



Commission Agenda Item

MEETING DATE: October 21, 2013

SUBJECT: First Reading of Ordinance 14-01, amending the City's Code of Ordinances, Chapter 2 – Administration, Article III – Officers and Employees, Division 2 – Personnel Policies and Procedures.

AGENDA SECTION: Public Hearings and Ordinances

DEPARTMENT: Human Resources

PREPARED BY: Tara L. Malone – Human Resources Manager

RECOMMENDED ACTION: Approve Ordinance 14-01 on first reading, and schedule for second and final reading on November 4th, 2013.

Summary

The City's Personnel Policies and Procedures are established to provide guidelines for employees to know the proper procedures and rules concerning personnel related activities. These rules and procedures are intended to provide policies consistent with federal and state laws, and to promote good employer/employee relations. They are not intended to constitute any form of employment contract or guarantee of employment or benefits, as all employment with the City of Alachua is at will.

The City adopted Personnel Rules and Regulations, now titled Personnel Policies and Procedures, in August 2004; they were later amended by Ordinance 06-33 in 2006, again in 2009 by Ordinance 09-25, and most recently through inclusion in the City's Code of Ordinances by Ordinance 10-20 in 2010. In order to be in compliance with federal and state laws and regulations, and provide our employees with correct and useful information, it is necessary to revise the Personnel Policies and Procedures to include various changes in the law, operational procedural changes and incorporate new policies.

Proposed changes/additions have been underlined and the struck through text has been deleted from the original ordinance. The following is a summation of the proposed changes/additions and deletions:

1. Sec. 2-101 (2), (4) & (7) Policy Statement; language added to include genetic information.
2. Sec. 2-173 Work Break; addition of item (5) for Breastfeeding Accommodation.
3. Sec. 2-176 Safe Harbor Provision; new section.
4. Sec. 2-177 Employee Rest Time Policy; new section.
5. Sec. 2-205(B)(4) Use of Annual Leave; added language to include budget appropriations.
6. Sec. 2-245(B) – NO CHANGES; advertised, but not included in proposed ordinance.
7. Sec. 2-247(C) No Solicitation/Distribution; language revision.
8. Sec. 2-249 Cyber Communication & Social Media Use by Employees; new section.
9. Sec. 2-250 Handheld Device Use; new section.
10. Sec. 2-251 Ethical Communication Procedures; new section.
11. Sec. 2-252 Accommodations Policy; new section.
12. Sec. 2-253 Social Events within the Workplace Policy; new section.
13. Sec. 2-333 Statement of Policy; language added to include genetic information.
14. Sec. 2-596 Confidentiality and Acceptable System Usage; addition of item (C) for electronic records retention.

ATTACHMENTS: 1) Proposed Ordinance 14-01; and 2) Advertisement for first reading of Ordinance 14-01.

REVIEWED BY CITY MANAGER: 

ORDINANCE NO. 14-01

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA; AMENDING SECTION 2-101 (2), (4) & (7) TO INCLUDE GENETIC INFORMATION; ADDITION OF ITEM (5) IN SECTION 2-173 FOR INCLUSION OF BREASTFEEDING ACCOMMODATION; ADDITION OF SECTION 2-176, SAFE HARBOR PROVISION; ADDITION OF SECTION 2-177, EMPLOYEE REST TIME POLICY; AMENDING SECTION 2-205 (B) (4) TO INCLUDE BUDGET APPROPRIATIONS; AMENDING SECTION 2-247 (C) TO INCLUDE LANGUAGE ON SOLICITATION OR DISTRIBUTION BY NON-EMPLOYEES; ADDITION OF SECTION 2-249, CYBER COMMUNICATION & SOCIAL MEDIA USE BY EMPLOYEES; ADDITION OF SECTION 2-250, HANDHELD DEVICE USE; ADDITION OF SECTION 2-251, ETHICAL COMMUNICATIONS PROCEDURE; ADDITION OF SECTION 2-252, ACCOMMODATIONS POLICY; ADDITION OF SECTION 2-253, SOCIAL EVENTS WITHIN THE WORKPLACE; AMENDING SECTION 2-333 TO INCLUDE GENETIC INFORMATION; AND ADDITION OF ITEM (C) IN SECTION 2-596 TO INCLUDE ELECTRONIC RECORDS RETENTION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's Personnel Policies and Procedures are established to provide procedures to serve as guidelines to administrative actions concerning personnel activities; and

