



TPA EXECUTIVE COMMITTEE MEETING AGENDA

DATE: **Monday, October 3, 2022**
TIME: **2:00 p.m.**
PLACE: **301 Datura Street, West Palm Beach, FL 33401**

Attendees may not enter the TPA workplace if in the previous 5 days, they have tested positive for COVID-19, exhibited symptoms of COVID-19, or been in close contact with someone with COVID-19 and are unvaccinated.

To promote awareness of multimodal options for in-person attendance, a map of transportation facilities and services around the TPA Office is provided on page 3.

Members of the public can also join the meeting virtually in the following ways:

- Via Zoom app using Webinar ID: 861-8182-3215 and Password: 288833
- Via web browser at PalmBeachTPA.org/Exec-Meeting
- Via phone at 1-646-558-8656 using the above Webinar ID and Password
- View a live simulcast at PalmBeachTPA.org/LIVE

Please call 561-725-0800 or e-mail info@PalmBeachTPA.org for assistance joining the virtual meeting.

1. REGULAR ITEMS

- A. Call to Order and Roll Call
- B. Modifications to the Agenda
- C. General Public Comments

Members of the public are invited to offer comments or questions as follows:

- A written comment may be submitted at PalmBeachTPA.org/Exec-Comment at any time prior to the commencement of the relevant agenda item.
- A verbal comment may be provided by a virtual attendee using the raise hand feature in the Zoom platform.
- A verbal comment may be provided by an in-person attendee submitting a comment card available at the welcome table.

Note that the Chair may limit comments to 3 minutes or less depending on meeting attendance.

- D. Comments from the Chair and Member Comments
- E. Executive Director's Report
- F. MOTION TO APPROVE Meeting Minutes from August 29, 2022

2. ACTION ITEMS

- A. MOTION TO RECOMMEND APPROVAL of the Amended and Restated TPA Personnel Handbook Sections 1 and 2

TPA Executive Director will provide an overview of the attached memo outlining proposed changes to the TPA's Personnel Handbook Sections 1 and 2.

- B. MOTION TO RECOMMEND APPROVAL of an Amendment to the TPA Operating Procedures Sections 2.2

TPA Executive Director will provide an overview of the attached resolution and proposed changes to the TPA's Operating Procedures Section 2.2 to add travel approval procedures for TPA Governing Board members and other authorized officials.

- C. MOTION TO RECOMMEND APPROVAL of Draft 2023 TPA Governing Board and Advisory Committee Meeting Dates

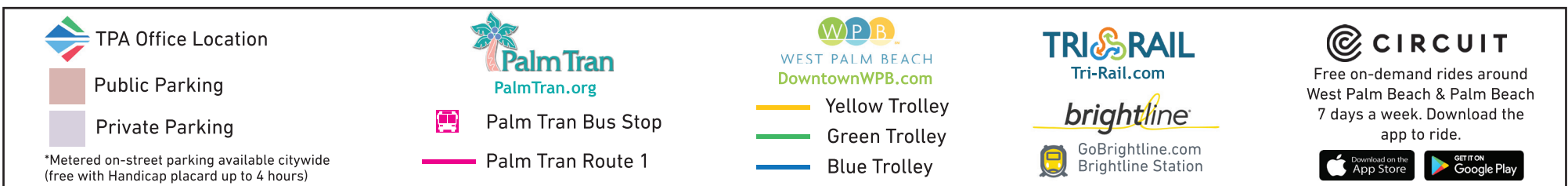
The Draft 2023 Meeting Dates are attached for review.

3. INFORMATION ITEMS

There are no information items included in this agenda.

4. ADMINISTRATIVE ITEMS

- A. Next Meeting – **December 5, 2022**
B. Adjournment



Robert S. Weinroth, Mayor
TPA Chair
Palm Beach County

Chelsea S. Reed, Mayor
TPA Vice Chair
City of Palm Beach Gardens

Joel Flores, Mayor
At Large Member
City of Greenacres

Maria Marino, Commissioner
At Large Member
Palm Beach County

Michael J. Napoleone, Councilman
At Large Member
Village of Wellington

Paul Gougelman, Esq.
TPA General Counsel
Non-Voting Advisory

NOTICE

This is a meeting of the Palm Beach MPO doing business as the Palm Beach Transportation Planning Agency.

In accordance with Section 286.0105, *Florida Statutes*, if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings, and that, for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require a printed copy of the agenda package, require special accommodations under the Americans with Disabilities Act or require translation services for a meeting (free of charge) must call 561-725-0800 or send email to Info@PalmBeachTPA.org at least five business days in advance. Hearing impaired individuals are requested to telephone the Florida Relay System at #711.



**OFFICIAL MEETING MINUTES OF THE
PALM BEACH TRANSPORTATION PLANNING AGENCY (TPA)
EXECUTIVE COMMITTEE**

August 29, 2022

301 Datura Street, West Palm Beach, FL 33401
Meeting was also conducted virtually via Zoom.

*These minutes are a summary of the meeting events and may not reflect all discussion that occurred.
PDF versions of the agenda, backup material and presentations as well as audio and video recordings are available for review
at PalmBeachTPA.org/Executive-Committee*

1. REGULAR ITEMS

1.A. Call to Order and Roll Call

CHAIR WEINROTH called the meeting to order at 3:04 p.m.

The recording secretary called the roll. A quorum was present in-person as depicted in the table below.

Member	Attendance	Member	Attendance
Joel Flores	P	Chelsea Reed	P
Maria Marino	P	Robert Weinroth	P
Michael Napoleone	P		

P = Present A = Absent

1.B. APPROVED: Modifications to the Agenda

There were no modifications to the agenda.

Modification to the Agenda approved by unanimous consent.

1.C. General Public Comments

There were no general public comments received.

1.D. Comments from the Chair and Member Comments

There were no member comments received.

1.E. Executive Director's Report

BRIAN RUSCHER, TPA Deputy Director of Multimodal, introduced himself to the committee.

CHAIR WEINROTH inquired on the Human Resources services request for proposals and contact for staff.

Member discussion ensued on the mural being painted at the TPA offices and catalytic converters being stolen from Palm Tran facilities.

1.F. APPROVED Meeting Minutes from July 14, 2022

MOTION to Approve Meeting Minutes made by Mayor Flores, seconded by Commissioner Marino, and carried unanimously 5-0 as depicted in the table below.

Member	Vote	Member	Vote
Joel Flores	Y	Chelsea Reed	Y
Maria Marino	Y	Robert Weinroth	Y
Michael Napoleone	Y		

Y = Yes N = No A = Absent ABST = Abstain

2. ACTION ITEMS**2.A. RECOMMENDED APPROVAL: of the First Amendment to the Executive Director's Employment Agreement Subject to Revision**

Paul Gougelman, TPA General Counsel, provided a brief overview of the first amendment.

CHAIR WEINROTH and Paul Gougelman, TPA General Counsel, confirmed the section regarding seeking outside employment while employed by the TPA had been removed from the effective employment agreement.

COUNCILMAN NAPOLEONE asked about any implications of paying a lump sum for severance pay, instead of monthly payments.

PAUL GOUGELMAN, TPA General Counsel, stated a revised Amendment would be provided to the TPA Governing Board at the September 15, 2022 meeting.

There were no general public comments on this item.

MOTION to Recommend Approval of the First Amendment to the Executive Director's Employment Agreement Subject to Revision made by Vice Chair Reed, seconded by Commissioner Marino, and carried unanimously 5-0 as depicted in the table below.

Member	Vote	Member	Vote
Joel Flores	Y	Chelsea Reed	Y
Maria Marino	Y	Robert Weinroth	Y
Michael Napoleone	Y		

Y = Yes N = No A = Absent ABST = Abstain

2.B. RECOMMENDED APPROVAL: of an Amendment to the TPA Operating Procedures Sections 1 and 2

CHAIR WEINROTH confirmed the change to the Operating Procedures would allow the Executive Director to designate an Agency Clerk.

Member discussion ensued about staff hours spent on records requests and the proposed staff to fulfill Agency Clerk duties.

There were no public comments on this item.

MOTION to Recommend Approval of an Amendment to the TPA Operating Procedures Sections 1 and 2 made by Vice Chair Reed, seconded by Mayor Flores, and carried unanimously 5-0 as depicted in the table below.

Member	Vote	Member	Vote
Joel Flores	Y	Chelsea Reed	Y
Maria Marino	Y	Robert Weinroth	Y
Michael Napoleone	Y		

Y = Yes N = No A = Absent ABST = Abstain

3. INFORMATION ITEMS

3.A. TPA Advisory Committee Membership

Member discussion ensued on advisory committee attendance and grandfathered representatives on the Citizens Advisory Committee. Direction was given to amend the Operating Procedures per staff recommendation of the suggested approaches provided by TPA General Counsel.

There were no public comments on this item.

3.B. TPA Governing Board Apportionment

Member discussion ensued on additional Governing Board membership, representation for smaller municipalities, and at-large seats. No further action was requested on this item.

There were no public comments on this item.

4. ADMINISTRATIVE ITEMS

4.A. Next Meeting – October 3, 2022

4.C. Adjournment

There being no further business, the Chair declared the meeting adjourned at 4:14 p.m.

This signature is to attest that the undersigned is the Chair, or a designated nominee, of the TPA Executive Committee and that the information provided herein is the true and correct Minutes for the August 29, 2022, meeting of the Committee, dated this 3rd day of October 2022.

Chair Robert S. Weinroth
Palm Beach County Mayor

EXHIBIT A
TPA Executive Committee
Attendance Record

Representative Local Government	Apr '22	May '22	Jun '22	July '22	Aug '22
Robert Weinroth, Mayor – TPA CHAIR Palm Beach County	P	P	P	P	P
Chelsea Reed, Vice Mayor – TPA VICE CHAIR City of Palm Beach Gardens	P	P	E	P	P
Joel Flores, Mayor City of Greenacres	P	P	P	P	P
Maria Marino, Commissioner Palm Beach County	P	P	P	P	P
Michael Napoleone, Councilman Village of Wellington	P	P	P	P	P

*** New Appointment

P - Representative Present

ALT- Alternate Present

E - Excused

A - Absent

OTHERS PRESENT

Brian Ruscher
Melissa Murray
Valerie Neilson
Cassidy Sparks
Amanda Williams
Paul Gougelman

REPRESENTING

Palm Beach TPA
Palm Beach TPA
Palm Beach TPA
Palm Beach TPA
Palm Beach TPA
Palm Beach TPA – Weiss Serota et al.

Date: 09/27/2022

To: Chairman and Members, Executive Committee
And Governing Board

From: Valerie Neilson, AICP
Executive Director, Palm Beach TPA

Re: A Resolution Of The Palm Beach Transportation Planning Agency (TPA) Approving
And Adopting The Revised Personnel Rules And Regulations (Personnel
Handbook) Attached; Providing For Conflicts, Severability And An Effective Date.

Background/History

The Executive Director hereby submits for approval an amended and restated Personnel Rules and Regulations (referred to as the "Personnel Handbook").

The current Personnel Handbook was adopted on July 18, 2019, via Resolution No. 2019-14. Sections 1 and 2 were last modified and adopted by the TPA Governing Board on July 15, 2021. The revised Personnel Handbook includes up-to-date and comprehensive policies and procedures that comply with federal, state and local laws regarding employment. The revisions also reflect the current standards of the TPA's operations, proposes changes to certain policies, and removes obsolete and legally outdated policies and procedures.

By way of reminder, the Personnel Handbook is comprised of an introduction and three sections: Section 1, General Information; Section 2, TPA Employment Policies; and Section 3, TPA Employment Procedures. Sections 1 and 2 have historically been the purview of the Board, while the provisions detailed in Section 3 are the exclusive responsibility of the Executive Director. The attached, therefore, reflects proposed changes to Sections 1 and 2 of the Personnel Handbook. Section 3 of the Personnel Handbook, which has already been revised and implemented, is also included to allow for a comprehensive review of document in its entirety.

Proposed Action/Summary of Proposed Changes

The enclosed Resolution, which amends and restates Sections 1 and 2 of the Personnel Handbook, has been prepared by the TPA's General Counsel. The General Counsel has also reviewed the Personnel Handbook for legal form. As such, the attached Resolution, inclusive of the amended and restated Sections 1 and 2 of the Personnel Rules, has been prepared for presentment to the Board for review and approval.

The substantive changes to the Sections 1 and 2, as well as the introduction, are summarized in the table below reflecting the current policy, the proposed change and the rationale for said change.

Section	Proposed Change	Current Policy	Rationale
Introduction	Adds language describing the main functions of the agency, the composition of the Board and the role of the Executive Director as the administrator of the personnel system	Provides a welcome message to new hires, but not substantive information	Provide additional information about the agency as a preface to the Handbook
	Describes the role of the Executive Director as the administrator who has the overall discretion in making personnel decisions, provided decisions do not exceed the expenditures allocated in the TPA Board-approved budget and/or in any other applicable TPA Board-established economic parameters	Silent on the subject	Affords the Executive Director discretion to make interpretative decisions regarding the Handbook regarding ambiguous language, compliance with the law or for equitable reasons
Section 1 (General Information)	Requires Board approval for any amendments to Sections 1 and 2	Requires Board approval for any amendments to Sections 2.	Clearly defines the Board's authority in amending the Handbook
	Defines the role of Executive Director and Chief Financial Officer as administrators of the personnel system, with the former as the overall administrator and the latter delegated the authority to address accounting and payroll	Silent on the subject	Clearly defines the Executive Director's role as the chief personnel administrator and the Chief Financial Officer's role to establishing accounting and pay roll policies.

Section	Proposed Change	Current Policy	Rationale
Section 2 (TPA Employment Policies)	Adds safe harbor policy for exempt employees, which permits the agency to reduce salaries for certain reasons (e.g., full day absence, disciplinary action)	Silent on the subject	The Department of Labor recommends a clearly communicated policy to employees that permits an employer reduce the salary of an exempt employee for legally permissible reasons
	Clarifying that tuition reimbursement must directly relate to the employee's current position, a similar position or for promotional opportunity	Tuition reimbursement may be sought for broad job-related reasons	Tuition reimbursement should be directly related to the employee's position or ability to advance
	Tuition reimbursement will only be approved for accredited institutions and limited to one degree at each level (e.g., one bachelor's degree, one master's degree, etc.)	Silent on whether the institution is accredited or whether an employee can earn multiple degrees at one particular level	Ensures that tuition reimbursement funds are used for degrees earned at accredited institutions
	Restricts Compensatory Time ("Comp Time") to Non-exempt employees who are eligible to earn such time in lieu of overtime	Comp Time may be earned by non-exempt and exempt employees, with the latter earning time at the rate of one hour for each hour worked over 40 hours	Exempt employees are obligated to work the amount of hours necessary required to perform their job duties without earning extra benefits
	Permits the Executive Director to place employees on unpaid administrative leave under limited circumstances	Silent on the subject	The agency should not pay an employee placed on administrative leave under certain circumstances (e.g., a pending criminal charge)

Section	Proposed Change	Current Policy	Rationale
	Employees must use their own time to participate in a legal proceeding for a personal or non-TPA related action.	Ambiguous on the subject	The agency should not pay an employee who is absent from work who is participating in litigation unrelated to the job.
	Clarifying that conference leave time will be granted based on whether the underlying conference/event/training improves job efficiency and subject knowledge,	Silent on the criteria for paid conference time	Ensure that conference leave time is directly related to the position and has material value to the agency
	Paid parental leave may be taken on an intermittent basis, but such intermittent use will be limited to five days. Advance notice must be provided before requesting parental leave.	Paid parental leave must be taken in a six week consecutive block without any obligation to provide advance notice	Affords the employee the opportunity to address work responsibilities during the six week paid parental leave period without forfeiting the benefit
	Limits the scope of the TPA travel policy to employees only by removing references to Board members, advisory committee members, other officials, etc.	The travel policy applies to the agency employees, Board members, committee members, appointed officials, etc.	The provisions of the Handbook are limited to employees, not non-employees.

Though the Board does not approve Section 3, for its edification, the following policies and procedures have been included and/or substantively updated in the section of the Personnel Handbook.

- Whistle-blower Protection
- Ethical Guidelines
- Pay Plan Administration
- Nepotism
- Equal Employment/ Non Discrimination
- Hiring and Recruitment
- Salary Progression and Regression
- Remote and Flex Time
- Personnel Record
- Drug Testing Procedures
- Property Return/Damage
- Work Schedule
- Smoke Free Work
- Workplace Violence
- Veteran's Preference
- Worker's Compensation

TPA RESOLUTION 2022-xx

**A RESOLUTION OF THE PALM BEACH
TRANSPORTATION PLANNING AGENCY (TPA)
APPROVING AND ADOPTING THE REVISED
PERSONNEL RULES AND REGULATIONS (UPDATED
PERSONNEL HANDBOOK) ATTACHED AS EXHIBIT “A”;
PROVIDING FOR CONFLICTS, SEVERABILITY AND AN
EFFECTIVE DATE.**

WHEREAS, the Palm Beach MPO, doing business as the Palm Beach Transportation Planning Agency (TPA), a public agency created in accordance with and operating pursuant to 23 U.S.C. 134, 49 U.S.C. 5303, and Sections 163.01 and 339.175, Florida Statutes, is the designated and duly constituted body responsible for the urban transportation planning process for Palm Beach County; and

WHEREAS, the TPA has adopted personnel rules and regulations via Resolution No. _____, which is commonly referred to as the Personnel Handbook, in order to ensure that employees and prospective employees are treated in a manner consistent with applicable employment laws and regulations; and

WHEREAS, since the Personnel Handbook was last updated, there have been changes in federal and state employment laws, as well as changes to the TPA’s operational standards, necessitating a revision to the Handbook; and

WHEREAS, the updated Personnel Handbook that is proposed by staff, attached as Exhibit “A”, (the “Updated Personnel Handbook”) seeks to address the changes in law, and to ensure the TPA’s personnel procedures are consistent with established practice, and operational standards and procedures; and

WHEREAS, the Updated Personnel Handbook supersedes all existing TPA personnel policies; and

WHEREAS, TPA staff recommends approving and adopting the Updated Personnel Handbook, attached as Exhibit “A”; and

WHEREAS, the TPA Governing Board finds the adoption of this amendment to be in furtherance of the public interest,

**NOW THEREFORE, BE IT RESOLVED BY THE PALM BEACH MPO, d/b/a PALM BEACH
TRANSPORTATION PLANNING AGENCY, THAT:**

SECTION 1. The foregoing recitals are hereby adopted and declared to be true and correct and are incorporated herein.

