not require follow-up testing. If follow-up testing is required, it will be conducted at least once a year for a two (2) year period after completion of the program. Advance notice of the follow-up testing date will not be given to the employee.

11.5.4 Drug Testing Methodology: All drug testing will be performed in accordance with the requirements of applicable law. Testing procedures currently utilize a two-tiered testing program to ensure accuracy of test results, observations, specimen collection, and chain of custody documentation. The two-tiered procedure means that a positive initial drug test will be confirmed by a second analytical procedure to ensure the accuracy of the test result. The confirmation test for alcohol will be by gas chromatography, and the confirmation test for drugs will be by gas chromatography/mass spectrometry (GCMS) or an equivalent or more accurate scientifically accepted method approved by the Agency for Health Care Administration that provides qualitative data about the detected drug.

Prior to testing, employees and job applicants shall receive notice of the most common medications, by brand name and common name, as applicable, as well as the chemical name, which may alter or affect the drug test. Each employee or job applicant shall also be given the opportunity to:

- (a) Confidentially report the use of any prescription or non-prescription medication used during the preceding 30-day period;
- (b) Explain the circumstances surrounding the use of such drugs; and

- (c) Consult the testing laboratory for technical information regarding prescription and non-prescription drugs.

The following drugs (described by brand, street, or chemical name) are those that the Planning Commission may test for:

Alcohol: Distilled Spirits, Beer, Malt Beverage, Wine, Liquors and all liquid medications containing ethyl, methyl and isopropyl alcohols (ethanol). For example, Vick's Nyquil is 25% (50 proof) ethyl alcohol; Comtrex is 20% (40 proof); Contact Severe Cold Formula Night Strength is 25% (50 proof); and Listerine is 26.9% (54 proof). Labels should be carefully read for alcohol content.

Amphetamines: Bennies, Biphetamine, Desoxyn, Dexedrine, Didres, Didrex, Fastin, Ionamine, Obetrol, Speed, Uppers, Whites.

Barbiturates: Amytal, Barbs, Blues, Butabarbital, Butalbital, Butisol, Downers, Esgic, Fioricet, Fiorinal, Goofballs, Lotusate, Ludes, Mebaral, Nembutal, Phenobarbital, Phrenilin, Rainbows, Reds, Seconal, Tracks, Triad, Tuinal, Yellow Jackets.

Benzodiazepines: Ativan, Azene, Centrax, Clonopin, Dalmane, Diazepam, Halcion, Librium, Paxipam, Restoril, Serax, Tranxene, Valium, Verstran, Xanax.

Cannabinoids: Acapulco Gold, Dronabinol, Grass, Hash, Hashish, Joint, Marijuana, Marinol, Oil, Pot, Reefer, Roach, Smoke, Spleaf, THC, Weed.

Cocaine: Coke, Blow, Nose Candy, Crack, Flake, Free Base, HCL, Snow, Toot, Topical Solution, Roxanne.

Methadone: Dolophine, Metadose.

Methaqualone: Ludes, Optimal, Parest, Quaalude, Soapers.

Opiates: Opium, Driver's Powder, Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, APAP with Codeine, Codeine, Aspirin with Codeine, Empirin with Codeine, Robitusin AC, Guiatus AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (Morphine Sulfate) Percodan, Vicodin, Tussiorganidin, Demerol, Percocel, Fentanyl, Heroin, Smack, Horse, Stuff.

Phencyclidine: PCP, Angel Dust, Hog, LSD, Peyote, Acid, Magic Mushroom, Mescaline.

Propoxyphene: Darvocet, Darvon N, Dolene, etc.

11.5.5 Procedures: Prior to the transmittal of the drug test results, either positive or negative, to the Planning Commission, the test results shall be reviewed and verified by a Medical Review Officer (MRO) who will contact the employee to verify confirmed positive results. Verified positive results will then be forwarded to the Executive Director. Within five (5) working days after receipt of a positive confirmed test result from the MRO, Management shall notify the employee or job applicant in writing of a positive test result, the consequences of such result, and the options available to the employee or job applicant. The employee or job applicant will also be provided with a copy of the test report. Within five (5) working days after receiving notice of a positive confirmed test result, an employee or job applicant may submit information to Management explaining or contesting the test result and explaining why the result does not constitute a violation of this policy.

If the employee's or job applicant's explanation or challenge of the positive test result is unsatisfactory to the Planning Commission, a written explanation, along with the report of positive test result, shall be provided by the Planning Commission to the employee or job applicant within fifteen (15) days from receipt of the explanation or challenge, and shall be retained by Management for at least one (1) year from the date of the written explanation.

The employee or job applicant may challenge the positive confirmed drug test as provided by law. In such event, it shall be the employee's or job applicant's responsibility to notify the test laboratory of any administrative or civil action related to the drug test.