WHEREAS, these rules are intended to indicate the customary and most reasonable methods whereby the aims of the Human Resources Management System can be carried out; and,

WHEREAS, it is the intent of the City of Alachua to provide policies of personnel administration consistent with accepted personnel practices, consistent and in compliance with current state and federal laws and to promote good employer/employee relations; and,

WHEREAS, these Policies and Procedures do not constitute any form of employment contract or guarantee of continued employment or of any benefits contained herein; and,

WHEREAS, all employment with the City of Alachua is at will and either the City or the employee may terminate the employment relationship at any time; and,

WHEREAS, the City's Personnel Policies and Procedures are included in the Code of Ordinances, Chapter 2 – Administration, Article III – Officers and Employees, Division 2; and,

WHEREAS, the City of Alachua Commission hereby amends these sections of the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY OF ALACHUA, FLORIDA.

SECTION I – AMENDMENT OF CODE OF ORDINANCES:

The following sections of the City of Alachua Code of Ordinances are hereby amended to read as follows:

Section 2-101 – Policy Statement

The City believes employees to be our most valuable assets. The City is an equal opportunity employer and is committed to recruiting and retaining qualified and diverse employees by offering exceptional benefits and a challenging work environment. We will support the success of our employees by continually providing professional leadership and encouraging training and educational opportunities to enhance career satisfaction and performance. It shall be the policy of the City to:

- (1) Attract and retain qualified employees meeting or exceeding the minimum requirements of each position as outlined in the position classification plan.
- (2) Afford equal opportunity to qualified individuals without regard to race, color, creed, religion, sex, age, national origin, marital status, ~~or~~ disability; or genetic information, except where the law allows consideration of such factors.
- (3) Support veteran's preference requirements pursuant to F.S. ch. 295.
- (4) Prohibit discrimination against any person in recruitment, evaluation, appointment, training, promotion, retention, or any other personnel action because of race, color, religion, age, creed, sex, national origin, marital status, ~~or~~ disability or genetic information. No retaliation against an individual who complains of discrimination or harassment will be tolerated.

- (5) Comply with the Immigration Reform and Control Act of 1986, by employing only United States citizens and noncitizens who are authorized to work in the United States. All employees are asked on their first day of employment to provide original documents verifying the right to work in the United States and to sign a verification form required by Federal law (Form I-9). If an individual cannot verify his or her right to work within three business days of hire or provide a receipt for the application of required documents within the same three business days and the actual documents within a total of 90 days of hire, the City must terminate employment. Proof of eligibility to work must be provided at the time of employment for any person hired for less than three business days.
- (6) A copy of the City's Equal Employment Opportunity Plan is available in Human Resources.
- (7) The City is committed to providing equal opportunity in all of our employment practices, including selection, hiring, promotion, transfer, and compensation, to all qualified applicants and employees without regard to age, race, religion, color, sex, national origin, marital status, citizenship status, disability, genetic information or any other protected status in accordance with the requirements of all Federal, State and local laws.
- (8) Selective service registration. No person who is required to register with the Selective Service System under the Military Selective Service Act, 50 USC app. 453, may be offered employment by the City in an authorized position, as defined in F.S. 216.011, without proof of such registration. No person who has failed to register as required by the Military Selective Service Act, 50 USC app. 453, subsequent to October 1, 1988, and who is currently employed by the City may be promoted to a higher authorized position without proof of such registration. The City shall provide for a review, when required by the applicant or employee, of any denial of employment or promotion for reasons of noncompliance with selective service registration requirements.

Section 2-173 – Work Break

Each administrative area may allow employees one work break during the first half of their work shift and one work break during the second half of their work shift, provided that:

- (1) No single work break will exceed 15 minutes from the employee's workstation.