SECTION 2. The TPA Governing Board hereby:

1. Approves the Updated Personnel Handbook incorporated herein and attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 3. In the event that any term, provision, clause, sentence or section of this Resolution shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Resolution, and this Resolution shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

SECTION 4. All resolutions, or parts of resolutions or policies otherwise existing that are inconsistent with or in conflict with the provisions contained in the Updated Personnel Handbook are hereby repealed to the extent of such conflict.

SECTION 5. This Resolution shall take effect upon adoption.

The foregoing Resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the motion passed. The Chair thereupon declared the Resolution duly adopted this ____ day of _____ 2022.

PALM BEACH METROPOLITAN PLANNING
ORGANIZATION, d/b/a PALM BEACH
TRANSPORTATION PLANNING AGENCY

By: _____
Councilmember Robert Weinroth,
as its Chair
(AGENCY SEAL)

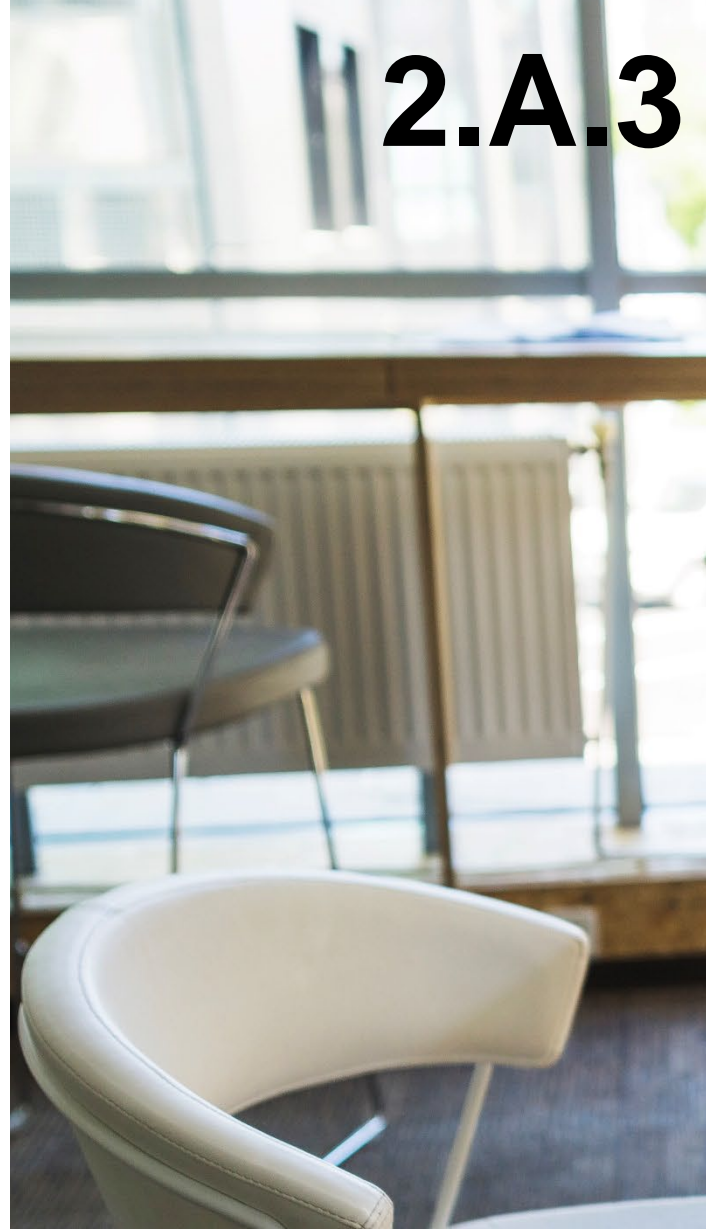
ATTEST:

Amanda Williams, TPA Agency Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Paul R. Gougelman, TPA General Counsel

Personnel Handbook



PALM BEACH
Transportation
Planning Agency

Introduction

Welcome to the Palm Beach Transportation Planning Agency (TPA). We are excited you have chosen to join our team! With your help, we will execute our mission to collaboratively plan, prioritize, and fund transportation as we seek to establish a safe, efficient, and connected multimodal system for all of Palm Beach County.

The purpose of this Personnel Handbook is to advise you of the policies and benefits of employment which enable the TPA to function effectively. While this Handbook includes a capacious amount of information, it may not cover all topics or areas of concern. If you have any additional questions regarding your employment, please make them known to me or your supervisor.

We know that you will find employment with the TPA to be a rewarding and enjoyable experience. We strive to provide a work environment that allows you to make meaningful contributions, enables you to maintain a thriving personal life, and equips you for future success in your career path. Our leadership team is always available to provide any assistance or guidance you may need.

Thank you for joining our team and we look forward to working with you.

The Palm Beach Transportation Planning Agency (TPA), which serves as the Metropolitan Planning Organization (MPO) for the part of the Miami Urbanized Area Transportation Management Area (TMA) within Palm Beach County, operates under an Executive Director - TPA Governing Board form of administration. The TPA Governing Board is comprised of 21 locally elected officials - 15 elected officials from the county's 13 largest municipalities, five of the seven Palm Beach County Commissioners, and one Port of Palm Beach Commissioner. The TPA Governing Board's major functions include adopting resolutions; adopting a budget; appointing an Executive Director; and establishing personnel and compensation policies for TPA employees. The Governing Board also makes appointments to various advisory boards and committees. The Governing Board members are not employees of the TPA, so their actions are not governed by this document.

The purpose of this Personnel Handbook is to advise TPA employees of the policies and benefits of employment which enable the TPA to function effectively. While this Handbook includes a capacious amount of information, it may not cover all topics or areas of concern. If employees have any additional questions regarding their employment, those inequities must be directed to the Executive Director. It is the employee's duty to read and understand all contents of the Personnel Handbook.

The Executive Director has overall responsibility for the administration of the Personnel Handbook. The Executive Director is responsible for clarification and interpretation of any of the policies and procedures contained herein. The Executive Director may, at any time, interpret the Personnel Handbook and develop procedural rules and other personnel policies.

For all provisions of this handbook referencing Federal or State law, any changes thereto shall be incorporated herein. Failure on the part of any employee to follow these rules, policies and procedures will subject an employee to disciplinary action. Policies set forth in this handbook are not intended to

create a contract, nor are they to be construed to constitute contractual obligations of any kind or to constitute a contract of employment between the TPA and the employee. The provisions of this handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or canceled at any time, at the TPA's sole discretion.

Notwithstanding any provision herein to the contrary, any interpretative action or administrative decision made pursuant to this Handbook by the Executive Director shall not exceed the expenditures allocated in the TPA Board-approved budget and/or in any other applicable TPA Board-established economic parameters, unless a supplemental appropriation of excess revenues/fund balance or a budget transfer or reallocation has been approved.

Table of Contents

Introduction	2
Section 1. General Information	5
1.1 Purpose	5
1.2 Authority	5
1.3 Applicability	5
1.4 Amendments	5
1.5 Compliance with Federal and State Laws and Regulations	6
1.6 Administration	7
1.7 Open Door Policy	7
Section 2. TPA Employment Policies	8
2.1 TPA Employees	8
2.2 Salary	9
2.3 Employee Benefits	9
2.4 Paid Leave	12
2.5 Travel	17
Section 3. TPA Employment Procedures	19
3.1 TPA Employment Status	19
3.2 Salary	26
3.3 Benefits	27
3.4 Leave	32
3.5 Conduct	36
3.6 Administration	57
3.7 Operations	65
Appendix. Handbook Modifications	69

Section 1. General Information

1.1 Purpose

The purpose of the Personnel Handbook (Handbook) is to document the terms and benefits of employment with the Palm Beach TPA and to establish procedures which will govern administrative actions concerning various personnel activities and transactions.

1.2 Authority

The Palm Beach Metropolitan Planning Organization (MPO), doing business as the Palm Beach Transportation Planning Agency (TPA), has been established by interlocal agreement; is operated pursuant to 23 CFR 134, 49 CFR 5303-5305, and Section 339.175, F.S.; and is empowered to employ personnel.

1.3 Applicability

This Handbook is applicable to all employees and volunteers of the TPA. It is the employee's responsibility to become familiar with and follow the TPA's policies and procedures, and to contact their supervisor or the Executive Director if uncertain about any information contained in this Handbook. Recognition of this responsibility is a term and condition of initial and continued employment with the TPA.

If any area of the Handbook is in direct conflict with the contract for the staff position of Executive Director, the contract shall prevail for the Executive Director position. The Handbook shall not apply to non-employees such as board members, advisory committee members or individuals retained by the TPA via contractual or vendor arrangement unless expressly stated. To the extent that there is a conflict between this Handbook and previous handbooks, procedures, policies or rules, this Handbook controls.

None of the provisions should be interpreted as creating a contractual relationship or giving any employee the right to be retained as an employee or to receive any benefits.

1.4 Amendments

- A. Amendments, changes, or revisions to Sections 1 and 2 of the Handbook ~~Section 2, TPA Employment Policies,~~ may only be amended or modified by the TPA Governing Board pursuant to their adopted by-laws. The Executive Director shall present to the TPA Governing Board such rules, regulations, policies, and changes in Sections 1 and 2 thereto as are necessary for the effective administration of the Handbook.
- B. Section 3, TPA Employment Procedures, may be amended, modified, or rescinded by the Executive Director from time to time, with or without notice, as deemed necessary and appropriate.
- C. All amendments, changes and revisions of the Handbook will be distributed to all TPA employees.

1.5 Compliance with Federal and State Laws and Regulations

It is the policy of the TPA to operate in compliance with all applicable federal and state laws and regulations, including but not limited to the following:

- A. The Health Insurance Portability and Accountability Act of 1996 (HIPAA). HIPAA offers protections for employees that improve portability and continuity of health insurance coverage. This legislation provides protections for the privacy of employee's protected health information. Protected health information does not pertain to all health information; it only includes information that the employer receives directly from a medical facility, doctors' office and/or the health insurance carrier.
- B. The Americans with Disabilities Act of 1990 (ADA) and all amendments. Reasonable accommodations will be made for qualified individuals with known disabilities unless doing so would result in an undue hardship to the TPA. This policy governs all matters related to recruitment, advertising, initial selection of employment, and all other aspects of employment including, but not limited to, compensation, promotion, demotion, transfer, lay-offs, terminations, leave of absence, and training opportunities.
- C. Title VII of the Civil Rights Act of 1964, as amended, for all current and prospective employees without regard to race, color, religion, sex (including pregnancy), national origin, or any characteristic protected by law. Religious discrimination includes failing to reasonably accommodate an employee's religious practices where the accommodation does not impose undue hardship to the TPA. In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the TPA will be based on merit, qualifications, and abilities.
- D. Chapter 112, Part III, F.S., related to code of ethics for public officers and employees.
- E. Chapter 119, F.S., related to public records.
- F. Chapter 295, F.S., related to Veteran's Preference in hiring, promotional opportunities, and layoff retention.
- G. Section 386.201-2-215, F.S., related to indoor air and tobacco smoke.
- H. Chapter 440, F.S., related to Workers' Compensation. All TPA employees are covered, and such coverage begins immediately upon employment.
- I. Section 440.101-101.1025, F.S., and Rules 69L-9.015 and 59A-24, F.A.C., related to maintaining a "DRUG FREE" workplace.
- J. Section 760.01-.11, F.S., referred to as the Florida Civil Rights Act.

- K. Section 768.095 F.S., allowing an employer to disclose information about a former or current employee to a prospective employer without liability.
- L. Section 784.048, F.S., related to harassment in the workplace.

1.6 Administration

- A. The Executive Director shall be responsible for the overall administration and technical direction of the TPA's personnel system. The Executive Director is responsible for clarification and interpretation of any of the policies and procedures herein.
- B. General responsibility and authority for the administration of agency personnel practices is vested in the Executive Director with the specific exclusion of matters and appointments reserved to the Governing Board as set out by its by-laws, regulations, and statutory law.
- C. The Chief Financial Officer, under the Executive Director's direction, will establish the accounting policies and procedures in order to provide accurate payroll calculations and to provide controls, such as timecards, payroll certifications, *etc.*, necessary to meet fiscal and auditing compliance standards in relation to personnel pay and benefit programs.
- D. Supervisors are responsible for the proper and effective implementation of these policies and procedures regarding their respective subordinates.

1.7 Open Door Policy

The TPA promotes an atmosphere where employees can speak openly and honestly with management staff. All employees have the right to discuss freely with management any matter relating to their employment.

Section 2. TPA Employment Policies

2.1 TPA Employees

- A. The TPA Governing Board shall hire the Executive Director via employment contract.
- B. The TPA Executive Director shall propose the total number of TPA employees for TPA Board approval as part of the TPA's budget. The TPA Executive Director shall hire all TPA employees.
 1. Full-time employee means an employee who is regularly scheduled to work a 40-hour workweek.
 2. Part-time employee means an employee who is regularly scheduled to work less than a 40-hour workweek. Employee leave benefits are prorated for employees who work ~~less~~ fewer than a 40-hour but at least a 30-hour workweek, and no employee benefits are provided for employees who regularly work less than a 30-hour workweek.
 3. Temporary employee means an employee hired for a specified project or time frame. The scheduled workweek can range from 5 to 40 hours per week. Employees in this category do not receive benefits.
- C. All TPA employees are employed at-will, meaning that either the TPA or the employee may terminate the employment relationship at any time for any reason, with or without cause.
- D. All TPA employees are classified as Exempt or Non-Exempt by position definition pursuant to the Fair Labor Standards Act (FLSA).
- E. Employees classified as exempt employees will receive a salary which is intended to compensate them for all hours they may work. This salary will be established at the time of hire or when the employee becomes classified as exempt. The salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work the exempt employee performs.
 1. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work.
 - a. Exceptions: unless state law requires otherwise, an exempt employee's salary can be reduced for the following reasons:
 - Full-day absences for personal reasons;
 - Full-day absences for sickness or disability;
 - Full-day disciplinary suspensions for infractions of the Manual;
 - To offset amounts received as payment for jury and witness fees or military pay;
 - The first or last week of employment in the event the employee works less than a full week; or,
 - Any full workweek in which the employee does not perform any work.

2. However, an exempt employee's leave bank may be deducted when such employee is absent for reasons justifying the use of accrued vacation or sick leave in accordance with these rules and regulations.
 3. In the event of abuse of the TPA's leave policy, which shall be defined as regularly reporting to work after the start of the workday or leaving prior to the end of business, employees shall be disciplined as set forth in Section 3.5, S herein.
 4. If an employee believes that an improper deduction has been made to their salary, the employee should immediately report this information to their direct supervisor. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be reimbursed for any improper deduction made.
- F. Employees classified as non-exempt will be paid on an hourly basis based on a rate established by the TPA. For the purposes of computing overtime, only hours actually worked by employees shall be used. Therefore, no leaves of absences (*i.e.*, sick, vacation, holiday, bereavement, *etc.*) will be used to compute overtime.

2.2 Salary

- A. The salary and any supplemental employee benefits for the Executive Director shall be set by the TPA Governing Board and memorialized via employment contract.
- B. The salary and any supplemental employee benefits for TPA employees shall be set by the Executive Director. Periodic salary reviews and adjustments are at the sole discretion of the Executive Director. Salary is subject to funding appropriation by the TPA Governing Board within the TPA's budget.
- C. The Executive Director may propose annual adjustments to employee salaries based on Cost-of-Living Adjustments (COLA) and/or Performance Reviews. COLA will be based on Consumer Price Index (CPI) data published on the United States Department of Labor Bureau of Labor Statistics website. CPI is a measure of average change over time in the prices paid by urban consumers for a market basket of consumer goods and services. All annual adjustments are subject to budget availability and approval by the TPA Governing Board.

2.3 Employee Benefits

- A. Insurance
 1. The TPA shall provide eligible employees the opportunity to purchase group hospitalization, medical, and dental insurance for both the employee and any eligible dependent(s). TPA subsidy rate(s) for insurance premiums shall be developed through a review of budget availability and shall be subject to approval by the TPA Governing Board.

2. The TPA shall provide employees the opportunity to purchase short-term and long-term disability insurance at negotiated group rates through the TPA's insurance carrier.
3. The TPA shall provide paid life insurance premiums for employees (\$25,000 life and \$15,000 accident) at no cost to the employee. The TPA shall provide employees the opportunity to purchase supplemental life insurance for employees and eligible dependents at negotiated group rates through the TPA's insurance carrier.

B. Retirement Savings

1. The TPA is a participant in the Florida Retirement System (FRS), a state-administered retirement program for employees who are employed in regularly established positions. Enrollment and participation in the FRS program is mandatory.
2. The TPA shall provide employees the opportunity to participate in a 457 deferred compensation plan through optional payroll deductions.
3. The TPA may provide all employees the opportunity to participate in a 401(a) money-purchase retirement plan.

C. Transportation

It is the policy of the TPA to be a regional leader with regards to alternate commuter modes of transportation to alleviate congestion on area roadways. To assist employee travels to and from work, the TPA provides parking at no cost to the employee; reimbursement of transit costs (*i.e.*, bus fares and/or rail fares); and/or reimbursement of actual costs of using a bicycle for commuting purposes. The employee may choose the most advantageous option; however, certain positions may be required to use a certain method of travel to accomplish the tasks of that position (*i.e.*, use of a personal vehicle to attend out-of-office meetings).

1. The TPA will provide employee parking at a nearby available parking facility for those employees wishing to drive a personal vehicle to work.
2. The TPA will provide reimbursement for the use of public transit for employee travels to and from work, consistent with the limits of this benefit as determined by the Internal Revenue Service (IRS).
3. The TPA will provide reimbursement for actual costs incurred to use a bicycle to commute to work, consistent with the limits of this benefit as determined by the IRS. Additionally, the TPA will provide on-site bicycle parking for employees.

D. Tuition Reimbursement

1. The TPA encourages all regular, full-time employees to pursue educational opportunities to the fullest extent possible. Such opportunities include both job-related education and/or self-

improvement courses and programs that are job-related and, in the judgment of the employee's supervisor, increases the employee's potential contribution to the TPA. Accordingly, prior approval must be obtained to ensure reimbursement under this policy upon completion of the course.