11.5.6 Referral for Treatment: The Planning Commission recognizes that alcoholism and drug abuse can be successfully treated. Drug counseling, rehabilitation, and employee assistance programs for Planning Commission employees are provided by Hillsborough County. Employees who are concerned about their alcohol and/or drug abuse are strongly encouraged to voluntarily seek and receive confidential assistance through the Hillsborough County Employee Assistance Program and the County-designated provider for mental health, substance abuse, and Employee Assistance Program services to employees as posted on the employee Intranet.

Disciplinary action taken against any employee pursuant to this policy shall be governed by applicable Florida law. An employee with a first positive confirmed drug test shall have the opportunity to participate in an employee assistance or rehabilitation program in lieu of disciplinary action, unless the employee is injured in the course and scope of employment. In the case of such an injury, the employee shall forfeit eligibility for medical and indemnity benefits under the Workmen's Compensation Act and may be terminated from employment.

11.5.7 Prescription Drugs and Over the Counter Drugs: Prescription drugs taken by any employee must not be abused but may be taken according to doctor's instructions. If any prescribed drug or over the counter medication taken by an employee can or will interfere with the employee's job performance, it shall be the responsibility of the employee to inform their immediate supervisor. No employee taking prescription drugs or over the counter drugs shall operate vehicles, machinery or equipment in the performance of his or her job if the prescribed drug has or could have an effect on the employee's normal mental and/ or physical state. Any employee who violates this policy is subject to disciplinary action, including termination.

11.5.8 Confidentiality: The results of any drug test shall not become a part of the job applicant's or employee's file, but shall be maintained in a separate, confidential medical file, exempt from public inspection. However, any conditions of employment which may be established as a result of any drug test will become a part of the employee's personnel file. Test results and related information may be disclosed to Management personnel only on a need-to-know basis or to any person upon written consent of the employee or job applicant. Except as provided by law, all information, statements, memorandums and drug test results received by the Planning Commission as a part of this Substance Abuse Policy shall be confidential.

11.5.9 Communication of this Policy: All employees of the Planning Commission will receive a copy of this policy. Management and/or administrative assistants, with the assistance of the Hillsborough County Department of Human Resources, shall be responsible for communicating this policy to newly hired employees as a part of the orientation process.

NOTE: Forms used to implement this Substance Abuse Policy are not included herein in order to provide for the need to revise the forms from time to time. However, such forms will be consistent with this Substance Abuse Policy.

11.6 REDUCTION IN FORCE: When certain conditions cause it to become necessary to reduce the number of employees of the Planning Commission, a Reduction in Force procedure will be followed.

11.6.1 Rationale for the Policy: Certain conditions related to lack of funds or lack of work may cause it to become necessary to reduce the number of employees of the Planning Commission. In accord with Civil Service Rule 11.7, policies and procedures must be in place and be followed as the standards for dismissal of an employee(s) through "Reduction In Force."

11.6.2 Intent of the Policy

- (a) The policy is intended to meet the requirements of Civil Service Rule 11.7 as well as to be fair, consistent with prevailing practices in local government and standard in its application of layoff procedures within the Planning Commission.
- (b) This policy applies to classified employees. Unclassified employees may be laid off without respect to the procedures covered in this policy.
- (c) It is the intent of the policy that Planning Commission classified employees will compete for retention solely within their classification in the agency based on seniority and other factors as set forth herein, i.e. no "bumping" to previously held classifications.

11.6.3 Procedures:

- (a) The Executive Director of the Planning Commission shall cause these procedures to be implemented in accord with Civil Service Rule 11.7.
- (b) The Executive Director will cause the layoff to occur in relation to Budget and/or Work Program demands, resources or efficiencies.
- (c) The area of layoff will be agency-wide. The Executive Director will identify the class(es) of positions and the number of positions to be reduced within each affected classification.
- (d) When Reduction In Force conditions exist, the Executive Director shall cause Individual Retention Worksheets and Retention Registers per the forms at the end of this section to be compiled.
- (e) The criteria for evaluation and retention of employees within the affected classification(s) are: 1) seniority; 2) performance rating; and 3) veterans' preference. The credit or preference assigned to consideration of these factors is set forth in the Individual Retention Worksheet per the form at the end of this section. In the event the scores of two or more employees are tied, the Executive Director shall decide which of the employees shall receive preference based upon such criteria as performance evaluation relative scores.
- (f) Using Retention Worksheets and Retention Registers, the Executive Director will cause lists to be prepared, as appropriate, identifying employees for "removal from

employment" and/or "return to former status" for classified employees as follows:

| REMOVAL FROM EMPLOYMENT | | |
|---|--------------------|------------------------|
| <u>Classification Code</u> | <u>Class Title</u> | <u>Position Number</u> |
| | | |
| | | |
| (Temporary and substitute employees doing like work will be dismissed before any tenured employee is laid off.) | | |
| (Initial probationary employees doing like work in affected classification(s) will be dismissed before any tenured employee is laid off.) | | |

| RETURN TO FORMER STATUS | | |
|--|--------------------|------------------------|
| <u>Classification Code</u> | <u>Class Title</u> | <u>Position Number</u> |
| | | |
| | | |
| (Probationary-in-class employees will be returned to former status before a tenured employee(s) in the affected classification is laid off.) | | |

- (g) Following such actions, the Executive Director will cause a final list to be prepared certifying the name(s) of those to be laid off as follows:

| <u>Classification Code</u> | <u>Class Title</u> | <u>Position Number</u> |
|----------------------------|--------------------|------------------------|
| | | |
| | | |
| | | |

- (h) Once identified, the Executive Director will make every attempt to notify the affected employee(s) in writing at least thirty (30) calendar days prior to effective date(s) of layoff. There shall be, where possible, 90 calendar days notice to affected employees. Notice will be given to the affected employee(s) via a written Reduction In Force Letter. In no case shall the letter be provided any later than two (2) weeks prior to the effective date(s) of layoff.