- (2) An employee may not accumulate unused work breaks.
- (3) Work break time cannot be used to cover for employees' late arrivals or early departures from duty.
- (4) Permission to take work breaks is based upon workload demands and may be withheld at the discretion of the Supervisor.
- (5) Breastfeeding Accommodation
The City recognizes the needs of new mothers and provides a reasonable unpaid break time needed to express breast milk for their nursing child for up to one year from the child's date of birth. A private office space will be provided that will shield the employee from view and will be wholly free from coworker or public intrusion. If such need arises, simply contact the Human Resources Department, and necessary breaks and corresponding office space will be provided.

Section 2-176 – Safe Harbor Provision

It is the City's policy to comply with the salary basis requirements of all existing wage laws. Therefore, we prohibit all organizational leadership from making any improper deductions from employees who are not eligible for overtime. If an employee believes that an improper deduction has been made to his/her salary, the employee should immediately report this to the Human Resources Department. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

Section 2-177 – Employee Rest Time Policy

PURPOSE:

The purpose of the Employee Rest time Policy is to provide employees and supervisors with guidelines, which will be used in determining eligibility for Rest Time Pay. To maintain a safe and productive working environment, the City of Alachua recognizes that rest times are important. This policy will make available a paid rest time benefit. The rest time pay benefit in this policy is applicable only to situations involving routine unscheduled/unplanned trouble calls. It is not applicable to declared emergencies or to

preplanned work assignments, whether inside or outside of regularly scheduled work hours. This policy does not limit the City's right to schedule and/or reschedule employees in accordance with business necessity.

An employee required to continue working past the normal completion time of his/her scheduled shift, or who is called back to work without having eight (8) consecutive hours off between the time the employee is released from work and prior to reporting for the next work period, may be granted, in certain specified situations, up to eight (8) consecutive hours off; some of which may be paid time off, "paid rest time", following these guidelines. All paid rest time must be pre-approved at the Department Director's, or designee's, discretion for each circumstance on a case-by-case basis. The following guidelines will be used by the Department Director, or designee, when applying his/her discretion in determining the amount of paid rest time that may be approved, up to eight (8) hours, for affected employees:

GUIDELINES:

- (1) Paid rest time will not be granted in any case to an employee who has had at least eight (8) consecutive hours off before the start of a normal scheduled shift.
- (2) Eligibility for paid rest time will be determined in the discretion of the Department Director, or designee, for work performed in non-consecutive or intermittent call outs or for work taking less than three (3) consecutive hours.
- (3) The employee must obtain pre-approval from the Department Director, or designee, for the amount of paid rest time in each case. This will ensure that the department is aware of scheduling issues, options and possible conflicts.
- (4) When paid rest time is approved to cover time during an employee's normally scheduled work shift, the employee will receive full pay on an "hour-for-hour" basis for up to eight (8) hours that the employee is absent on such approved paid rest time during his/her next regular scheduled shift.
- (5) For the purposes of calculating overtime pay eligibility in a week, normally scheduled shift hours that are substituted for properly approved paid rest time hours will be considered hours worked.

PAID REST TIME GUIDELINES – EXAMPLES BASED ON A NORMAL MONDAY THROUGH THURSDAY, 10-HOUR SHIFT SCHEDULE OF 7:00A.M. TO 5:30 P.M.

- (1) Employee starts work on a Monday at 7:00a.m., and works until 11:00p.m. on the same day. When the employee reports to work at the normally scheduled start time on the next morning, Tuesday at 7:00a.m., the employee has had at least eight (8) consecutive hours of rest between shifts. Paid rest time is not applicable.
- (2) Employee works his/her normal ten (10) hour scheduled shift on Monday, getting off at 5:30p.m., but is then called back to work after 8:00p.m., and works until:
 - a. 11:00p.m. – employee will report to work for his/her next scheduled shift on Tuesday at 7:00a.m., having had eight (8) hours between shifts. Paid rest time is not applicable.
 - b. 1:00a.m. – under this policy, the employee may be approved to report to work for his/her next normally scheduled shift on Tuesday at 9:00a.m., and may be approved for up to two (2) hours of paid rest time.
 - c. 3:30a.m. – under this policy, the employee may be approved to report to work for his/her next normally scheduled shift on Tuesday at 11:30a.m., and may be approved for up to four and one ½ hours (4.5) paid rest time.
- (3) Paid rest time will only be applicable if the following day is a regular scheduled workday for the employee. For example, based upon the above outlined work week of Monday through Thursday, there would be no available paid rest time for hours worked after 5:30p.m. on Thursday, through 5:30p.m. on Sunday. Eligibility for paid rest time on Monday will be determined by the number of hours worked on Sunday after 5:30p.m. through the start of the employee's regular scheduled shift on Monday.