2. The TPA has established a tuition reimbursement program to help its employees defray the costs associated with the ~~forementioned pursuit~~. course of instruction or degree that directly relates to the employee's current position, a similar TPA position, or to a higher-level position within the TPA to which the employee could reasonably aspire through promotion. The tuition reimbursement program is available to eligible employees who have been employed by the TPA full-time for at least six (6) months. The maximum amount available per employee shall be \$2,500 yearly for graduate courses and \$2,000 yearly for undergraduate, subject to budget availability.
3. The Finance Department shall be responsible for maintaining all records associated with this program. This includes, but is not limited to, receiving the Tuition Reimbursement Request for and all supporting documentation.
4. Employees that elect to participate in this program are required to earn a grade of B or better to be eligible for the reimbursement.
5. Additionally, employees are required to continue to work for the TPA for one-year following receipt of a tuition reimbursement. Any tuition reimbursement program participant who elects to terminate TPA employment or is terminated due to gross misconduct within one-year of course or program completion shall repay the TPA a pro-rated amount equivalent to the value of the tuition reimbursement, either directly or through deductions from his or her final paycheck if the balance is sufficient to cover the amount owed, or through a combination thereof.
6. Except where such training is required, participation in the tuition reimbursement program is voluntary. Classes must be attended on the employee's own time unless permission is granted by the Executive Director.
7. There will be no duplicate payments for the same coursework. If the course or training is reimbursable under another program (*e.g.*, scholarships, grants, or any other form of assistance), the provisions of this program do not apply.
8. To receive reimbursement, the employee must, within thirty (30) calendar days after published course completion date, provide the Executive Director with receipts of tuition and evidence of satisfactory completion of courses taken.
9. Eligible courses must be completed at an accredited institution, as listed at the Department of Education's Database of Accredited Postsecondary Institutions and Programs (DAPIP).

10. Employees are eligible for a maximum reimbursement of one degree at each level (i.e., one bachelor's degree, one master's degree).

E. Cell Phone Stipend

The TPA may provide select employees with a cell phone stipend to ensure continued access, at the discretion of the Executive Director.

2.4 Paid Leave

A. Holidays

1. TPA employees will be allowed holiday leave with pay on the following recognized holidays:

New Year's Day	January 1
Martin Luther King Jr. Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans Day	November 11
Thanksgiving	Fourth Thursday and Friday in November
Christmas	December 25 and either the workday immediately preceding or immediately following

2. If any recognized holiday falls on a Saturday, the preceding Friday will be observed as a holiday and if any recognized holiday falls on a Sunday, the following Monday will be observed as a holiday.
3. If a holiday occurs during an employee's vacation period, the holiday is not charged against vacation leave.
4. Employees must be in a pay status the scheduled workday before and after a holiday to be granted holiday pay.
5. For those employees working part-time, holiday pay will be computed according to the ratio that the employee's normally scheduled workweek bears to a 40-hour workweek. Contractual employees and interns will not be paid for official holidays.
6. Employees on Workers' Compensation receive the Workers' Compensation rate on a holiday.

B. Vacation Leave

1. Accrual of Vacation Leave

- a. Vacation leave accrual for full-time employees is as follows:

<u>Employee Tenure</u>	<u>Days Earned Per Year</u>	<u>Hours Earned per Pay Period</u>
Year 1	12 days	3.7 hours
Years 2+	15 days	4.6 hours
Years 6+	18 days	5.5 hours
Years 10+	24 days	7.4 hours

- b. Part-time employees will earn prorated vacation hours based on their scheduled hours per week. Part-time employees can calculate the amount of vacation hours they will accrue each pay period by dividing their scheduled hours per week by forty (40) and multiplying the result times the vacation hour's accrual of a full-time employee.
- c. The maximum carried accumulation of vacation leave is 400 hours with the excess being forfeit as of January 1 of the following calendar year.
- d. Employees will not accrue vacation leave in any biweekly pay period in which more than one-half of their biweekly schedule is reported as Leave Without Pay (LWOP).
- e. A new employee shall start accruing vacation leave after one (1) full pay period.
2. Employees will be paid for 100 percent of accrued vacation leave upon termination. In the event of the death of an employee, payment for accrued vacation leave will be made to the employee's beneficiary, estate, or as provided by law. The effective date of payment of all accrued leave will be issued on the next regular pay date following the pay period in which employment terminated.

C. Sick Leave

1. Accrual of Sick Leave

- a. Sick leave is earned biweekly and the accrual rate per pay period is calculated as five (5) percent of an employee's scheduled hours per pay period, not to exceed four (4) hours per pay period.
- b. The maximum accumulation of sick leave is 480 hours with the excess being forfeit as of January 1 of the following calendar year.
- c. Employees will not accrue sick leave in any biweekly pay period in which more than one-half of their biweekly schedule is reported as LWOP.
- d. A new employee shall start accruing sick leave after one (1) full pay period.
2. Employees will be paid for ten (10) percent of accrued sick leave upon termination. In the event of the death of an employee, payment for one hundred (100) percent of accrued sick leave will be made to the employee's beneficiary, estate, or as provided by law. The effective

date of payment of all accrued leave will be issued on the next regular pay date following the pay period in which employment terminated.

D. Compensatory Time ("Comp Time") For Non-Exempt Employees

- ~~1. To promote a healthy work/life balance and to control agency expenses, the TPA provides time off with pay in lieu of overtime pay for hours worked in excess of the normal workweek. It is the general policy of the TPA not to require frequent or considerable overtime. However, a supervisor may authorize or direct an employee to work over 40 hours in a workweek when necessary to meet emergency deadlines or operating needs. Positions classified as Exempt will accrue Compensation (Comp) Time at the rate of 1 hour per 1 hour worked. At the discretion of the Executive Director, Non-Exempt employees may be granted time off with pay in lieu of overtime for any hours worked over 40 hours in a work week. Positions classified as Non-Exempt will accrue Comp Time at the rate of 1.5 hours per 1 hour worked. Employees Non-exempt employees will be paid for 100 percent of accrued comp time prior to any change in pay rate or upon termination. In the event of the death of an employee, payment for accrued comp time will be made to the employee's beneficiary, estate, or as provided by law. The effective date of payment of all accrued leave will be issued on the next regular pay date following the pay period in which employment terminated.~~

E. Bereavement Leave

If a death occurs in the employee's immediate family, the employee will be granted three (3) days of bereavement leave with pay. The employee will be granted one (1) additional day, for a total of four (4) days, if required to travel outside of the State. Such leave ~~will~~ must be used consecutively, during which the employee would otherwise have worked, and within a reasonable time of the death or funeral service. It is the responsibility of the employee's supervisor to verify requests for bereavement leave. Any additional time needed will be charged against sick leave, or if the employee has no accumulated sick leave, to vacation leave followed by leave without pay.

1. "Immediate Family" in this context includes spouse, child, mother, father, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, stepmother, stepfather, stepsister, stepbrother, stepchild, grandchild, grandparent, step-grandparent, daughter-in-law, and son-in-law. The definition of "immediate family" extends to qualified domestic partnerships as well.
2. The TPA reserves the right to request all pertinent information including deceased relative's name, employee's relationship to the deceased, the name and address of the funeral home, and the date of the funeral.

F. Paid Administrative Leave

Paid Administrative Leave will be used in the event of an office closure; the time off from scheduled work will not require the use of accrued leave.

G. Unpaid Administrative Leave

1. Any employee who cannot perform the essential functions of their position or charged with a crime may be placed on an unpaid leave until they can demonstrate job fitness or until such charge is dismissed by the prosecuting authority or until a decision settling the case is rendered. In accordance with Section 3.5, employees are required to inform the Executive Director of an indictment, information or charge.
2. An employee who is placed on unpaid administrative leave for a criminal issue pursuant to this section shall be afforded an opportunity to meet with the Executive Director to discuss the circumstances of the arrest, indictment or information. The meeting shall afford the employee the opportunity to explain the circumstances so that the Executive Director may, in their sole and exclusive discretion, determine the appropriate course of action, which may include, but is not limited to: continuing the leave without pay; converting the unpaid leave to one with pay pending further inquiry; reinstating the employee with back pay; and/or any other action.
3. Notwithstanding any limitations on the length of leave set forth elsewhere, unpaid leave under this Section may continue until the employee can demonstrate job fitness or through the resolution of the criminal proceedings related to the arrest, indictment or issuance of an information, or until such time as an administrative determination is rendered.

H. Military Leave

1. Leave of absence for military training and duty will be granted in accordance with Florida and Federal law.
2. Military pay requirements for training and active duty will be granted in accordance with Florida law.

I. Jury Duty and Witness Duty

1. Leave of absence with pay will be granted to an employee to perform jury duty or testify as a witness in a case unrelated to the TPA when legally required unless the employee is the plaintiff or defendant. Employees are required to submit a copy of the summons or subpoena to appear in court to their supervisor before such leave is granted.
2. Compensation for jury duty is contingent upon the provision of proof of jury service, which must be supplied by the applicable court. An employee who is released from work shall return directly to work if any time remains during the regular work day.

3. Employees may use their accrued leave, in accordance with TPA policies, to act as a witness at trial or deposition or to attend proceedings in connection with a personal or non-TPA related legal action. The employee must submit documentation of the proceedings, including any notice or subpoena compelling the employee's appearance at deposition, hearing or trial.

J. Conference Attendance

1. The Executive Director may grant conference attendance with pay, together with necessary and reasonable travel expenses, in order for employees to attend conferences, seminars, and similar events designed to improve efficiency and job knowledge considered to be in the best interest of the TPA.
2. Staff time attending a conference will be treated as hours worked unless all of the following conditions apply: the attendance is outside the employee's shift; the attendance is voluntary; the training is not directly related to the employee's job; and the employee does not perform productive work while attending the conference.
3. In any workweek in which an employee attends an approved conference, their schedule will follow the conventional 5-day/8-hours per day schedule.

K. Parental Leave

1. The purpose of paid parental leave, also known as maternity/paternity leave, is to enable eligible employees to care for and bond with a newborn, newly adopted, newly placed foster child, or with a child newly placed in the employee's guardianship, or in loco parentis (qualified placement). The paid parental leave program is available to both male and female eligible employees who have been employed by the TPA full-time for at least six (6) months.
2. An "eligible employee" includes a mother, father, stepparent, legal guardian, individual who is in loco parentis, or certified domestic partner of the parent at the time of the birth or date of the adoption or placement of the child.
3. Eligible employees will be granted a maximum of six (6) weeks of paid parental leave. An eligible employee who is the birthing mother may receive an additional two (2) weeks of paid leave, if it is deemed medically necessary for the birthing mother's physician, by written documentation. To meet certain business needs of the TPA, intermittent use of parental leave may be granted by the Executive Director. In such cases, the intermittent use of parental leave will be limited to five (5) total work days within the six (6) week period.
4. Employees must provide at least 30 days' advance notice before requesting Parental Leave if foreseeable based on an expected birth, placement for adoption or foster care, etc. In the case of intermittent Parental Leave, the employee must make a reasonable effort to schedule the leave so as not to unduly burden the TPA's operations.

5. In no case will an employee receive more than one period of paid paternal leave in a rolling 12-month period, regardless of whether more than one birth, adoption, or qualified placement event occurs within that 12-month period.
6. Employees are required to return to work for one-year following use of the paid parental leave. Further, any employee who fails to return to work ~~due to a voluntary termination~~ shall repay the TPA in an amount equivalent to the value of the paid parental leave taken, either directly or through deductions from his or her final paycheck if the balance is sufficient to cover the amount owed, or through a combination thereof.
7. Upon termination of employment with the TPA, an employee will not be paid for any unused paid parental leave.

2.5 Travel

- A. Applicability. The TPA's travel policy applies to all TPA staff, ~~Governing Board members, appointed officials, advisory committee members, interns, and other authorized officials~~ traveling on official business paid for by the TPA.
- B. Authorization. The TPA Governing Board Chair must authorize travel by the Executive Director, ~~any Governing Board members, all committee members, and all community representatives~~. The Executive Director must authorize travel for all TPA staff. Travel must be authorized in advance of the travel occasion to be eligible for TPA payment. The number of individuals traveling to any one event shall be monitored and limited to maintain the local operational capacity of the TPA and to maximize the beneficial purposes of the travel occasion for the TPA. ~~TPA staff shall report all authorized travel to the full Governing Board as soon as practicable following the travel occasion.~~
- C. Travel Costs. All authorized parties traveling on official business for the TPA are expected to seek advanced registration discount rates, to travel by the most economical and efficient means to/from the travel occasion, and to select reasonably priced lodging accommodations for the travel occasion.
 1. Registration. The TPA shall pay actual registration costs for authorized travel either by direct payment to the vendor or as a reimbursement for traveler-paid registration fees.
 2. Transportation. The traveler must compare the cost and time associated with means of travel by personal vehicle, travel by rental car, travel by public or private surface transit, and travel by commercial or general airplane. The TPA will pay or reimburse the traveler for the most economical (cost) and efficient (time) travel option to/from the event, even if the traveler elects to use another option. The Traveler is responsible for providing the full cost comparisons at the time of the travel request. Travel by personal vehicle shall be reimbursed utilizing the federal mileage rate, as amended from time to time.

3. Lodging Expenses. The traveler is expected to plan in advance and with sufficient notice to stay on the premises for a travel-related event. The TPA will pay or reimburse up to the amount for the standard room accommodations or lowest cost option available in the negotiated event room block. In such case where the negotiated room block rate is not available or does not exist, the traveler must compare the available lodging within a 3mile radius and select the most economical and efficient alternative. Exceptions to these requirements may be made by the Executive Director on a situational basis based on safety, meeting events, and/or logistics.
4. Meal Allowances. The TPA shall pay for meals when travel occurs during meal times: 1) for all overnight travel events, and 2) for same-day travel to a destination at least 100 miles away from the TPA office. The payment shall be in the following amounts:
 - a. Breakfast: \$10.00
 - b. Lunch: \$15.00
 - c. Dinner: \$30.00
5. Incidental Travel Expenses. The TPA shall reimburse for incidental travel expenses including tolls, local transportation costs (cab fares, TNC fares, transit fares, bike share, *etc.*), parking, *etc.* pursuant to federal and state regulations.
6. Traveler Conduct. TPA staff and Board members are expected to attend applicable training sessions offered during normal business hours and to adhere to all travel and rules of conduct policies.
7. Travel Advances. The TPA will not authorize travel advances. The TPA will either prepay by direct payment to the vendor or pay a reimbursement to the traveler for travel-related costs.

Section 3. TPA Employment Procedures

3.1 TPA Employment Status

A. Recruitment

1. Vacant positions shall generally be filled through an internal and/or external competition-based recruitment process. However, at the sole discretion of the Executive Director, vacant positions may be filled by incumbent employees or TPA interns (former and current) in any manner the Executive Director deems suitable in lieu of a competitive recruitment process, provided the selection is merit-based and the individual is qualified.
2. In the event an external competition-based recruitment process is used, the content of all advertising will be based upon the position and job descriptions for the vacant position, subject to consistency with all applicable laws and with sound personnel administration practice. The source, duration, and extent of all advertising are contingent upon fund availability and budgetary constraints.
3. In the event an internal competition recruitment process is used, the applicants will be evaluated by the Executive Director in a manner consistent with all applicable laws and sound personnel administration practice, and the employee deemed most qualified will be selected.

B. Applications

1. To be considered as a valid applicant for interview for a vacant position, each applicant shall submit a cover letter (if required), resume, completed and signed employment application, and samples/examples of completed work (if required by the position announcement). These documents must be submitted within the time limit noted on the job advertisement.
2. Persons with disabilities shall be reasonably accommodated provided that a request for said accommodation is received in a timely fashion.
3. It is the responsibility of the individual applying for a position to ensure that all information requested is submitted, accurate, and sufficient to allow for evaluation.
4. All information requested on the TPA job application must be completed, and the application certified by the applicant attesting to the truth of all statements contained within.
5. Applications will only be accepted in response to specifically announced position vacancies. Applications are valid only for vacancies existing at the time of submittal and may not be reactivated for other position vacancies at a later date.
6. Applicants may also be rejected if they have a prior conviction for a crime, if the crime was a felony or first-degree misdemeanor and directly relates to the position of employment sought.

7. Applications may be rejected for any reason, including but not limited to:
 - a. Submittal when there are no advertised vacancies;
 - b. Submittal after the published closing date for a vacancy;
 - c. Submittal of false, fraudulent, or incomplete application content; and/or
 - d. Submittal of content that fails to demonstrate the applicant meets the requirements specified on the job advertisement.
8. Preference in hiring shall be given to veterans in accordance with Sections 1.5(F), 3.1(Q) and Florida law. Individuals seeking a preference must submit documentation with their application substantiating Veterans' Preference status to receive a preference. A DD-214 or comparable document which serves as a certificate of release or discharge claim must be furnished.

C. Review and Selection

1. The supervisor will review, score, and complete an Application Review Form and save a signed copy in the appropriate vacancy folder. The supervisor shall notify the Executive Director when the form(s) is completed for next steps to be addressed.
2. In rare instances, a supervisor may elect to interview an applicant who does not match the traits of a successful candidate for the vacant position, subject to approval by the Executive Director. In such cases, the Executive Director shall determine a reasonable deadline by which the applicant must attain the lacking element. Failure to do so may result in dismissal or other action deemed necessary.
3. Applicants will be interviewed using a predetermined set of questions approved by the Executive Director. A second round of interviews may be conducted, if necessary, again using a predetermined and approved set of questions.
4. Supervisors that wish to utilize testing for any purpose are to coordinate all requests through the Executive Director. No testing shall be conducted unless reviewed and approved by the Executive Director. Upon completion of testing, all associated documents and testing materials, including but not limited to completed and/or incomplete exams, answer keys, narrative attachments, *etc.*, shall be submitted to the TPA records custodian/agency clerk for retention.
5. Upon completion of interviews, and upon reviewing any other relevant information, the Executive shall make a determination. Only the Executive Director may make an offer of employment. Prior to issuance of an offer letter, the Executive Director or designee shall contact applicant's references.

6. New hires shall be offered a salary within the salary range for the vacant position and a start date that falls at the beginning of a pay cycle. The salary amount shall be based on budgetary restrictions, as well as the skills, knowledge, experience, and/or ability of the selected applicant.