- (i) The Civil Service Board will be notified of the pending layoff via copy of the written *Reduction In Force Letter*.
- (j) The *Reduction In Force Letter* will provide the reason for layoff and the effective date, and establish an opportunity to meet with the Executive Director.
- (k) If any affected employee believes that these procedures were not correctly applied by the Executive Director, the affected employee shall request a review and determination within ten (10) business days after receiving written notice of the layoff. The review request shall be delivered to the Executive Director in writing and shall state the specific reason(s) for the review.

In the event such a request is received from any affected employee, at the next regular meeting of the Planning Commission, the Chair shall appoint an ad hoc Reduction-In-Force Review Committee, consisting of three (3) board members, which shall review and consider the request(s) to determine whether the Reduction-In-Force (RIF) procedures were correctly applied.

It is important to note here that this is a challenge to the application of the Planning Commission's RIF procedures and not a grievance through Civil Service regulations.

After appointment, the ad hoc Reduction In Force Review Committee shall meet and render a written decision within thirty (30) calendar days to the employee. The decision of the Committee is not appealable to the Planning Commission.

11.6.4 Re-employment Procedures:

- (a) The name of each employee laid off under these procedures will be placed on active lists of eligibles by Civil Service and shall be retained on such eligibles list as specified in Civil Services Rules.
- (b) Also applicable to re-employment are the provisions of Civil Service Rules, particularly section 11.7.g., incorporated here by reference.
- (c) Following separation, former employees will be considered for vacant positions in classifications for which they are qualified in accordance with Civil Service Rules.

INDIVIDUAL RETENTION WORKSHEET

DATE _____

CLASS OF POSITIONS TO BE REDUCED _____

Complete for each position within each affected classification.

| | |
|--|-----------------------|
| EMPLOYEE NAME _____ | |
| CLASS TITLE _____ | |
| CLASS CODE _____ | POSITION NUMBER _____ |
| CURRENT BENEFITS DATE _____ | |
| INITIAL PROBATION WITH HILLSBOROUGH COUNTY CIVIL SERVICE? _____ (yes) or (no) | |
| TEMPORARY EMPLOYEE? _____ (yes) or (no) | |
| SUBSTITUTE EMPLOYEE? _____ (yes) or (no) | |
| PROBATIONARY IN CLASSIFICATION? _____ (yes) or (no) | |
| IF YES, FORMER CLASSIFICATION _____ | |

Assign points to each item A. through C.

| |
|---|
| <p>A. SENIORITY</p> <p>1. CALENDAR MONTHS IN AFFECTED CLASSIFICATION (1/2 point for each month) _____</p> <p>2. CALENDAR MONTHS OF CONTINUOUS SERVICE IN OTHER POSITIONS (NOT INCLUDING MONTHS PER 1. ABOVE) COVERED BY HILLSBOROUGH COUNTY CIVIL SERVICE LAW (1/4 point for each month) _____</p> <p>B. CURRENT OVERALL PERFORMANCE RATING. Average the scores from the two most recent 12 month evaluations after converting the two ratings to a numerical value (Outstanding 100 points; Exceptional 75 points; Successful 0 points; Marginal -25 points; Unsatisfactory -50 points). Any average score equal to or greater than 50 points, shall be multiplied by a factor of 2. _____</p> <p>C. ADD 5 POINTS IF QUALIFIED FOR VETERAN'S PREFERENCE OR 10 POINTS IF A QUALIFIED DISABLED VETERAN _____</p> <p style="text-align: right;">TOTAL POINTS: _____</p> |
|---|

RETENTION REGISTER

DATE _____

CLASS OF POSITIONS TO BE REDUCED _____

Complete, using a separate Retention Register for each affected CLASSIFICATION, from individual retention worksheets, in rank order, highest points to lowest.

| NAME | TOTAL RETENTION SCORE |
|-----------|-----------------------|
| 1. _____ | _____ |
| 2. _____ | _____ |
| 3. _____ | _____ |
| 4. _____ | _____ |
| 5. _____ | _____ |
| 6. _____ | _____ |
| 7. _____ | _____ |
| 8. _____ | _____ |
| 9. _____ | _____ |
| 10. _____ | _____ |

REMARKS, IF ANY _____

12.0 VIOLATIONS

The Executive Director and the entire staff shall abide by these policies. Violators shall be reprimanded and consistent violators shall be dismissed.