The guidelines will be used by the Department Director or designee when using his/her discretion in determining the number of paid rest hours, up to eight (8) hours, for affected employees. All paid rest hours approved will be at the discretion of the Department Director or designee for each circumstance on a case-by-case basis.

Section 2-205 – Annual

- (a) *Accrual rate.* City employees are eligible for annual leave time for each full month of employment on the following basis:

Number of Consecutive Years of Employment	Number of Hours per Biweekly Pay Period	Number of Hours per Year
1 through 5	3.08	80
Over 5 through 10	4.62	120
Over 10 through 15	5.23	136
Over 15 through 20	6.16	160
More than 20	6.93	180

- (b) *Use of annual leave.*

- (1) Annual leave may not be used during the first six months of employment unless specifically approved by the City Manager. Annual leave may not be taken in advance.
- (2) Annual leave shall be requested in advance to the Department Director who shall determine if the work schedule permits the absence during the requested period. Annual leave shall be planned and scheduled in advance to conform to departmental work plans. Employees are encouraged to take one or two weeks vacation leave per block. Annual leave shall be scheduled by Department Directors. Requests of employees shall be given consideration in the establishment of annual leave schedules, with seniority to apply in cases if funds are approved by the City Commission for this purpose in the current fiscal year, of identical preferences, all other factors being equal.
- (3) Upon reasonable notice to the employee, a Department Director may require an employee to use annual leave, or cancel scheduled leave.
- (4) Depending on appropriations in the annual operating budget, accrued annual time can be cashed-in in lieu of annual leave taken, if during the following conditions.

- a. Minimum of two years service with the City is required before being eligible for cash-in privilege.
 - b. Maximum cash-in allowed is one-half the accrual rate for that calendar year (based on length of service with the City, provided individual takes a like amount of vacation time off in the same calendar year).
- (c) *Accumulation of annual leave credits.*
- (1) Accumulated annual leave not used during the calendar year in which it is eligible to be taken may be carried over or accumulated to the following calendar year. However, an employee cannot carry over more than 240 hours of vacation beyond the calendar year ending December 31.
 - (2) Unless employee resigns without two weeks notice or is terminated for violation of City policies and procedures, employee shall be paid for granted and unused annual leave in the regular scheduled final paycheck at the current rate up to a maximum of 200 hours.

Section 2-247 – No Solicitation/Distribution

- (a) **Definitions.** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Distribution includes, but is not limited to, distribution of political literature, subscription forms or informational bulletins.

Solicitation includes, but is not limited to, solicitations for magazines or periodical subscriptions, political contributions or membership in organizations.

Working time means time designated for performing actual job duties, either by the person soliciting or distributing literature or the person being solicited or receiving literature.

- (b) Solicitation on City property causes employees to neglect their own work and interferes with the work of fellow employees. The following rules shall apply to solicitation or distribution of literature by employees on City property:

(1) There shall be no solicitation during working time.

(2) There shall be no distribution of literature during working time or any other time in any working area.

Any such violation by an employee is grounds for disciplinary action, up to and including discharge.