D. Conditional Offer of Employment

1. The Executive Director or designee shall issue a letter offering employment to the selected applicant specifying the start date and starting salary, but noting that the offer is contingent upon the following:
 - a. Completion of a drug screen;
 - b. Submittal of Employment Eligibility Verification Form I-9 and presentation of documents establishing identity and employment eligibility;
 - c. Verification of employment eligibility verified through E-Verify;
 - d. Completion of a criminal background check, driving record check, and if applicable, a credit check.
 - e. Subscribe to a public employee oath of office.

E. Background Checks

1. The TPA shall conduct the following routine background checks:
 - a. All applicants are subject to criminal background and driving record checks.
 - b. The Executive Director and all finance positions will be subject to credit checks as a part of the background screening process due to oversight of the TPA's financials.
 - c. The TPA shall utilize an approved vendor to complete background checks up to 20 years back and in multiple states dependent on the applicant's history.
2. It is at the TPA's discretion whether to reject an applicant from employment due to the nature and disposition of any charges reported on a criminal or driving record report.
 - a. An applicant shall be disqualified if guilty for:
 - i. All sex offenses regardless of the amount of time since the offense (examples include child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure or similar offenses).

- ii. All felony offenses involving violence regardless of the amount of time since the offense (examples include murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary).
 - iii. All felony offenses other than violence or sex offenses within the past ten years (examples include drug offenses, theft, embezzlement, fraud, child endangerment).
- b. An applicant may be disqualified if guilty for:
 - i. All misdemeanor violence offenses (examples include simple assault, battery, domestic violence, hit and run).
 - ii. Two misdemeanor drug or alcohol offenses (examples include driving under the influence, simple drug possession, drunk and disorderly conduct, public intoxication, possession of drug paraphernalia).
 - iii. Any other misdemeanor that would be considered a potential danger to children or is directly to the functions of that employee (examples include contributing to the delinquency of a minor, providing alcohol to a minor, theft—if the employee is to handle money).
- c. "Guilty," for the purposes of this Handbook, means that a person was found guilty of a criminal offense following a trial, entered a guilty plea, entered a no contest plea accompanied by a finding of guilt regardless of whether there was an adjudication of guilt or a withholding of adjudication, or entered a pretrial diversion or intervention program relating to a criminal offense.

F. Relocation Assistance

1. A selected applicant who accepts employment with the TPA and currently resides at least 50 miles from the TPA workplace may be eligible for relocation assistance in the form of a taxable reimbursement of actual expenses up to \$5,000 (direct reports to the Executive Director) or \$2,500 (all other full-time TPA staff).

G. Employee Referral Bonuses

1. An existing TPA employee that is identified as a referral by a candidate hired and retained by the TPA for a period of at least 90 days shall be granted a referral bonus in the amount of \$500 or two vacation days, at the discretion of the Executive Director.
2. Referral bonuses are generally taxable and shall be reported as additional earnings as required by the Internal Revenue Service (IRS) Internal Revenue Code.

H. Promotion

1. A promotion occurs when an employee is selected to fill a position vacancy that is in a different position and at a higher pay rate than the employee's current position and pay rate. Promotions may be on a temporary basis at the discretion of the Executive Director.

I. Reclassification

1. A reclassification action generally occurs when there has been a significant change in a position's functions, duties, and responsibilities, without a corresponding change of position. These changes must be of a permanent nature and not merely a result of temporary need.
2. A reclassification generally results in a change of pay rate, which will be detailed in writing by the TPA prior to the effective date and acknowledged by the employee. A reclassification action may not always trigger a corresponding change in position pay code since position pay code changes are a product of job "comparable worth" and "prevailing wage" analysis.
3. Reclassification requests are normally considered during the budgetary process. However, requests of this nature may be initiated by supervisors at other times, as appropriate. Requests of this nature are to be submitted in writing to the Executive Director.

J. Demotion

1. A demotion is an action involving the movement of an employee from a position in one pay classification code to a position in another pay classification code at a lower pay rate.
2. Voluntary. A demotion will be considered to be voluntary only when such consideration is initiated by the employee at their own request and such request is submitted in writing.
 - a. Requests for voluntary demotion shall be considered only in situations whereby an actual position vacancy exists in lower pay classification rate. The employee requesting voluntary demotion must meet the minimum qualifications associated with the position in question.
 - b. Approval of such requests rests with the receiving appointing authority and is based upon the competitive selection process normally associated with position vacancies.
 - c. The employee requesting the voluntary demotion must be apprised of exact pay rate implications and acknowledge their agreement in writing prior to any such positional change.
 - d. Once a voluntary demotion becomes effective, there shall be no appeal since the action was voluntary.
3. Involuntary. A demotion of an involuntary nature is generally associated as a result of consistent poor performance in the execution of regular job duties.

- a. Other involuntary demotions may be as a result of medical reasons based upon a physician's written findings. Such medical determination shall be kept in the strictest confidence in accordance with existing Federal, State, or local law.
- b. Involuntary demotions will normally result in a reduction in pay of the employee involved. However, the action shall be determined by such variables as position availability and budgetary considerations.

K. Additional Duties Assignment

1. An employee who is temporarily assigned a substantial amount of additional duties that typically correspond to another position shall be compensated at a rate commensurate with the assumption of the additional responsibilities. In no case shall the pay adjustment be less than 5%.
2. At the conclusion of the assignment, the employee's pay shall revert to the regular rate established for the position.

L. Resignation

1. A resignation is a voluntary action initiated by an employee intended to terminate the employer-employee relationship between said employee and the TPA.
2. Resignations shall be submitted in writing providing for an effective date. The original notification shall be submitted to the employee's direct supervisor and forwarded to the Executive Director for inclusion in the employee's personnel file.
3. Proper notice is considered to be ten (10) working days. Notices of less than ten (10) working days, unless excused by the Executive Director, shall result in the forfeiture of accrued personal leave balances.

M. Dismissal

1. A dismissal is an action initiated by the TPA intended to terminate the employer-employee relationship between the TPA and a specific employee.
2. Dismissals shall be provided to the employee in writing providing for an effective date. A copy of the notification shall be included in the employee's personnel file.
3. Any employment offer is not intended to represent an employment contract, either expressed or implied. The TPA retains the "employment-at-will" rights and either side can terminate the employment relationship at any time for any legal reason without prior notice.

N. Reduction in Workforce

1. Positions may be eliminated when they are no longer needed or as business conditions change. Positions may also be eliminated or reduced for budgetary reasons.
2. Notice of workforce reduction shall be provided to the employee in writing providing for an effective date. A copy of the notification shall be included in the employee's personnel file.
3. Employees who have been dismissed as a result of a position being eliminated or a reduction in force shall be considered as eligible for the following special considerations:
 - a. All employer-paid insurance coverage will cease as of the last day of the month during which the actual termination occurred.
 - b. All monies owed to the TPA for tuition reimbursement or paid parental leave shall be waived.

O. Wage Withholding Authorization

1. Newly hired employee will be required to sign a wage withholding authorization form, which indicates that, in the event their employment is terminated, either voluntarily or involuntarily, prior to the full repayment of any outstanding monies owed (*e.g.*, tuition fees, wage overpayment), the TPA may withhold the remaining amount owed from the final pay, except to the extent prohibited by federal or state minimum wage law.

P. Property Return

1. At the time of separation and prior to receiving a final paycheck, an employee must return all TPA property.
2. Employees are prohibited from deleting any files or otherwise destroying public records.
3. Any monies owed to the TPA due to an employee's failure to return property may be offset against the employee's final paycheck or may be collected through civil action or criminal charges.

Q. Veteran's Preference

1. For eligible positions, applicants and employees who are military veterans will be provided preference in hiring, promotional opportunities, and layoff retention in accordance with Section 295.07, Florida Statutes, and applicable regulations.
2. If the selection process is based on a numerically based formula, Veterans' Preference eligible employees who passed the initial screening shall receive an augmented score. If the selection process is not based on a numerical formula, special consideration shall be given in accordance with applicable law.

3. Employees and applicants must submit current documentation substantiating Veterans' Preference status to receive a preference.
4. If an employee wishes to appeal any decision, they may file a complaint with the Florida Department of Veterans' Affairs within 60 days after receiving notice of the decision. The latest contact information can be found by calling (727) 518-3202 or email at veteranspreference@fdva.state.fl.us.

3.2 Salary

A. Initial Salary

1. The initial salary for the Executive Director shall be established via employment contract with the TPA Board.
2. The initial salary for all other employees shall be established by the Executive Director; shall be within the established pay range for the position; and shall be memorialized via offer letter from the Executive Director that is accepted in writing by the employee.

B. Annual Cost of Living Adjustment (COLA)

1. Subject to budget availability, a COLA shall be calculated annually between June 15 and June 30 and applied to first pay period commencing after July 1.
2. The CFO calculates the COLA in accordance with budgetary availability and consistent with the Governing Board's policy. The CFO then applies the percentage of change to the current salary for all existing employees (including the Executive Director) and to the minimum and maximum pay rates for each TPA staff position.

C. Annual Performance Increase

1. Annual performance increases for the Executive Director shall be as determined by the TPA Board.
2. Subject to budget availability, performance increases for all other employees shall be calculated annually between June 15 and June 30 and applied to first pay period commencing after July 1.
3. An employee who is satisfactorily meeting their performance standards will receive a percentage-based merit increase. For employees performing at a satisfactory level, a bi-annual pre-evaluation meeting may be scheduled at the discretion of the supervisor.
4. An employee who is not meeting their performance standards will not receive a merit increase. However, in such case, the employee will be provided advance notice of their deficiencies in a mandatory pre-evaluation meeting scheduled by a supervisor. The supervisor will detail the

area(s) to be corrected with sufficient notice before the receipt of the annual performance evaluation so that the employee has an opportunity to address the issue(s).

5. Each supervisor performs an annual review for subordinate employees, which will be reviewed by the Executive Director before issuance.
6. The Executive Director determines the amount of the merit increase, in consultation with the CFO. The CFO applies the performance raise for each existing employee to the current salary for that employee.
7. Employees at the max range of their position who are eligible for a merit increase will receive the amount in a lump sum.

D. Promotion/Reclassification/Demotion

1. Adjustments in salary due to any of the above actions shall be established by the Executive Director; shall be within the established pay range for the new position; and shall be memorialized via memo from the Executive Director to the employee with a copy to the CFO.

3.3 Benefits

A. Continuation of Group Health Insurance Coverage

1. Employees and their dependent(s) ("qualifying beneficiary") who would otherwise lose insurance coverage in any TPA's sponsored group health plan because of a "qualifying event" are eligible for continuation coverage under existing COBRA Law or Florida Health Insurance Coverage Continuation Act as applicable.
2. The law provides continuation coverage equal to the coverage applicable to active employees for a limited time period. However, under the law, employees must pay the full premium amount plus an administrative fee (which may be up to 115% of the group rate).
3. "Qualified beneficiary" includes:
 - a. A covered employee, except if the employee is terminated for gross misconduct;
 - b. The spouse of the covered employee;
 - c. The dependent child(ren) of the covered employee.
4. "Qualifying events" include the following:
 - a. A covered employee's termination of employment for any reason other than gross misconduct;

- b. A covered employee's hours are reduced to fewer than the number of hours required for coverage under the plans;
 - c. A covered employee's death;
 - d. A covered employee's legal separation or divorce from their spouse;
 - e. A covered employee becomes entitled to Medicare; or
 - f. A covered dependent child ceases to qualify as dependent under the terms of the plan.
- 5. If either the employee or their dependent children elect to continue coverage through the TPA's Group Insurance Plan, the continuation coverage will be identical to the coverage provided to all other employees and dependents covered by the plans for whom a qualifying event has not occurred. No evidence of insurability will be required in order to continue coverage.
 - 6. The maximum continuation period for a qualified beneficiary is 18 months, except in the event of total disability, in which case, up to 29 months can be granted.
 - 7. Continuation coverage will be terminated before the end of the maximum period of continuation coverage and cannot be reinstated for any covered person if the following occur:
 - a. Payment for the coverage is not received on a timely basis;
 - b. The maximum continuation period ends;
 - c. They become covered by another group plan through employment;
 - d. They become entitled to Medicare benefits; or
 - e. The TPA ceases to provide the coverage for any employee.
 - 8. The qualified beneficiary must give written notice to the insurance carrier within 63 days after the occurrence of a qualifying event.
 - 9. The insurer, not the TPA, is responsible for complying with the laws notice requirements.
 - 10. Concerned employees and retirees should contact the Executive Director for additional detailed information concerning cost, election, conversion, and notice provisions. Continuation of benefit provisions are subject to changes in state or federal law.

B. Retirement Savings

1. FRS Administration

- a. Employees may choose to participate in the FRS Pension Plan or the FRS Investment Plan. Employees, by default, will be designated in the Investment Plan as new hires. New hires may use the election period to switch to the Pension Plan without penalty.
- b. Pursuant to Florida Statutes, employees must contribute three (3) percent of their gross compensation on a pre-tax basis toward their retirement plan. This contribution is deducted from each employee's salary and the resultant payment is made by the TPA to the FRS administrator on the employee's behalf.
- c. For further details on the FRS Pension or Investment Plans, log on to myFRS.com.
- d. The Deferred Retirement Option Program (DROP) is a program through FRS that allows employees to retire and begin accumulating retirement benefits, without terminating employment, for up to 60 months from the date an employee first reaches normal retirement. This program is only available for employees enrolled in the FRS Pension Plan. While participating in DROP, employee's monthly retirement benefits remain in the FRS Trust Fund, earning tax deferred interest while an employee continues to work. Employees do not earn additional service credit for retirement during the DROP period. In order for an employee to obtain DROP benefits, they must terminate all employment with FRS employers when their DROP participation ends.
- e. Employees interested in retirement should notify their supervisor or Executive Director no later than three months before the anticipated retirement date.

C. Professional Memberships

- 1. Payment of professional dues or certification is permitted when membership in a professional organization is related to the duties and responsibilities of the employee's position. The TPA encourages employees to achieve professional recognition, standing and accreditation.
- 2. There are a number of professional categories in which employees may become certified or licensed, including but not limited to AICP and P.E.
 - a. Annual dues are paid for up to two (2) professional affiliations per employee. Additional affiliation dues or certifications may be paid solely at the discretion of the Executive Director.
 - b. Employees may be reimbursed for approved professional exam fee upon successful completion.

D. Public Service Loan Forgiveness

- 1. Employees are eligible for the Public Service Loan Forgiveness (PSLF) Program, which forgives the remaining balance on your Direct Loans after you have made 120 qualifying monthly payments under a qualifying repayment plan while working full-time. Employees with

questions regarding the PSLF Program are directed to the Office of the United States Department of Education Federal Student Aid website.

E. Employee Recognition Program

1. The TPA values the contributions, knowledge, and experience of its employees. Employee recognition awards have certain tax implications. Although there are exceptions, awards employees receive are generally taxable and shall be reported as additional earnings as required by the Internal Revenue Service (IRS) Internal Revenue Code.
2. Years of Service Awards
 - a. An employee eligible for a Years of Service award will be notified no later than two (2) weeks prior to their annual anniversary and given an opportunity to select a gift from an approved vendor for up to \$20 multiplied by the years of service. The Executive Director will coordinate with the Finance Department to purchase the desired award. Employees will be recognized at the next regularly scheduled staff meeting for their achievements.
 - b. The TPA Executive Director is not eligible for annual Years of Service awards unless specified in the employment contract.
3. Incentive Leave Awards
 - a. The TPA Executive Director may provide Incentive Leave Awards as deemed appropriate to recognize an employee's extraordinary accomplishment(s).
 - b. If awarded, incentive Leave shall be given in increments of eight (8) hours, not to exceed 32 hours each calendar year. Incentive Leave shall be used by the end of the pay period that includes December 31 of the year in which it was awarded.
 - c. An Incentive Leave Award form shall be completed and saved in the employee's personnel records and provided to the Finance Department for payroll purposes.
4. Birthdays
 - a. The TPA Executive Director may coordinate a birthday recognition activity (*ex.* cake, bagels, donuts, *etc.*) for TPA employees in an amount not to exceed \$25 per birthday. The Executive Director has the discretion to approve awards over the allowable budget.
5. Holiday Gifts
 - a. The TPA Executive Director may coordinate an annual holiday lunch for TPA employees, in an amount not to exceed \$25 per person. Additionally, the TPA Executive Director may coordinate a tangible holiday gift for each TPA employee in an amount not to exceed \$10. The Executive Director has the discretion to approve expenditure over the allowable budget.

F. Personal Health and Well-Being

1. In the TPA's effort to promote employee health and well-being, the TPA may offer a reimbursement of up to \$30 each month for gym/fitness-related memberships, at the discretion of the Executive Director.
2. Fitness-related reimbursements have certain tax implications. Although there are exceptions, these reimbursements are generally taxable and shall be reported as additional earnings as required by the IRS Internal Revenue Code.

G. Employee Assistance Program

1. The TPA will make a reasonable effort to assist employees in locating services for health, marital, family, financial, alcohol, drug, legal, emotional, stress, and related concerns.
2. Employees that seek assistance from the TPA will be provided with a high-level of confidentiality, except when such information is disclosed that would violate the policies outlined in the Handbook.

H. Worker's Compensation

1. Employees are eligible for worker's compensation under Florida law after suffering a compensable illness or injury. Benefits are not paid until after the first seven (7) calendar days of a job-connected illness or injury. If the illness or injury prevents the employee from returning to work for the TPA for more than seven calendar days, then beginning the eighth (8th) calendar day, the employee receives an amount equivalent to 66-2/3% of the average gross weekly salary.
2. An employee who sustains an on-the-job injury or sickness directly related to employment shall be entitled to the currently applicable Worker's Compensation benefits under Florida Statute Chapter 440. This includes medical attention, time loss and wage loss as defined in Chapter 440. Any negligence on the part of an employee shall instead cause use of sick leave accumulations or use of other forms of compensation and time. Failure to use appropriate safety equipment or where there is drug involvement, either of which may have been the cause of an accident, results in at least a 25% reduction in occupational disability payments.
3. The rate of pay utilized in computation for benefits is the amount per hour paid to the employee at the time of the accident.
4. When an employee is injured, the following shall apply:
 - a. The employee shall immediately notify their supervisor of any injury and in all cases at least within twenty-four (24) hours of their occurrence. An executed copy of the DWC-1 must be completed.

- b. The employee must completely cooperate with medical direction, advice and any physical therapy recommended; which is made available from the medical panel of providers. All authorized physical and occupational therapy sessions will be scheduled during the employee's non-duty time, if the employee is otherwise able to work, to the extent possible.
- c. The employee shall apply for any pension benefits (local, state, or federal) to which he is entitled that may result in a substitution of payments normally made by the TPA.
- d. If the worker's compensation physician clears an employee for "light duty," placement in such status shall be at the sole discretion of the Executive Director based on operational needs.

3.4 Leave

A. Planned Leave

1. Employees shall submit requests for planned vacation, sick or comp leave prior to taking of leave pursuant to the following notice periods. A supervisor may grant an exception to the above notice periods due to extenuating circumstances.

Leave Time	Notice
Less than one day	One working day
One to three days	Two working days
Three to five days	Five working days
Over five days	Ten working days

2. Use of Vacation Leave

- a. No vacation leave may be taken without prior approval by the employee's immediate supervisor. Employees may be required to take leave without pay if they have not given proper notice.
- b. All employees will be charged the number of their regularly scheduled daily hours for each workday used for vacation leave.
- c. Use of sick leave for vacation leave purposes is prohibited and will be denied by the supervisor if submitted as such.
- d. Employees may not take vacation leave in the same pay period in which they earn it.
- e. Normally, vacation is limited to no more than two (2) consecutive weeks. Special approval of the Executive Director is needed for a request that will exceed the two (2) consecutive weeks and must be coordinated to ensure the efficient operation of the TPA.
- f. Holidays occurring while an employee is on vacation leave are to be counted as holidays, not vacation leave.

3. Use of Sick Leave

- a. The employee must notify the employee's immediate supervisor or designee in a timely manner each day of the employee's illness.
- b. Employees on approved long-term medical leave (leave longer than 5-consecutive days/40 hours) must make regular contact with their supervisor or designee during this absence.
- c. All employees will be charged the number of their regularly scheduled daily hours for each workday used for sick leave. If employees are on long-term medical leave (consecutive leave over 5 days/40 hours) and exhaust sick leave balances, vacation leave will be used before putting the employee on leave without pay.
- d. Use of vacation leave for sick leave purposes will be approved or denied by the supervisor for short-term leave (5 days/40 hours or less).
- e. Employees may not take sick leave in the same pay period in which they earn it.
- f. Employees utilizing more than three (3) consecutive sick days shall submit medical documentation to their immediate supervisor.
- g. Sick leave cannot be used for vacation or conducting personal business. Accumulated sick leave may be applied to the following:
 1. Absences due to personal illness or injury.
 2. Illness in immediate family requiring the employee to render assistance.
 - a. "Immediate Family" in this context includes spouse, child, mother, father, stepmother, stepfather, and stepchild. The definition of "immediate family" extends to qualified domestic partnerships as well.
 3. Funerals when bereavement leave does not apply or to extend bereavement leave.
 4. Off-the-job injury.
 5. Medical and dental appointments.
 6. Workers' Compensation injuries as a supplement up to the employee's average wages. However, sick leave may not be taken in lieu of Workers' Compensation.

B. Unplanned Leave

1. The employee shall notify their supervisor (or in their absence another member of the Leadership team) via e-mail, Teams message, text, or phone call as soon as possible when unplanned leave needs to be taken and when they expect to return to work. For the purpose

of this policy, unplanned leave is defined as failure to report to work within fifteen (15) minutes of scheduled arrival time.

2. The employee's supervisor shall notify the entire TPA staff via Teams message of the employee's absence for informational purposes only; the nature of the absence shall not be shared.
3. The employee shall notify their supervisor once they arrive at the office. At that time, the employee shall enter the leave taken onto their timesheet and create an appointment on their Outlook calendar. Alternatively, the employee may propose to make up the time during the same workweek by sending an e-mail to their supervisor detailing when the time will be worked. If approved by the supervisor, the employee may work the offsetting time. Otherwise, the employee shall enter the leave taken as previously described.

C. Leave of Absence (with or without pay)

1. From time to time, situations may arise that warrant consideration of placing an employee on a "Leave of Absence." Generally, actions of this nature are rare and must involve unusual or extenuating circumstances. Leaves of Absence may be accomplished with or without pay depending on the situation.
2. With Pay. Upon approval of the Executive Director, leaves of absence with pay may be allowed if such leave is deemed to be in the best interests of the TPA.
 - a. Leave with pay is granted if an employee shows their supervisor or Executive Director a summons for jury duty or a subpoena to appear as a witness, or as an expert witness, on a regularly scheduled workday, provided the employee is not a party to the lawsuit or has a personal interest in the matter, and shall not be charged against vacation leave. Payments received while on leave with pay for Jury Duty, Witness fees and expert Witness Fees must be surrendered to the TPA finance department.
 - b. The Executive Director may suspend an employee with pay pending an investigation, prior to a pre-termination conference or when deemed necessary to the best interest of the TPA.
 - c. For attendance at parent-teacher meetings or student evaluations, employees are permitted two (2) hours leave with pay. Such leave must be approved in advance by the employee's immediate supervisor. Two (2) meetings per year per child are the maximum allowable under this policy. Official documentation of the meeting or evaluation are required to be furnished to the immediate supervisor upon request. This documentation shall not be retained by the TPA.
3. Without Pay. Consideration for Leaves of Absence without pay is contingent upon reason, exhaustion of all other accrued leave as appropriate, and ultimate approval of the Executive Director. Under no circumstances will a Leave of Absence without pay be granted which

exceeds ninety (90) calendar days and without extreme circumstances being involved or unless the situation meets the criteria for extended Leave of Absence without pay as prescribed by Federal, State, or local law applicable to the TPA.

D. Paid Parental Leave

- a. Paid parental leave must be utilized immediately starting the date of the birth, adoption, or qualified placement of a child. Vacation and sick leave will continue to accrue during the period of paid parental leave, and the employee's regular payroll deductions for health insurance, retirement, and all other benefits will continue during the duration of paid parental leave.
- b. Regular full-time employees will be paid at their base hourly rates of pay. Employees who become eligible for pay increases during the leave period will receive their increases as scheduled. If a holiday occurs during paid parental leave, the employee will receive holiday pay in lieu of paid parental leave, but a holiday does not extend the duration of the leave.
- c. Paid Parental leave begins the first full day of a qualifying event and terminates six (6) weeks thereafter. Parental Leave shall be continuous (*i.e.*, consecutive days) but to meet certain business needs of the TPA intermittent use of parental leave may be granted by the Executive Director. In such cases, the intermittent use of parental leave will be limited to five (5) total work days within the six (6) week period. Any unused Paid Parental Leave will be forfeited at the end of the benefit period.
- d. In the event that two TPA employees share a child and are both eligible for paid parental leave at the same time, a staggered leave may be granted by the Executive Director, but in no case will the combined leave extend beyond twelve (12) weeks following the birth, adoption, or qualified placement of the child.
- e. An eligible employee must submit a completed Paid Parental Leave form, to be furnished by the Executive Director, at least thirty (30) days prior to the anticipated date of the leave. To the extent the 30-day notice is not possible, the employee must submit the completed documentation as soon as possible to the finance department.
- f. An eligible employee will be required to furnish proof of birth; appropriate adoption or foster care documentation, such as a letter from the respective agency, or from the attorney in cases of private adoptions; or proof of status of in loco parentis or legal guardianship.
- g. In the event an employee wishes to extend the Paid Parental Leave period through the use of sick or vacation leave, a written request must be submitted to the Executive Director at least two (2) weeks before the anticipated extension. Extension of leave is at the discretion of the Executive Director. At no time may an employee use unpaid leave to extend the Paid Parental Leave period.
- h. Surrogate mothers and sperm donors are excluded from coverage under this policy as are parents who elect to place their newborn child/children for adoption.

- i. Employees returning to work from Paid Parental Leave must present written documentation from their physician that certifies their ability to resume their duties and lists any restrictions. Non-birthing mother employees are not required to provide a physician's release.

3.5 Conduct

A. Work Schedule

1. The standard full-time workweek is forty (40) hours, five (5) days per week, Monday through Friday from 8 a.m. to 5 p.m. with one (1) hour for lunch daily. However, the employee's work schedule may vary based on the job description and TPA needs. The TPA must maintain adequate staff coverage during the workweek. Deviations from the standard schedule must be approved by the Executive Director though generally will be limited to a 30-minute maximum (*e.g.*, 7:30 a.m. start and 5:30 pm end). Exceptions may be made by the Executive Director for exigent circumstances.
2. The Executive Director shall set their own schedule and communicate that information via the office shared calendar.
3. Lunch. All employees are required to take an unpaid lunch break of a minimum of thirty (30) minutes. Taking time to eat a healthy mid-day meal will help employees be productive all day.
4. Breaks. Employees are entitled to a fifteen (15) minute rest break mid-morning and mid-afternoon to step away from their workstation that are paid. Break periods are a benefit, not an entitlement or guarantee; no one is required to take a break. Breaks are for the purpose of allowing employees to refocus themselves and not to "make up" for time lost from tardiness, leaving early, or extending the lunch period. No breaks may be taken during the first or last 1.5 hours worked. All paid breaks must be taken on the premises in a reasonable distance from the workstation to afford employees adequate time to rest and return to their workstation. Employees should not frequent public retail areas off premises on paid breaks, as the rest period time is covered under Workers' Compensation.
5. A breastfeeding mother shall be provided access to a private room to express milk for her nursing child for up to one (1) year after the child's birth.
6. Flex Time. The Executive Director has the option to grant flex time based on the following:
 - a. Employees may only request flex time based on a discrete event that has caused them to deviate from their regular work schedule (*e.g.*, the employee was required to work four hours for a weekend event and is, therefore, requesting to leave four hours earlier the following business day). Flex time shall be approved in advance and will generally be granted on a case-by-case basis by an employee's supervisor based on staffing coverage. Flex time must occur within the same pay period.

- b. Employees cannot request flex time due to attendance at professional development or conference event outside of the employee's work schedule.
 - c. Employees are required to work a minimum of 40 hours per week or 80 hours per pay period, so flex time does not reduce the total number of hours worked in a given week or a pay period.
- 7. Flex time procedures shall, at all times, be in compliance with TPA policy and procedures.
- 8. Remote Work Time. Employees may be granted the privilege to work remotely for a total of eight (8) hours per week or a total of sixteen (16) in a pay period, provided remote work does not interfere with required in-person activities. Remote Work shall be based on the following:
 - a. Employees requesting special accommodations for a longer timeframe shall submit a written request to the Executive Director for review and approval.
 - b. Employees shall check in and out with their supervisor at the start of the day and during scheduled breaks via Microsoft Teams.
 - c. Each team (Finance, Administration, Public Relations, Multimodal Development and Program Development) may be directed to work a staggering schedule to ensure adequate coverage is maintained in-person at the TPA office.
 - d. Employees that have submitted a resignation letter are not permitted to work remotely on their last scheduled workday.
 - e. Remote work is not a substitute for dependent care. Remote work is not an option on a regular and ongoing basis to provide dependent care. In the event of illness or extenuating circumstances, and on a case-by-case basis, supervisors may approve remote work for employees who need to be home to care for dependents.
 - f. Some positions are ineligible for remote work privileges due to the nature of the job duties.
 - g. Employees needing to conduct personal business while working remotely shall follow the appropriate leave procedures as outlined in section 3.4 of this Handbook.
- 9. Employees must be with the agency a minimum of three (3) months before being eligible for requesting remote work.
- 10. Employees wishing to work remote shall submit a request in writing to their immediate supervisor no more than (7) days prior to the request once they have confirmed remote time will not interfere with required scheduled in-person work activities. Requests will be approved on a first-come, first-served basis. Supervisors shall take into consideration the TPA's office needs and the employee's attendance record when reviewing said request. There is no guarantee a request will be approved.

11. Employees shall not schedule remote time and request to flex time during regularly scheduled office or team meetings in which their presence is required, such as the All Staff meeting, in-person trainings, or similar physical meetings involving their duties or workgroup, such as the TPA Board or Committee meetings.

B. Attendance

1. Regular employee attendance and punctuality is considered essential into the continuing success of the TPA. The TPA institutes the follow guidance in order to ensure fair, impartial, equitable and consistent treatment for all employees.
2. Employees are expected and required to be prepared to work at their designated work locations at the scheduled starting time during their assigned work hours. Employees are also expected to remain at work for the entire work period, excluding rest and meal periods.
3. TPA employees may be subject to disciplinary action in cases of repeated tardiness, excessive absence, failure to report to work as scheduled, or abuse of leave policies.
4. Supervisory personnel have the ultimate responsibility for monitoring employee attendance and managing absenteeism and tardiness through appropriate action. The supervisor's attitude and actions towards absenteeism and tardiness will directly affect the attitudes of employees regarding regular and timely attendance. Supervisors are responsible for establishing expectations, enforcing TPA policy and exemplifying regular and timely attendance, and set appropriate examples and should be vigilant in enforcing this policy.
5. Absence from work for the equivalent of three (3) consecutive working days without proper notice or approval by the employee's immediate supervisory shall be considered as voluntary resignation, and the employee may be subject to immediate dismissal.

C. Dress Code

1. TPA employees should dress in a professional manner consistent with good hygiene, safety, and good taste. Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the TPA presents to the public. Employees whose jobs require them to meet vendors, government officials or the public are expected to wear apparel consistent with that worn by persons dealing with the public in similar capacities.
2. The TPA follows a business casual dress code Monday –Thursday unless circumstances dictate otherwise. Business professional attire is expected when attending any type of business meeting. Casual attire is permissible Friday but must be governed by good personal judgment based on the individual employee's duties for the day. Casual attire may also be worn if an employee is doing fieldwork on a specific day and has no other outside meetings.

3. If an employee has a health condition or religious accommodation that warrants an exception to the normal dress code, they will need to disclose this information to the designated TPA representative for documentation in their personnel file.
4. If a supervisor deems an employee's dress inappropriate, they shall be sent home to change and must use vacation leave.

D. Workspaces

1. All employees are expected to maintain order in their offices or workspaces. Individual work areas may be decorated if they maintain a professional appearance. Employees must be aware of good health and safety standards, including fire and loss prevention. Insurance coverage for employee's personal property for radios, paintings, plants, *etc.* is not included in the TPA's insurance policy for losses from fire or theft.
2. Plants, with a container for water placed beneath, can enhance the working environment but will be the employee's responsibility. If plants are deemed unsafe or unsightly, the employee will be asked to dispose of it properly.
3. Employees are to put all litter and recyclable materials in the appropriate receptacles and containers.
4. Employees may eat at their desk if doing so does not interfere with the work of others. However, extreme caution shall be taken due to the presence of electronic equipment and paper documents.
5. Employees shall be respectful of their fellow coworkers and should refrain from loud conversations, whistling, singing, playing loud music, drumming on their desks, *etc.* Concerned employees shall report these disturbances to their immediate supervisor.
6. Employees shall report anything that needs repairing or replacing to the Executive Director immediately.
7. The Executive Director shall maintain a spare key to all offices and workstations, including any file cabinets or lock boxes.

E. Common Areas

1. It is expected for each employee to contribute to the tidiness of all common areas including the cafe, conference rooms, bathrooms, showers, lockers/bike storage area, and copier areas. This includes, but is not limited to, cleaning up after a meal break, loading and unloading of the dishwasher, refilling shared coffee appliances, cleaning spilled messes in the shared appliances, and storing personal belongings, including bicycles, properly. Staff may occupy up to one personal locker as available to promote employees engaging in active

transportation. If shared closet space is provided for temporarily hanging professional attire, it shall not include more than two hangers per employee.

2. TPA administrative staff shall run the dishwasher with the added sanitizing option no later than 5:00 p.m. daily. It is the responsibility of each employee to ensure their items are placed into the dishwasher before it begins. Employees shall refrain from interrupting the cleaning cycle.

F. Remote Work

1. Employees working remotely are subject to the same policies and procedures as established in this Handbook.
2. Equipment. TPA employees have agency-issued laptops that may be used for remote work. The TPA will determine, with information supplied by the employee and their supervisor, if additional is needed for each remote work arrangement and shall provide the necessary hardware and software at no cost to the employee.
 - a. Equipment supplied by the TPA is to be used for work-related business only and may not be used by anyone other than the remote work employee.
 - b. All equipment provided remains the sole property of the TPA and it is the responsibility of the employee to return any and all equipment to the TPA in a timely manner.
 - c. Surge protectors must be used with any TPA owned computer.
 - d. The employee must repair or replace lost, damaged, or stolen equipment if the employee has not taken appropriate precautions to safeguard the equipment.
 - e. Employees utilizing their privately owned computer/laptop can access the TPA's files and emails online using established credentials.
 - f. No compensation will be made to the employee for any electric, heating/air conditioning, or wear and tear related expenses at the employee's alternate workspace. The TPA office will not pay for or provide reimbursement for internet access or long-distance telephone calls made on the employee's personal phone.
3. Workspace. Employees working remotely are required to set up a dedicated alternate work area that is safe for the employee and others entering it. The workspace must be free from hazards and other dangers to the employee and equipment. Any materials taken to the alternate work location should be kept in a designated work area and not easily accessible to others. Employees are responsible for providing office furnishings – such as desks, chairs, and lighting – at their own expense. The TPA provides common office supplies – such as paper, pencils, pens, and batteries – for employees to use in their off-site locations.

4. Virtual Meetings. Following established virtual meeting etiquette is a requirement for successful remote work. The use of cameras during virtual meetings is strongly encouraged. This allows the participants to maintain effective verbal and non-verbal communication. Employees should mute their microphones when not speaking to eliminate any potential background noise during meetings. When the camera is enabled, the background is to be professional. If there are visual distractions, the background can be blurred, or the employee can add a professional background as provided in the TPA Branding folder.
5. Employees are expected to be available by phone, Teams, and email when working remotely. The employee is primarily responsible for maintaining effective communication and workflow among outside agencies, coworkers, and their supervisor. Communication should allow remote work to appear invisible to outside agencies, ensuring that outside agencies are not inconvenienced in their dealing with the employee or the TPA.
6. Employees are to conduct work-related meetings via telephone or web-based interface such as Zoom or Microsoft Teams. In person meetings are not to be held at the employee's remote work site.
7. Employees are required to report to the TPA office at the request of their supervisor or Executive Director with minimal notice. Unless alternate arrangements have been approved by an employee's supervisor, an employee working remotely should establish a workspace within their home county based on the address on file with the TPA.
8. Employees working remotely during work hours and while performing work functions in the designated work area of the home shall be covered by Worker's Compensation.
9. Employees wishing to work remotely shall complete a Remote Work Acknowledgement Form and submit it to the Executive Director.