- (c) ~~Persons not employed by the City are forbidden from coming on City property to solicit or distribute material for any reason. All employees shall immediately report to their supervisor any solicitation or distribution of literature in violation of this rule by nonemployees. The City does not permit solicitation or distribution by non-employees at any time on the City's premises. Additionally, the City prohibits solicitation and distribution by any employee or non-employee during work time. This includes all types of distribution and solicitation such as requests for charitable giving, endorsement of political campaigns, the sale of goods for the benefit of children or partners, and all other similar behaviors.~~

Section 2-249 – Cyber Communication & Social Media Use by Employees

The City recognizes that employees will use social media and other cyber communications as a growing way to connect with others. As an initial point, the same principles and guidelines that apply to activities as an employee in general, as found throughout the Personnel Policies & Procedures manual and employee job descriptions, apply to employee activities online. This includes forms of online publishing and discussion, including blogs, wikis, file-sharing, user-generated video and audio, virtual worlds and social networks. The City trusts and expects employees to exercise personal responsibility whenever they participate in social media. This includes not violating the trust of those with whom they are engaging. The City expects that employees utilizing social media will recognize and follow the guidelines included within this policy. Failure to do so will result in disciplinary action, up to and including termination.

(A) EXPECTATIONS

- (1) Always consider the power of your comments and contemplate the impact of your post on your reputation and that of the City before you publish it.
- (2) Respect all confidential and proprietary information that you possess as a result of your relationship with the City.
- (3) When disagreeing with opinions of others, be appropriate and professional in doing so when posting such disagreement on social media sites.
- (4) When identifying your work status at the City on social media sites, use your real name, identify that you work for the City and the position that you hold. Be aware of your association with the City in online social networks. If you identify yourself as an employee of the City, ensure your profile and related content is consistent with how you wish to present yourself with colleagues and clients.
- (5) Anytime you publish content on an external website regarding anything to do with work you do or any subjects associated with the City, use the following disclaimer: “The postings on this site are my own and do not necessarily represent the City’s positions, strategies or opinions.”
- (6) Respect your audience. Do not use slurs, personal insults, obscenity or engage in any conduct that would not be acceptable in the workplace. You should also show proper consideration for the privacy of others, and for topics that may be considered objectionable or inflammatory.
- (7) The City respects the interest and willingness of employees to convey group complaints regarding existing working conditions. While it wholly respects rights of employees to discuss such concerns utilizing social media, it encourages any such concerns be brought to City administration.
- (8) When the City wishes to communicate publicly as an organization – whether to the community or to the general public – it has well established means to do so. Only those officially designated by the City have the authorization to speak on behalf of the City.

- (9) Vulgar, obscene, threatening, intimidating, harassing or discriminatory behaviors on social media sites may result in an employee's immediate termination.

Section 2-250 – Handheld Device Use

This policy about cellular phone usage applies to any device that makes or receives phone calls, leaves messages, sends text messages, surfs the internet or downloads and allows for the reading of and responding to email whether the device is supplied by the City or personally owned.

Research indicates that cell phone use while driving is dangerous, and may even approach the equivalent danger of driving while under the influence, according to some studies. The City recognizes that other distractions occur during driving; however, curbing the use of cell phones, while driving, is one way to minimize the risk of employees being involved in accidents.

A. City Owned and Supplied Devices or Vehicles

An employee who uses a City supplied device or a City supplied vehicle is discouraged from using a cell phone or similar device while driving, whether the business conducted is personal or City related. This includes receiving or placing calls, text messaging, surfing the internet, receiving or responding to email, checking for phone messages or any other purpose, City related or personal, while driving.

B. Cell Phones or Similar Devices at Work

Cell phones may be a distraction in the workplace. To ensure the effectiveness of meetings, employees are asked to leave cell phones at their desk; or, on the unusual occasion of an emergency or anticipated emergency that requires immediate attention, the cell phone may be carried to the meeting on vibrate mode.

C. Personal Cell Phone or Similar Device Use for Business

The City discourages employee use of personal cellular phones or similar devices for business purposes related in any way to the City, while driving their personal vehicle. This includes receiving, or placing calls, text messaging, surfing the internet, receiving or responding to email, checking for phone messages or any other purpose City related, while driving.