G. Drug-Free Workplace Policy

1. The TPA is committed to providing a safe work environment and promoting the wellbeing and health of its employees. Employees are prohibited from the unlawful manufacture, sale, dispensing, possession, or use of a controlled substance, as defined under either federal or state law.
2. Employees are urged to report knowledge or suspicion of other employees violating this policy to their immediate supervisor or the Executive Director.
3. Employees are subject to the Alcohol and Drug Testing as outlined in Section 3.6.J.

H. Disclosure of Information

1. Employees shall not furnish or use TPA information that is not available to the general public for personal advantage. This does not limit, hinder or prevent disclosure of such information

in performing official duties by those employees specifically charged with such responsibilities or so designated.

I. Solicitations

1. The TPA may limit solicitation in the office by any organization, group, or individual, whether or not members of the TPA staff, unless prior approval is given by the Executive Director. The TPA recognizes that employees have interests in events and organizations outside the workplace. Employees may not solicit or distribute literature related to these activities during working hours.

J. Gifts/Discounts

1. Employees shall not accept gifts, either monetary or non-monetary, as consideration for the performance of their duties or that are intended to influence them in the performance of their duties.
2. Food gifts received at TPA office given at holiday times or other times shall be shared with all those working within the TPA office.
3. Employees shall not solicit discounts for goods or services as a result of their position with the TPA other than those discounts that are available to the general public. In addition, TPA employees shall not accept discounts for goods or services as consideration of the performance of their duties or that are intended to influence them in the performance of their duties.

K. Children in the Workplace

1. The TPA is a family friendly work environment and children are welcome for visits or to be in the office during the workday as the occasional need arises. However, the TPA does not substitute for childcare. This policy is established to avoid disruptions in job duties of the employee and co-workers, reduce property liability, and help maintain the TPA's professional work environment.
2. Management has the authority to deny the presence of children in the workplace. Management may revoke previously granted permission for an employee to bring the child to the workplace for a variety of reasons (*e.g.*, the child's presence is determined to be a safety risk, disruptive to the workplace, *etc.*).

L. Pets in the Workplace

1. The TPA strives to provide a safe work environment for its employees and visitors. TPA employees shall refrain from bringing their pets into the workplace unless prior approval is given by the Executive Director.

2. The Executive Director has the sole discretion to allow pets into the workplace for specific events such as "Take Your Dog to Work Day." In these instances, employees wishing for a reasonable accommodation to avoid contact with said animal shall submit a written request to their supervisor for Remote Work allowance as outlined in Section 3.5.F.

M. Personal Mail/Deliveries/Calls/Visitors

1. The TPA is not in the position to handle and/or distribute the personal mail or deliveries of its employees. All employees should advise correspondents, businesses, *etc.* that personal mail is to be delivered to their home address and not to their place of work.
2. The receiving or making of personal phone calls and the receiving of personal visitors at the TPA should be kept to a minimum. These should not disrupt the work environment or take away from work time. Employees may be required to reimburse the TPA for any charges resulting from their personal use of the telephone.

N. Internet Use

1. Use of the internet on TPA computers on TPA time for non-TPA business should be kept to a minimum. Employees are further required to comply with the provisions set forth below:
 - a. Performance of Job Responsibilities. Employees should use the Internet to accomplish job responsibilities more effectively and for business and work-related communication only. Examples of job-related responsibilities are accessing external databases, searching online public access information, disseminating documents to individuals or groups, and gaining access to software user support information.
 - b. Professional Development. Employees may use the Internet to pursue professional and career development goals. Examples of appropriate use include communicating with members of work-related professional organizations and reviewing information on professional or career development topics.
 - c. Privacy and Confidential Information. Internet accounts are to be accessed only by the authorized user of the account. Confidentiality of passwords and user accounts must be protected. Employees will have no expectation of privacy in both sending and receiving electronic messages and information on the Internet. Employees on the Internet will respect the privacy of other users and will not intentionally seek information on, obtain copies of, or modify files, other data or passwords belonging to other users, or represent themselves as another user.
 - d. Copyright Laws. Employees must comply with copyright, licensing, contract, local, state, and federal licensing laws for materials, software, and other media. In addition, employees should obtain appropriate approval prior to making information available via Internet services.

- e. Security. Employees are prohibited from developing programs that harass other users or infiltrate a computer or computing system or that damage or alter software components of a computer or computing system
 - f. Lawfulness. Employees may not transmit any material in violation of any Federal, State, or local law, ordinance, regulation, or policy. This policy prohibits unlawful or inappropriate communications, including but not limited to sexually, racially, or ethnically offensive comments, jokes, slurs, disparagement of, or threats to others.
 - g. Miscellaneous. Employees may not view or transmit obscene, pornographic, suggestive, or offensive graphical images. Employees may not conduct commercial activities, download or utilize non-business software including games or entertainment software, or conduct activities resulting in, or relating to, personal gain or for profit enterprise.
- 2. The TPA reserves the right to monitor Internet communication and activity at any time, without prior notice, and to access and examine information in an employee's computer at any time to ensure that system is being used in accordance with these policies. Employees are hereby notified that their individual online or Internet activities may be automatically logged by a network surveillance system and later reviewed by authorized TPA personnel for compliance review purposes.
 - 3. Violations of this policy may result in termination of access to the Internet, employment termination, criminal and/or civil penalties or other legal action against the employees.

O. Social Media

- 1. This section applies to all communication on social networks including, but not limited to posts, pictures, video, audio, podcasts, blogs, nonnative applications on social networks, e-mail, files, RSS feeds, and personal websites that transact TPA business, news services, chat rooms, *etc.*
- 2. The TPA does not prohibit employees from creating, obtaining, or using personal social network accounts.
- 3. Employees are prohibited from doing the following using personal social network accounts:
 - a. Posting discriminatory remarks, harassment, threats of violence, *etc.*
 - b. Engaging in political activity or private business interests during working hours.
 - c. Suggesting either directly or indirectly that the TPA endorses a commercial product or service, unless approved by the Executive Director.
 - d. Posting, transmitting, discussing, or otherwise disseminating information to which they have unique access by virtue of their employment.

- e. Speaking on behalf of the TPA unless they have prior written authorization from the Executive Director.
 - f. Posting, transmitting, discussing, or disseminating confidential or proprietary information.
4. Any employee who is aware of an online posting on a social media page by a TPA employee that violates any provisions of this policy should notify their supervisor immediately.
 5. Employees should not have a reasonable expectation of privacy when using social networks on TPA devices because the information may not be secure and is viewed and shared by third parties. Nevertheless, the TPA will comply with all applicable State and Federal laws as pertains to electronic monitoring of employee communications.

P. Political Activities

1. Employees are prohibited from taking an active part in a political campaign while on duty or during the time at which the employee is expected to perform services for which compensation is received from the TPA.

Q. Outside Employment

1. An employee may engage in outside employment (including self-employment) with the approval of the Executive Director and with the understanding that the employee's primary duty, obligation, and responsibility is to the TPA.
2. Outside employment shall not be permitted when the Executive Director determines that such outside employment would result in a conflict of interest, interfere with the employee's TPA work schedule, or otherwise be a conflict with the employee's employment with the TPA.
3. An employee must report all injuries sustained during any outside employment to their supervisor at the TPA prior to the employee's next scheduled workday at the TPA. Employees who sustain injuries while they are engaged in outside employment are ineligible to receive benefits under the TPA's Workers' Compensation coverage.
4. Work for an outside employer may not be performed while the employee is on duty.

R. Discrimination and Harassment

1. The TPA is an Equal Employment Opportunity employer. The TPA does not discriminate in employment on the basis of race, color, national origin, religion, age, sex (including pregnancy), sexual orientation, gender identity, veteran status, disability, physical handicap marital status, genetic predisposition or carrier status, status as a domestic violence victim, or any other characteristic protected by applicable federal, state or local laws, except where such factor is a bona fide occupational qualification or is required by law. This policy applies to decisions, actions, and practices that occur in the course of recruitment, hiring, testing,

promoting, demoting, reclassifying, transferring, wages, benefits, working conditions, performance evaluations, training opportunities and discipline. All actions will be based solely on merit and fitness.

2. It is expected that all employees act responsibly in fulfilling the TPA's commitment to working in an environment totally free of discrimination and/or harassment. To that end, it is also expected that employees will prudently avail themselves of the mechanisms provided by this directive.
3. It is the responsibility of all supervisors to ensure that discrimination and/or harassment does not take place. At a minimum, supervisors are required to immediately correct any problems that may arise. Supervisors are responsible for maintaining a work environment that is free from discrimination and/or harassment, as well as any other conduct that creates a hostile work environment for any individual.
4. The TPA recognizes that invalid, unfounded or false accusations of discrimination and/or harassment can have serious effects on innocent individuals. Therefore, the TPA shall thoroughly, and as confidentially as possible, investigate any and all complaints of discrimination and/or harassment to determine the most appropriate disposition.
5. Harassment and discrimination participants fall into three categories: the alleged offender, the alleged victim, and any witnesses. Any of the three can be found in violation of this directive. Violation of this directive includes participating in discriminatory and/or harassing practices, permitting subordinate employees to engage in such practices, filing false charges or malicious complaints, or retaliating against employees who report instances of discrimination and/or harassment. This directive constitutes a "zero tolerance" policy.
6. The Executive Director or designee shall serve as the TPA's Equal Employment Opportunity (EEO) Officer. The EEO Officer is charged with implementing the TPA's EEO Policy, including receiving discrimination complaints, conducting investigations, as well as ensuring the TPA's compliance with federal and state laws. The EEO Officer will also:
 - a. Ensure that designated employees are adequately trained in EEO laws;
 - b. Supervise the EEO-related activities of investigators; and
 - c. Ensure that EEO policies are prominently posted or otherwise provided to employees in accordance with the law.
7. Unlawful Harassment-Generally
 - a. Employees shall not commit acts of sexual or other unlawful harassment and shall not create, or cause to be created, a hostile work environment in the performance of their work for the TPA.

- b. The term "harassment" includes, but is not limited to, slurs, jokes, and other verbal, graphic, or physical conduct relating to an individual's race, color, sex, religion, national origin, citizenship, age, or disability. "Harassment" also includes sexual advances, requests for sexual favors, unwelcome or offensive touching, unnecessary comments as to another's sexual preferences or behavior, and other verbal, graphic, written (*e.g.*, e-mails or text messages), or physical conduct of a sexual nature.
- c. No employee should be subjected to derogatory verbal or nonverbal references regarding their race, gender, national origin, religion, age, disability, or any other legally protected status. No employee shall be subjected to unsolicited, offensive and unwelcome sexual overtures or conduct (verbal or physical). Such conduct, whether committed by supervisors or non-supervisory personnel, is specifically prohibited by state and federal law, as well as by this directive.

8. Sexual Harassment

- a. Sexual Harassment refers to unwelcome behavior of a sexual nature that is personally offensive, deliberate, and repeated. It includes sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Such harassment may be verbal, nonverbal or physical, and is illegal when:
 - 1. Submission to such conduct is made implicitly either a term or condition of employment;
 - 2. Submission to, or rejection of, such conduct by an individual is used as the basis for employment decisions affecting the individual; and/or
 - 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.
- b. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior, which is not welcome, which is personally offensive, which debilitates morale, and which interferes with work effectiveness. Some behavior that may be acceptable in social settings is not appropriate in the workplace and is considered insulting and demeaning to the victim. In addition, no one should imply, joke about, or threaten that an applicant or individual's employment, assignment, compensation, advancement, career development or any other term or condition of employment is subject to submission or acquiescence to sexual harassment.
- c. Acts of sexual or other unlawful harassment or that give rise to a hostile work environment shall be immediately reported to their immediate supervisor or the Executive Director by anyone who has knowledge of such activities. Complaints of harassment will be investigated promptly and in as confidential a manner as permitted by law.

- d. Any TPA employee bringing a complaint of harassment or assisting in the investigation of such a complaint will not be adversely affected in terms and conditions of employment. Nor shall any employee take any action against a complainant that is intended to discourage the complaint.

9. Americans with Disabilities

- a. Any employee with a disability who believes that they need a reasonable accommodation to perform the essential functions of the job should contact the EEO Officer or designee.
- b. Where an employee or applicant has requested a reasonable accommodation consistent with this Handbook or law and is denied, a complaint may be made pursuant to the Complaint Procedure, outlined in Section 3.3.P(13) herein. The employee or applicant has the option to proceed directly to Step 3 of the process, whereupon their immediate supervisor or the Executive Director shall meet with the employee or applicant and any pertinent employees to evaluate the eligibility or reasonableness of the request.
- c. If the employee cannot perform the essential functions of their current position due to permanent restrictions from a disability, and if a reasonable accommodation cannot be made, which would allow the employee to perform the essential functions, the Executive Director shall search all position openings for which the employee may be qualified. If the employee is qualified for any open position, which is a lateral or lower position, the employee shall be offered that position if it does not violate any seniority rights of other employees. If the vacancy is a higher position, the employee must apply and compete through the normal promotional process.
- d. If the disability was due to an injury compensable under Workers' Compensation and no vacant position is available when the employee reaches maximum medical improvement, the employee may be terminated or subject to other employment action.

10. Religious Accommodation

- a. The TPA will take action to provide reasonable accommodations for religious observances, beliefs and practices, unless it creates an undue hardship. Reasonable accommodation may include modification of schedules, relaxation of dress code policies or religious expression.
- b. Where an employee or applicant has requested a religious accommodation consistent with this Handbook or law and is denied, a complaint may be made pursuant to the Complaint Procedure, outlined in Section 3.3.P(13) herein.

11. Harassment/Bullying

- a. Some acts or remarks may violate this Handbook even if they are not so severe that they violate federal or state discrimination laws.

- b. Harassing/Bullying conduct includes repeated behavior occurring in the course of work that impairs the ability of an employee to perform work duties or is reasonably perceived as being so severe and/or objectively offensive to have that effect. This includes, but is not necessarily limited to, acts that are reasonably perceived as being humiliating, dehumanizing, hostile, intimidating, or physically aggressive. These acts may be identified by the following behavior directed at an employee or group of employees:
 - 1. Yelling, screaming and/or using a very aggressive tone.
 - 2. Use of derogatory remarks, insults, and epithets.
 - 3. Publicly displaying offensive material.
 - 4. Ignoring, isolating, or segregating an employee.
 - 5. Sabotaging or undermining work performance.
 - 6. Making or publishing any false or malicious statement, which is not directly related to the employee's responsibilities and is intended to, or is likely to (regardless of intent), negatively impact the professional standing, emotional well-being, or reputation of the person or persons being discussed.
- c. The legitimate and reasonable exercise of management rights should not be construed to constitute bullying or harassment. These actions may include:
 - 1. Evaluating an employee's work performance. Though the information may be troubling and critical, conveying said information does not constitute bullying or harassment.
 - 2. Issuing directives about work duties.
 - 3. Making justifiable decisions related to recruitment, selection, and other employment opportunities.
 - 4. Enforcing implemented workplace policies, if applicable.
- d. Any acts of harassing/bullying should be reported using the procedure for reporting harassment that is detailed below in Section 3.4.P(13) herein.

12. Violence in the Workplace

- a. Violence in the workplace is not permitted. Employees shall not commit or threaten to commit any misdemeanor or felony on the premises. Engaging in criminal conduct, committing acts of violence, inciting acts of violence, or making threats of violence toward anyone on the premises is grounds for termination. When representing the TPA, horseplay, fighting, or negligent damage of property are grounds for termination.

- b. Employees who are aware of a workplace violence incident, threat of violence, or an incident that is about to take place, have an obligation to report that information to a supervisor or Executive Director verbally or in writing.
- c. The supervisor or Executive Director shall document the reported act(s) of violence including the affected parties and witnesses in writing and take appropriate action including notification of law enforcement if necessary.
- d. To ensure that the TPA maintains a workplace safe and free of violence for all employees, employees are prohibited from possessing deadly weapons on TPA property, except as authorized under Florida law. This policy applies to all TPA employees as well as visitors and customers on TPA property. Deadly weapons include, but are not limited to, firearms, explosives, and knives. The term "possession" is defined to mean in lockers or toolboxes, in an employee's personal possession, or anywhere else on TPA property, unless such possession is authorized under Florida law. Employees who violate this policy will be subject to disciplinary action up to and including immediate dismissal.
- e. TPA employees involved in personal disputes with internal or external individuals may lead to the issuance of injunctions, restraining orders, and other Court Orders are sought. In order to maintain the safest possible work environment, employees should include their work locations upon the issuance of any restricting Court Order. Employees are encouraged to inform the Executive Director as well as their supervisors immediately in these cases and provide a copy of the Order. Even in the case where an employee has not yet secured a Court Order but has reason to fear for his/her personal safety, reporting of these concerns to the supervisor or Executive Director is of great importance.
- f. The TPA can request the cooperation of an employee to conduct a search of personal property such as packages, briefcases, purses and similar containers as well as private vehicles parked on TPA property if there are reasonable grounds and a credible witness(es) who believe that an employee may be in violation of the TPA's Violence in the Workplace policy. Employees who are unwilling to have personal property searched must immediately remove said property from TPA premises if ordered to do so.
- g. TPA supervisory and managerial staff have a right to enter or search TPA property with or without prior notice to enforce its Violence in the Workplace policy. TPA property includes desks, lockers (even with privately owned locks), office equipment such as copiers, fax machines, computers, telephones, and E-mail. As a consequence, any area is subject to monitoring and/or search. Any misuse of TPA property in connection with an act or threat of violence may be used in support of disciplinary action or criminal prosecution even following a first offense.

13. Complaint Procedure. The following procedures should be followed when an employee or applicant thinks they are the victim of discrimination and/or harassment:

- a. Step One. Anyone who believes that they may have been subjected to discrimination and/or harassment should, whenever reasonably possible, first inform the offending party that such behavior is offensive and will not be tolerated.
 - b. Step Two. An employee who believes that they are the victim of discrimination and/or harassment sexual harassment or that they are being unreasonably interfered with by such conduct is required to promptly report the conduct to their immediate supervisor or the Executive Director, without fear of reprisal. "Promptly" means within five (5) business days of the event giving rise to the employee's complaint.
 - c. Step Three. The employee may file a formal, written complaint with their immediate supervisor or the Executive Director. A form for the filing of such complaints, which should be used in all but the most exceptional circumstances, is readily available in the Employee Forms and Documents folder on the TPA shared drive.
 - d. If the supervisor is the offending party, the employee may file the written complaint directly with the Executive Director. If the Executive Director is the offending party, the employee may file the written complaint directly to the TPA General Counsel.
 - e. Step Four: If an employee notifies a supervisor of such a problem, the supervisor shall notify the Executive Director immediately and in writing of the situation and shall provide a copy of the complaint form submitted by the employee.
14. Investigation of Complaints. Complaints will be investigated in as confidential and timely a manner as possible and in accordance with the Public Records Law, Section 119.07, F.S. Information concerning an active complaint will not be released by the TPA to third parties or to anyone within the TPA who is not directly involved in the investigation, except as may otherwise be required by law or by a court of competent jurisdiction. The purpose of this provision is to protect the confidentiality of an employee who files a complaint, to encourage the reporting of all instances, and to protect the reputation of any employee charged with discrimination and/or harassment. All participants involved in an investigation are expected to maintain their involvement in or discussion of the investigation confidential, except insofar as disclosure is required in obtaining or being represented by legal counsel. The failure to abide by this confidentiality requirement constitutes a violation of this directive.
- a. The investigation of a complaint will normally include conferring with the parties involved and any named or apparent witnesses. Tape recorded statements may be taken of any or all of the individuals involved. All employees will be guaranteed fair and impartial treatment, and shall be protected from coercion, intimidation, interference, or discrimination for filing a complaint or participating in an investigation.
 - b. A determination will be made as to whether a complaint is sustained, not sustained or unsubstantiated. A complaint is sustained when there is sufficient evidence presented to reasonably establish that the allegations or charges made are true. A complaint is not

sustained when there is sufficient evidence presented to reasonably determine that the allegations or charges made are not true. Finally, a complaint is unsubstantiated when there is insufficient evidence presented to reasonably determine whether the allegations or charges are true or false.

- c. If a complaint is sustained. Any supervisor is under a continuing duty to take immediate remedial action to stop or prevent discrimination and/or harassment. If the supervisor fails to take such action, and the misconduct was known, or should have been known, to them, the supervisor in question shall be terminated from employment.
- d. Even if the investigation fails to disclose the existence of any discrimination or harassment, the TPA reserves the right nonetheless to take action. Such action may include counseling, a reminder of the TPA's directive, or a written warning. Additional mandatory training will be provided if, in the TPA's discretion, such training is necessary.
- e. Once an investigation has been concluded, the TPA will continue to monitor the employees involved in discrimination or harassment complaints to ensure that no future incidents of discrimination or harassment occur.
- f. Retaliation. Retaliation is prohibited against employees who bring complaints of discrimination and/or harassment or who assist in investigating such complaints. Any employee bringing a complaint of discrimination or harassment or assisting in the investigation will not be adversely affected in terms and conditions of employment. Nor shall any employee take any action against a complainant that is intended to discourage the complaint.

15. Cooperation with Job-Related Investigations

- a. Employees are required to cooperate with respect to any job-related hearing, inquiry, or investigation as a term of their employment with the TPA.

16. Indictments

- a. Employees shall be responsible for immediately notifying the Executive Director whenever information has been filed by a prosecuting official against them for any offense or violation of law (including traffic violations while on TPA business), or if they have been indicted by a Grand Jury.
- b. Employees under indictment for any offense or violation of law shall have such situation reviewed by the Executive Director to determine if it is in the best interests of TPA to:
 - 1. Retain the affected employee in their regular position.
 - 2. Assign the affected employee to other duties until such time as the charge(s) are disposed of by trial, acquittal, dismissal, conviction, or other judicial action.

3. Place on unpaid leave.
4. Suspend or terminate the affected employee.

17. Incarceration

- a. It is the sole responsibility of the affected employee to notify the Executive Director, no later than the first scheduled workday following the incident, of the fact that they have been incarcerated.
- b. Employees who have been incarcerated may be permitted to request available leave as appropriate and/or be subject to action such as described above.

S. Disciplinary Action

1. It is the intent of the Handbook that effective supervision and employee relations will avoid most matters that necessitate disciplinary action. The Executive Director and their authorized representatives shall be charged with the responsibility of enforcing and maintaining proper standards of discipline and personal conduct among their employees and are vested with discretionary authority to practice the methods of discipline that will provide the TPA and the employee the most effective working relationship.
 2. The TPA retains the right to treat each occurrence on an individual basis and without creating a precedent for other cases that may arise in the future. The TPA retains the right to suspend any disciplinary action that it may take, during good behavior for a specified term, at its exclusive discretion. In determining the method of discipline, consideration shall be given to the severity of the offense, the cost involved, the employee's record of discipline, the length and quality of service and other pertinent items of information.
- T. Termination/Discharge/Dismissal. Notwithstanding the above, all TPA employees remain at-will, meaning that the TPA may terminate the employment relationship with or without cause. However, when a termination of employment is for cause, the employee will be offered a predetermination meeting before the termination is made final. The meeting will afford the employee an opportunity to provide additional information before the decision is made final. A predetermination meeting shall be scheduled no earlier than 24 hours from the time the employee is notified of the intent to terminate. Employees may waive the ability to have a pre-determination meeting.
- U. Whistleblower Protection. Employees are encouraged to report:
1. Any violation, or suspected violation, of law committed by a TPA employee, volunteer, official, or organization with which the TPA is doing business if such violation creates a serious and specific danger to the public's health, safety, or welfare.

2. Employees should also report any improper use of public office, waste of funds, or any other abuse or neglect of duty on the part of the TPA, any TPA employee or official or board member. (*e.g.*, employees soliciting bribes in order to resolve code violations; falsifying TPA records to approve items in exchange for payment; continually failing to competitively procure a service, even though the service was available from multiple sources; spending TPA funds to rent space even though sufficient space owned by the agency already exists; and failing to maintain adequate internal controls such that unauthorized and/or inappropriate financial transactions cannot be detected).
3. An employee with knowledge of such actions or activities must report such information to a supervisor, the Executive Director, TPA Board Chair, or the General Counsel. Any of the aforementioned employees receiving such information shall forward it to the Executive Director or any applicable authority within 24 hours. The TPA will provide the appropriate mechanisms to permit employees to confidentially and/or anonymously report such actions or activities.
4. A confidential investigation will thereafter be initiated on the authority of the Executive Director. Retaliation against an employee who reports any violation, suspected violation, improper use of office, waste of funds or any abuse is prohibited. Nevertheless, disciplinary action may be taken against an employee who knowingly makes a false or malicious report.
5. The TPA will maintain accurate records of reported or suspected fraud and report evidence obtained by an investigation to the appropriate authorities.
6. To the extent allowable by law, in its ongoing efforts to protect the reputation of persons suspected but not determined to have committed fraud, the TPA's records shall conspicuously detail "unfounded" or "non-sustained" investigative findings and conclusions.

V. Ethics Code

1. Florida Statutes establishes a Code of Ethics for Public Officers and Employees, which the TPA has adopted by reference. TPA employees are governed by the standards of conduct and Code of Ethics set forth in Florida Statute and are required to seek guidance from the Executive Director if there is any question about the propriety of any contemplated action. The following ethical guidelines shall apply:
 - a. Use of Confidential Information. Employees shall not disclose to others, or use to further their personal interest, confidential information, as defined by Florida Statutes, acquired by the employee in the course of their official duties.
 - b. Solicitation or Receipt of Anything of Value. Employees shall not solicit or receive anything of value from any person or association, directly or indirectly, in consideration of some action to be taken or not to be taken in the performance of the employee's duties.

- c. TPA Property. No employee shall use TPA-owned property for personal use or profit, except when such property is available to the public generally, or where such property is provided by specific TPA policy in the conduct of official TPA business.
- d. Special Consideration. No employee shall grant any special consideration, treatment, or advantage to any person beyond that which is available to all persons.
- e. Public Funds. No employee shall use TPA public funds, personnel, equipment, or facilities for private gain or political campaign activities, unless such equipment and facilities are available to the general public.
- f. Use of Logo or Other TPA Symbols. Use of the TPA's logo, or any other symbol, for non-official TPA business without prior approval of the Executive Director is prohibited.
- g. Expenses. Employees shall provide documentation to support requests for expense reimbursement.
- h. Donations. No employee shall take any action that will benefit any person or entity because of a donation of anything of value is provided to such employee by the person or entity.
- i. Official Action. No employee shall take an official action that will benefit any person or entity where such employee would not otherwise have taken such action but for the employee's family relationship, friendship, or business relationship with such person or entity.
- j. Knowledge of Violations. Employees shall disclose any possible violations of the Code of Ethics policy to the Executive Director.
- k. Bribery. Employees may not, either directly or indirectly, attempt to influence the TPA Board in any way with money, services, or other remuneration.
- l. Employees Serving as Board Member. An employee is prohibited from also being a member of the TPA Governing Board.
- m. Doing Business with the TPA. Employees acting as a purchasing agent for the TPA are prohibited from purchasing, renting, or leasing any realty, goods, or services for the TPA from a business entity in which employee, or the employee's spouse or child, owns more than a five percent (5%) interest. Further, employees acting in a private capacity are prohibited from renting, leasing, or selling any realty, goods, or services to the TPA.
- n. Conflict of Interest. An employee is prohibited from holding any employment or contract with any business entity or agency regulated by or doing business with the TPA, or from holding any employment or having a contractual relationship which will pose a frequently recurring conflict between the employee's private interests and public duties, or which will impede the full and faithful discharge of their job duties. Exceptions to this prohibition exist, as detailed in Florida law.

W. Nepotism and Fraternization

1. No person may be appointed, employed, promoted, or advanced to a position in the TPA over which a relative exercises direct supervision. Exceptions to this policy may be approved only by the express prior approval of the Executive Director. Such approval will be given only upon submission of a satisfactory analysis as to the unique qualifications of a relative for the position in question.
2. While the TPA respects the rights of its employees to conduct their personal lives as they wish, workplace romantic relationships can create a conflict of interest (actual or perceived) or adversely affect work performance and employee morale, create concerns of favoritism, and potentially result in claims of harassment. The TPA therefore prohibits employees who have a romantic relationship to supervise (directly or indirectly) the other or to work in a position that has an audit or investigation function over the other.
3. If a prohibited relationship among relatives is established after employment (*e.g.*, two employees marry), the TPA may require one of the employees to resign. If neither employee will resign, the TPA may terminate the employment of one of the relative employees. In that circumstance, it shall be within the sole discretion of the TPA to determine which employee to terminate.
4. For purposes of nepotism, "relative" as used herein means an individual who is related by blood, marriage or adoption as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother or half-sister.
5. For purposes of this section, a "romantic relationship" includes dating, sexual relationships, domestic partnerships, and employees who share the same household as a couple.

X. Smoke-Free Workplace

1. TPA offices is a smoke and tobacco free environment and, no smoking is permitted in any TPA owned or leased building, including offices, hallways, waiting rooms, restrooms, or break rooms.
2. The TPA does not provide "smoke breaks" so all employees who choose to smoke must do so in their regularly scheduled breaks or meal periods outdoors.
3. Smoking, as referenced herein, is defined as the act of inhaling, exhaling, burning, carrying, or possessing any lighted cigarette, electronic cigarette, cigar, pipe, smokeless pouch, any other form of loose-leaf smokeless tobacco, pipe tobacco, chewing tobacco, snuff or other smoke producing products or products intended to simulate smoking.

4. Smoking is also prohibited in any vehicle owned, leased, or rented by the TPA or where prohibited by law. Employees will make every effort to minimize the act of smoking when they are actively engaged in dealing with the public.

Y. Fitness for Duty

1. All employees are required to report to work fit for duty and to be able to perform their job duties in a safe, appropriate, and effective manner.
2. The TPA reserves the right to require proof of illness or disability and to have employees submit to physical or psychological examinations to ensure they are fit for duty.
3. Employees who cannot perform their job duties for physical or mental reasons shall have their job duties modified, be transferred to another position, be placed on a leave-of-absence, or separated from service, at the discretion of the Executive Director.

3.6 Administration

A. Personnel Files

1. The TPA shall maintain an electronic personnel file for each employee, which is the property of the TPA. These files shall have restricted access to avoid disclosure of privileged information and documents deemed exempt and/or confidential shall not be subject to public disclosure, except as mandated by law. The following categories of records typically comprise an employee's personnel file:
 - a. Prehire/New Hire Documentation
 - b. Employee Acknowledgement Forms
 - c. Payroll/Compensation
 - d. Personnel Action Reports
 - e. Worker's Compensation records
 - f. Training records
 - g. Job related medical examinations
 - h. Employee Benefits Enrollment
 - i. Performance/Discipline Records
 - j. Records required of the TPA to be kept on-site by regulatory or funding agencies

- k. Other related materials as detailed in record management procedures
- 2. It is the responsibility of each employee to notify the TPA whenever any changes are to be made to their personnel record. Those changes include, but are not limited to, change of name, address, phone number, training or coursework completed, and for providing copies of all related diplomas, certificates, *etc.*
- 3. Pursuant to the provision of the Florida Public Records Act, the personnel records are considered to be open for a personal inspection by any person provided that such inspection is conducted in the physical presence of the custodian or designee during regular operating hours.
- 4. The Custodian for the TPA's personnel records is the Executive Director or designee. Under no circumstances will any personnel records be removed from the storage area without the express authorization of the custodian or alternate custodian. Under no circumstances will any personnel file documents be removed from the record, nor will any document be altered in any manner. Copies may be obtained at the expense of the requesting party. A record of each disclosure made to persons other than the employee will be kept. Employees may review the record of disclosure. An employee may request to review their personnel file.
- 5. Certain aspects of the personnel files are exempt from public inspection as identified in Chapter 119, F.S. Certain other personnel-related records and documents from a medical nature, such as employment related medical records, workers' compensation medical information, and employee medical insurance records, may not be open for inspection pursuant to the Florida Public Records Act. Medical and personal information generally considered to be of a confidential nature will be handled by management staff on a "need to know" basis within the TPA.
- 6. Further, Section 119.07, F.S., provides certain public officers and employees are exempt from public disclosure of home addresses, telephone numbers and picture identification. If exempt, it is the employee's responsibility to submit a Public Record Exemption form to the Executive Director.

B. Pay Plan Administration

- 1. The Executive Director shall be responsible for the administration of the TPA Pay Plan, though some or all of the responsibilities may be delegated. The purpose of the Pay Plan is to provide an orderly inventory and appraisal of positions so that equality of pay on the basis of substantially similar duties and responsibilities is achieved and proper pay differences between positions which differ materially in duties and responsibilities are established.
- 2. The responsibilities related to the Pay Plan administration include, but is not limited to, the processing of salary adjustments, determination of proper salary rates within existing budgetary availability provisions and a periodic review of the Plan to verify the TPA's salary rates are competitive with comparable positions in other MPOs. This review shall use appropriate procedures deemed proper by the Executive Director.

3. The Executive Director or designee shall implement the necessary standard operating procedures to insure proper administration of the Pay Plan. Questions of interpretation of the standard operating procedures shall rest with the Executive Director. The standard operating procedures and their interpretation shall not conflict with this Personnel Handbook.
4. The job classifications or specifications for the various positions in the TPA shall be based on the following:
 - a. They are descriptive and explanatory and are not restrictive. The use of a particular expression or illustration as to duties, qualifications or attributes shall not be held to exclude others not mentioned if such others are similar in substance.
 - b. In determining the allocation of a given position, the specifications shall be considered as a whole. Consideration will be given to the general duties, specific examples, responsibilities, and desirable entrance qualifications
 - c. The statement of duties is not intended to prescribe what specific duties shall attach to a given position nor to limit the discretion of the TPA to modify or alter detailed tasks involved in the duties of any position.
5. The authority to administer the Pay Plan in no way supersedes the authority of the TPA Governing Board under Sections 1 and 2 of this Handbook.

C. Computer Software

1. The TPA purchases and licenses certain computer software for business purposes and does not own the copyright to the software and follows the authorized use.
2. Employees shall only load software that has been approved and/or purchased by the TPA on their computers.

D. Office Equipment

1. The personal use of TPA owned equipment, materials, tools, supplies, and other property is prohibited. TPA assets are to be maintained for business-related purposes.
2. The use of TPA equipment for political activity or personal financial gain is prohibited.
3. A variety of shared office equipment is available for staff use (*e.g.*, printers, laptops, projectors, cameras, tablecloths, *etc.*) Shared equipment may be checked out for meetings or other work-related activities.

E. Security

1. Each employee will be provided a means of access to the building. Employees are requested to secure the outside door when leaving or entering the building.

F. Media

1. All inquiries should be directed to the Public Relations Director or the Executive Director.

2. The Public Relations Director shall provide training to employees to help prepare them for media interviews.

G. Emergency Closings

1. At times, emergencies such as severe weather, fires, or power failures can disrupt operations of the TPA. In extreme cases, these circumstances may require the closing of the work facility. When operations are officially closed due to emergency conditions, the time off from scheduled work will be paid through the use of Paid Administrative Leave as outlined in Section 2.11.
2. Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.
3. It is the Executive Director's discretion to consider allowing employees to be released early to prepare for an impending storm. No employee is entitled to early release.
4. Employees should refer to the TPA's Continuity of Operations Plan (COOP) and the building's emergency plans for emergency procedures.

H. Employment Verification/Recommendation Letters

1. Employees may request employment verification for loans, prospective employers, or other such circumstances. These requests will go through the Executive Director or Chief Financial Officer. The TPA shall release information that pertains to the employee's dates of employment and job title(s) held. Salary verification will only be released upon written request from the current or past employee.
2. If an employee wishes to have a recommendation letter issued by any member of the TPA on official TPA letterhead, the request will need to go through and be approved by the Executive Director. These requests will be reviewed on a case-by-case basis and are not guaranteed. This does not prohibit personal letters of "reference" written on non-TPA letterhead and not signed as an official of the TPA.