Section 2-251 – Ethical Communication Procedures

All City of Alachua employees must abide by a code of wholly ethical communications with peers, supervisors, employees, vendors and the public. Ethical communication enhances human worth and dignity by fostering truthfulness, fairness, responsibility, personal integrity and respect for self and for others. As such, the following rules should be expressly followed to avoid violating such code:

- (A) Communicate any and all concerns, except those regarding harassment or discrimination, regarding another’s behavior directly with the individual. Sharing such concerns with others that do not have a legitimate reason to know such concerns may quickly amount to gossip – one of the most damaging practices in any workplace.
- (B) Avoid argumentative tones and comments. Employees should state their position clearly and factually in a normal tone, allowing the other individual an opportunity to share his or her position, and inviting open discussion regarding both such positions.
- (C) Honesty is always the best procedure. It is critical that employees never engage in deceit, exaggeration, or express dishonesty when dealing with other individuals. While some communication may be extremely difficult to have, employees are always expected to provide them in a candid, but respectful, manner.
- (D) Respect issues of confidentiality. Employees of the City of Alachua will be faced with topics of great confidentiality at times, and as such, must avoid sharing any such information with anyone not intended to be part of such confidentiality. This procedure speaks only to issues of confidentiality related exclusively to the City of Alachua’s purpose and mission, and should not be interpreted to include gossip, personal information, and other topics not related to the City of Alachua itself.

Any employee found violating any portion of this procedure may be subject to disciplinary action, up to and including termination.

Section 2-252 – Accommodations Policy

It is the policy of the City of Alachua to afford equal opportunity to all employees, regardless of physical or mental disability. However, all employees with such disabilities are expected to perform the essential functions of their positions as both defined in their respective job descriptions or as performed on a regular basis as part of

their normal responsibilities. All employees with disabilities are eligible for accommodations per the Americans with Disabilities Act. Such requests must be made to the Human Resources Department. While the City cannot make all requested accommodations, it will work with the employees to define reasonable terms and supply such terms to the employee. If the employee cannot perform the essential functions with the requested accommodation, the employee may be separated from the City.

Section 2-253 – Social Events within the Workplace

Our culture seeks to be inclusive and permit all employees to participate in any and all social gatherings that occur within the workplace. Events such as birthday parties, retirement celebrations, and other like events represent opportunities to fellowship and further develop the culture of the organization. All employees are welcome to participate in social gatherings that occur within the workplace. Simultaneously, no employee should ever feel pressured to participate in such an activity and simply needs to express his or her lack of interest in such participation to those organizing such an event.

Section 2-333 – Statement of Policy

The City is committed to a collegial work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in an atmosphere that promotes equal opportunities and prohibits discriminatory practices, including sexual and other forms of unlawful harassment. Therefore, the City expects that all relationships among persons in the office be businesslike and free of bias, prejudice and harassment. In keeping with this commitment, the City maintains a strict policy prohibiting harassment of employees based on race, color, sex, religion, national origin, age, handicap, genetic information or other protected status by other employees, vendors, contractors or guests.

Section 2-596 – Confidentiality and Acceptable System Usage

- (a) The City systems are intended for City business only. All information transmitted or stored in City systems is the sole and exclusive property of the City and shall be treated as confidential. Such information may not be disclosed to any person outside City government nor may any such information be removed from City premises without the express permission of the City Manager. Employees are strictly prohibited without prior authorization from accessing, reading and copying data or information stored in the systems and from accessing, reading

and copying communications not directed to them. All systems messages are City records. No message or communication is private.

- (b) Management's right to access information. Our computer, telephone, and communication hardware and software systems have been installed and are used to facilitate business communications. Although each employee has an individual password to access these systems, they belong to the City and the contents of all communications are accessible by management for any business purpose. The City reserves the right to monitor, and will periodically monitor, its systems in order to ensure compliance with this policy. Employees are strictly prohibited from placing personal passwords on any City system for the purpose of preventing such monitoring. Employees should not consider any materials transmitted or stored in City systems to be private.
- (c) The City maintains all electronic communications, including both electronic mail and instant messaging correspondence, for an indefinite period of time to fulfill the litigation hold requirements of the Federal Rules of Civil Procedure. All such documents are preserved in the normal course of business and maintained by the City's Information Technology professionals in the event they become necessary for purposes of litigation.

SECTION II – REPEALING ALL ORDINANCES IN CONFLICT:

All other ordinances or parts of ordinances in conflict herewith, are to the extent of such conflict, hereby repealed.

SECTION III – PROVIDING FOR SEVERABILITY:

It is the declared intent of the Alachua City Commission that, if any section, sentence, clause, phrase or provision of this ordinance is for any reason held or declared to be unconstitutional, void or inoperative by a court or agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance and the remainder of this ordinance, after the exclusion of such part or parts, shall continue to be valid.

SECTION IV – INCLUSION IN THE CODE:

It is the intention of the City of Alachua Commission, and it is hereby provided that the provisions of this ordinance shall become and be made part of the City of

Alachua Code of Ordinances; that the Code may be renumbered or relettered to accomplish this intention.

SECTION V – PROVIDING AN EFFECTIVE DATE:

This ordinance shall be effective December 1st, 2013.

PASSED on first reading on the 21st day of October, 2013.

PASSED and **DULY ADOPTED**, in regular session with a quorum present and voting, by the City Commission upon second and final reading this 4th day of November, 2013.

CITY COMMISSION OF THE
CITY OF ALACHUA, FLORIDA

Gib Coerper, Mayor

SEAL

ATTEST:

APPROVED AS TO FORM

Traci L. Cain, City Manager/Clerk

Marian B. Rush, City Attorney



City of **ALACHUA**

PUBLIC NOTICE NOTICE OF ENACTMENT OF AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA

The City of Alachua City Commission will conduct a public hearing on a proposed ordinance on October 21st, 2013, at 6:30 p.m. The hearing will be held in the James A. Lewis Commission Chambers, located in City Hall at 15100 NW 142nd Terrace, Alachua Florida.

The Ordinance title is as follows:

ORDINANCE NO. 14-01

AN ORDINANCE OF THE CITY OF ALACHUA, FLORIDA; AMENDING SECTION 2-101(2),(4) & (7) TO INCLUDE GENETIC INFORMATION; ADDITION OF ITEM (5) IN SECTION 2-173 FOR INCLUSION OF BREASTFEEDING ACCOMMODATION; ADDITION OF SECTION 2-176, SAFE HARBOR PROVISION; ADDITION OF SECTION 2-177, EMPLOYEE REST TIME POLICY; AMENDING SECTION 2-205(B)(4) TO INCLUDE BUDGET APPROPRIATIONS; AMENDING SECTION 2-245(B) TO INCLUDE TAXABLE FRINGE BENEFIT; AMENDING SECTION 2- 247(C) TO INCLUDE LANGUAGE ON SOLICITATION OR DISTRIBUTION BY NON- EMPLOYEES; ADDITION OF SECTION 2-249, CYBER COMMUNICATION & SOCIAL MEDIA USE BY EMPLOYEES; ADDITION OF SECTION 2-250, HANDHELD DEVICE USE; ADDITION OF SECTION 2-251, ETHICAL COMMUNICATIONS PROCEDURE; ADDITION OF SECTION 2- 252, ACCOMMODATIONS POLICY; ADDITION OF SECTION 2-253, SOCIAL EVENTS WITHIN THE WORKPLACE; AMENDING SECTION 2-333 TO INCLUDE GENETIC INFORMATION; AND ADDITION OF ITEM (C) IN SECTION 2-596 TO INCLUDE ELECTRONIC RECORDS RETENTION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

At the public hearing, all interested parties may appear and be heard with respect to the proposed ordinance. Copies of the proposed ordinance are available for public inspection at the Alachua City Hall, Office of the City Clerk, 15100 NW 142nd Terrace, Alachua, Florida, 32615, between the hours of 7:30 a.m. to 6:00 p.m. on the Thursday or Monday prior to the City Commission meeting. Written comments on the proposed ordinance may be sent to the following address: City of Alachua, Office of the City Clerk, PO Box 9, Alachua, Florida, 32616. Notice is given pursuant to Section 286.0105, Florida Statutes, that in order to appeal any decision made at these public hearings, you will need to ensure that a verbatim record of the proceeding is made. In accordance with the Americans with Disabilities Act, any person with a disability requiring reasonable accommodation in order to participate in this meeting should call the City Clerk at 386-418-6100, extension 101, at least 48 hours prior to the public hearing.

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