I. Alcohol/Drug Testing

1. All current and/or potential future employees must abide by this policy and understand that it is a condition of employment to refrain from taking drugs. For purposes of this policy and the TPA's drug-free workplace program, drugs that are legally obtained under state law but are illegal under federal law are not considered legal drugs. Employees who refuse to submit to a test for alcohol/drugs for any cause as specified in this section will be terminated and forfeit eligibility for medical and indemnity benefits in cases of work-related incidents. Refusal to submit to alcohol/drug testing may also result in forfeiture of unemployment and Workers' Compensation benefits.

2. All current and/or potential future employees must notify the TPA in writing of their conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after that conviction. As required by Federal grants, notification in writing of such conviction will be forwarded to the Federal Transit Administration (FTA) and to every project officer on whose project activity the convicted employee was working.
3. Causes for Testing. In keeping with the philosophy of implementing a "DRUG FREE" workplace program, alcohol/drug testing shall be conducted in each of the following situations:
 - a. All job applicants being offered employment.
 - b. Follow-up testing on a quarterly, semi-annual, or annual basis for two (2) years after an employee successfully completes a drug rehabilitation program.
 - c. Any employee involved in a motor vehicle crash whether injuries resulted or not.
 - d. Reasonable suspicion which is defined as follows:
 1. Observable phenomenon while at work such as direct observation of alcohol/drug use or of the physical symptoms or manifestations of being under the influence of alcohol/drugs.
 2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
 3. A report of drug use provided by a reliable and credible source that has been independently corroborated.
 4. Evidence that an individual has tampered with a drug test during their employment.
 5. Information that an employee has caused or contributed to an accident/incident while at work applying the standard of reasonable suspicion.
 6. Evidence that indicates the employee has used, possessed, sold, solicited, or transferred alcohol/drugs while working or while on the employer's premises, or while operating (while on TPA time) any vehicle, machinery, or equipment.
 7. All facts supporting a reasonable suspicion drug testing must be promptly (within 24 hours) reduced to written format. The original will be kept confidential and maintained for one (1) year. A copy will be given to the employee upon request.
4. Procedures for Testing. The Executive Director or designee will coordinate with a third-party agency for the collection and testing of a specimen. All testing result levels equal to or exceeding the Federal and/or State levels of positive results shall be reported as positive. All such test results shall be automatically subjected to confirmation testing. The second

(confirmatory) test shall be a gas chromatography/mass spectrometry (GC/MS test) or such other equivalent or more accurate scientifically accepted test, at the TPA's option. It shall be this second, confirmatory test, which shall be the determinant for the TPA as to whether the employee or applicant was under the influence of alcohol or drugs, and which shall trigger disciplinary action against employees and a determination not to hire job applicants.

5. Challenging Test Results. It is the responsibility of the employee and/or applicant who wishes to "challenge" test results to do so by initiating the following procedure:

- a. All test results are mailed/delivered by the testing to the Executive Director. Drug testing information is confidential and cannot be released to the public, per Chapter 440.102 (8) F.S. The Executive Director shall, upon request of the employee and/or applicant, furnish a copy of the test results to them.
- b. Employees and/or applicants shall be contacted and verbally informed by the Executive Director of positive (confirmed) test results. At least three attempts will be made by the Executive Director to contact the employee or applicant.
- c. Within five (5) working days after receipt of a positive confirmed test result from the third-party agency, the TPA will inform the employee or applicant in writing of the positive test result, the consequences of such results, and the options (*i.e.*, contacting the testing laboratory, filing a written explanation with the Executive Director, *etc.*) available to them.
- d. Within five (5) working days after receiving this notice, the employee or applicant may submit information to the employer explaining or contesting the result and explaining why it does not constitute a violation of the employer's policy. It is the responsibility of the employee and/or applicant to notify the testing laboratory of intent to challenge a test result.
- e. The employee and/or applicant shall be permitted to have a portion of the specimen retested at their own expense at another laboratory licensed and approved by a Federal or Florida State agency. This independent test must be of equal or greater sensitivity for the drug in question.

6. Consequences of Confirmed Positive Test Results

- a. Applicants, after a conditional offer of employment with the TPA, shall be required to submit to mandatory alcohol/drug testing. Applicants who test positive (after confirmation) shall not be employed by TPA.
- b. If a current employee tests positive (confirmed), the employee shall immediately be placed on sick leave pending completion of an approved drug rehabilitation program. Employees shall use sick leave while participating in an alcohol/drug rehabilitation program. If all accrued leave becomes exhausted, the employee shall be placed on a leave of absence without pay.

1. Employees who have been confirmed as testing positive, and who have been referred to a treatment program and who refuse said referral, shall be terminated from employment.
 2. Employees who accept treatment must understand that they are required to successfully complete such treatment. Failure to do so will result in termination from employment.
 3. Employees who accept treatment and successfully complete said treatment will be required to furnish proof of such successful completion to the Executive Director or designee. This proof shall be reviewed by the Executive Director in conjunction with retesting before the employee can be reinstated to on-duty work status. Employees in this situation are subject to random retesting for illegal drugs for a period not to exceed two (2) years from the date of successful completion of the treatment program to ensure continued and complete recovery. If, during the course of this two (2) year period, the employee tests positive, he/she will be terminated from employment.
7. Voluntary Request for Treatment. Employees seeking voluntary treatment for alcohol/drug problems who have not previously tested positive for drug use or entered an alcohol or drug rehabilitation program, assuming that they have not been involved in any other aspect covered under Section 3.6.L.3.c.
- a. Employees in this category shall be required to use any and all accrued sick leave to cover absences during treatment. Once accrued leave is exhausted, they shall be placed on a leave of absence without pay for the appropriate period of time to be determined.
 - b. It is to be understood that these employees are expected to successfully complete the treatment program; furnishing proof of successful completion to the Executive Director, and that return to employment is contingent upon medical certification of fitness for duty and random testing for illegal drugs for a period not to exceed two (2) years.
8. Confidentiality Statement. All information, interview, reports, statements, memoranda, and drug-free test results through the TPA's drug testing program will not be made part of any personnel records and will be treated as confidential to the extent required by law, except as consented to by the employee or applicant, or if placed at issue by the employee in any legal, administrative or other proceeding to determine compensability of a Workers' Compensation claim.
9. Use of Prescription and Non-Prescription Medication. All employees or applicants may consult with the testing laboratory for technical information regarding the effects of prescription and non-prescription medications on drug testing. Each tested individual shall report on a confidential basis to the testing laboratory, the use of prescription or non-prescription medications both before and after being tested. A form will be provided to each individual to list such medications. This form should only be filled out at the collection facility, not at the

TPA. Additionally, such medications may be disclosed orally to the testing laboratory after being tested. The individual must not disclose such medications or provide the form requesting such information to any TPA employee.

10. Categories of Drugs Tested for which the TPA tests:

<i>Drugs</i>	<i>Trade or Common Names</i>
ALCOHOL:	Liquor, Booze, Spirits
NARCOTICS:	
Opium	Dover's Powder, Paregoric, Parepectolin
Morphine	Morphine, Pectoral Syrup
Codeine	Tylenol with Codeine, Empirin Compound with Codeine, Robitussin A-C
Heroin	Diacetylmorphine, Horse, Smack
Meperidine (Pethidine)	Dilaudid, 6-Acetylmorphine
Hydrocodone/Hydromorphone	Demerol, Mepergan
Oxycodone/Oxymorphone	
Methadone	Dolophine, Methadone, Methadose
Other Narcotics	Darvon, Fentanyl, LAAM, Leritine, Lomotil, Numorphan, Percodan, Talwin, Tussionex
DEPRESSANTS:	
Barbiturates	Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusat
Benzodiazepines	Ativan, Azene, Clonopin, Dalmane, Diazepam, Halcion, Librium, Paxipam, Restoril, Serax, Transene, Valium, Verstran, Xanax
Chloral Hydrate	Noctec, Somnos
Glutethimide	Doriden
Methaqualone	Quaalude
Other Depressants	Equanil, Miltown, Noludar, Placidyl, Valmid
STIMULANTS:	
Cocaine	Coke, Flake, Snow, Crack
Amphetamines	Binehetamine, Desoxyn, Dexedrine
Methylphenidate	Ritalin
Phenmetrazine	Preludin

Other Stimulants

Adipex, Bacarate, Cylert
Didrex, Lonamin, Plegine, Pre-
Sate, Sanorex, Tenuate,
Tepanil, Voranil

HALLUCINOGENS:

Amphetamine Variants

2, 5-DMA, PMA, STP, MDA, MDMA,
TMA, DOM, DOB

LSD

Acid, Microdot

Mescaline and Peyote

Mese, Buttons, Cactus

Phencyclidine

PCP, Angel Dust, Hog

Phencyclidine Analogs

PCE, PCPy, TCP

Other Hallucinogens

Bufotenine, Ibogaine, DMT, DET,
Psilocybin, Psilocyn

CANNABIS:

Hashish

Hash

Hashish Oil

Hash Oil

Marijuana

Pot, Acapulco Gold, Grass,
Reefer, Sinsemilla, Thai Sticks

Tetraphydrocannabinol

THC

The metabolite of any of the substances listed above.

J. Driving Record Checks

1. The TPA shall conduct quarterly driving record checks to validate an active driver's license and insurance coverage for all TPA employees.
2. TPA employees that have a suspended or expired driver's license will not be eligible for mileage or travel reimbursements. In order to be allowed to drive as a TPA agent again, TPA employees must submit documentation to the Executive Director showing the record is clear and active.

3.7 Operations

A. Travel and Mileage

1. Travel reimbursements shall be submitted by the 15th of each corresponding month. The Executive Director has the discretion to approve exceptions to this deadline.

B. Reimbursements

1. Reimbursement requests shall be submitted by the 15th of each corresponding month. The Executive Director has the discretion to approve exceptions to this deadline.

C. TPA Credit Cards

The TPA authorizes the use of corporate credit cards to conduct financial transactions in an efficient, flexible, and prompt manner.

1. TPA credit cards will be issued to the CFO and Procurement & Grants Coordinator. Additional credit cards may be issued at the discretion of the Executive Director on a case-by-case basis.
2. The standard Cardholder spending limit is a maximum of \$3,000 except in the case of the CFO and Procurement & Grants Coordinator. Increases or exceptions to the established Cardholder spending limit may be made on a case-by-case basis by the CFO.
3. Cardholders shall submit the TPA Credit Card Authorization Form.
4. Cardholders shall complete and submit the TPA Credit Card Reconciliation Form within (10) ten business days of receipt.
5. Cardholders shall immediately report lost or stolen credit cards to the CFO.
6. Cardholders shall not obtain cash advances, bank checks, traveler's checks, or electronic cash transfers.
7. Cardholders shall not incur personal, unlawful, or unauthorized expenses.
8. Cardholders shall not incur expenses under the name or card of another cardholder.
9. Misuse of the TPA credit card may result in cancellation of the card and withdrawal of agency credit card privileges. If the card is used for personal, unlawful, or unauthorized expenses, the TPA reserves the right to recover the expenses from the Cardholder.
10. Upon resignation or termination from the TPA, Cardholder shall forfeit the TPA credit card to the CFO and complete the final reconciliation prior to the release of the final paycheck.

D. Telephone and Voicemail

1. The phone system is intended primarily to be a professional communication tool for TPA business. All employees are expected to conduct conversations and phone operations in a professional manner, consistent with accepted office standards. Personal calls are permitted, as long as they are not excessive and do not interfere with TPA business operations.
2. The preferred language for answering the phone is:

Good morning/afternoon, Palm Beach TPA, this is (your name). How may I help you?
3. The standard voicemail message is:

You have reached (your name); I am currently unable to take your call. Please leave your name, number and a brief message and I will get back to you as soon as possible. If you need immediate assistance, press zero for the operator. Thank you and have a great day.

4. TPA employees shall download the Vonage phone app on their mobile device for use when working remotely or in the field.

E. Timesheets

1. Employees shall submit a completed and signed timesheet on a biweekly basis to their supervisor no later than Friday at 12 p.m. Timesheets shall accurately reflect time worked on TPA tasks and all leave taken (including holidays, planned and unplanned leave).
2. Supervisors shall review timesheets to ensure the hours worked are charged to the proper work tasks, and the leave time taken is properly recorded. Supervisors shall approve via signature and save accurate employee timesheets in the employee's signed timesheet folder. If there is a discrepancy, the supervisor shall return the timesheet to the employee for correction and resubmittal to the supervisor. Approved timesheets are due by Friday at 5 p.m.
3. The Finance Department shall review employee timesheets for accuracy and completion. It is a violation of the policy for any employee to falsify time records, to alter another employee's time records, or for any employee to instruct another employee to commit these acts.

F. Payroll

1. The TPA "work week" is from 12:01 a.m. Saturday and ends at 12:00 a.m. the following Friday. Employees are paid biweekly on every other Friday. All payrolls after an employee's first payroll shall be made via direct deposit.
2. In the event that a regularly scheduled payday falls on a legal holiday when banks are closed, employees will receive pay on the last day of work before the regularly scheduled payday.
3. Employees are responsible for completing a W-4 form properly and updating it when necessary. The TPA will provide a W-2 form showing total earnings for the year and the amount of taxes that have been withheld.
4. The TPA takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.
5. In the unlikely event that there is an error on the amount of pay, the employee should promptly bring the discrepancy to the attention of the CFO so that corrections can be made as quickly as possible.
6. It is the policy of the TPA not to make advances on employee pay.

7. Employees that separate from the TPA for any reason will be issued a paycheck on the next regular pay date following the pay period in which employment terminated. The final paycheck will be directly deposited into the bank account on file and the employee's final paystub will be mailed to the home address on file.

G. Accident Reporting

1. Employees shall immediately report to their supervisor all injuries that occur on the job.
2. It is the responsibility of the injured employee's immediate supervisor that accident reports are submitted within twenty-four (24) hours after the date of the accident or the report of the injury.
3. In the case of a vehicular accident, an injury report and vehicular accident report are required to be completed, which may also involve notifying law enforcement.
4. In the case of serious or fatal injury, the appropriate law enforcement agency shall be notified immediately.

Appendix. Handbook Modifications

Date	Section	Notes
07/18/2019	All of 1 and 2	Adopted by TPA Governing Board
07/18/2019	All of 3	Approved by TPA Executive Director
03/13/2020	Added Section 3.3.F, Remote Work	Approved by TPA Executive Director
08/04/2020	Updated Section 3.5, Hiring	Approved by TPA Executive Director
10/02/2020	Updated Section 3.4.K, Alcohol/Drug Testing Updated Section 3.5.E, Background Checks Added Section 3.5.G, Relocation Assistance	Approved by TPA Executive Director
07/15/2021	Modified 2.4.A, Holidays to include Juneteenth	Adopted by TPA Governing Board
12/23/2021	Updated sections for significant changes and added sections related to employee recognition and board/committee operations.	Approved by TPA Executive Director
02/28/2022	Modified, 3.3.B.1, FRS Guidance; 3.7.A, Boards and Committees; 3.5.A, Work Schedule; and 3.5.F, Remote Work	Approved by TPA Interim Executive Director
09/27/2022	All of 3 and draft changes to sections 1 and 2	Approved by the TPA Executive Director
10/20/2022	All of 1 and 2	<i>To be adopted by the TPA Governing Board</i>

TPA RESOLUTION 2022-xx

A RESOLUTION OF THE PALM BEACH TRANSPORTATION PLANNING AGENCY (TPA) APPROVING AN AMENDMENT TO THE OPERATING PROCEDURES; MAKING FINDINGS; AMENDING SECTION 2.2 E. PROVIDING FOR APPROVAL OF TRAVEL EXPENSES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Palm Beach MPO, doing business as the Palm Beach Transportation Planning Agency (TPA), a public agency created in accordance with and operating pursuant to 23 U.S.C. 134, 49 U.S.C. 5303, and Sections 163.01 and 339.175, Florida Statutes, is the designated and duly constituted body responsible for the urban transportation planning process for Palm Beach County; and

WHEREAS, pursuant to 23 CFR 450.300 through 450.326 and Sections 339.175(6) through (9), Florida Statutes, the TPA is required to develop and amend as appropriate, plans and programs including but not limited to a Long Range Transportation Plan (LRTP), Priority Project List, Transportation Improvement Program (TIP) and Unified Planning Work Program (UPWP); and

WHEREAS, the TPA has previously adopted by-laws regulating the conduct of its governing board and advisory committees; and

WHEREAS, the TPA now desires to amend its Operating Procedures to provide for approval by the Chair of requests made in advance for travel payment of TPA Governing Board members, appointed officials, advisory committee members, interns, and other officials; and

WHEREAS, the TPA Governing Board finds the adoption of this amendment to be in furtherance of the public interest,

**NOW THEREFORE, BE IT RESOLVED BY THE PALM BEACH MPO, d/b/a PALM BEACH
TRANSPORTATION PLANNING AGENCY, THAT:**

SECTION 1. The foregoing recitals are hereby adopted and declared to be true and correct and are incorporated herein.

SECTION 2. The TPA Governing Board hereby:

1. Approves the amendment to the Palm Beach TPA Operating Procedures incorporated herein and attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 3. In the event that any term, provision, clause, sentence or section of this Resolution shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Resolution, and this Resolution shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

SECTION 4. This Resolution shall take effect upon adoption.

The foregoing Resolution was offered by _____ who moved its adoption. The motion was seconded by _____ and upon being put to a vote, the motion passed. The Chair thereupon declared the Resolution duly adopted this ____ day of _____ 2022.

PALM BEACH METROPOLITAN PLANNING
ORGANIZATION, d/b/a PALM BEACH
TRANSPORTATION PLANNING AGENCY

By: _____
Councilmember Robert Weinroth,
as its Chair

ATTEST:

(AGENCY SEAL)

Amanda Williams, TPA Agency Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

Paul R. Gougelman, TPA General Counsel

2.B.2



PALM BEACH
Transportation
Planning Agency

Operating Procedures

Approved by TPA Board on ~~September 15~~ **October 20**, 2022

Mayor Robert S. Weinroth, TPA Chair

Table of Contents

Section 1. General Information.....	3
1.1 Purpose.....	3
1.2 Authority	3
1.3 Definitions	3
1.4 Interpretations.....	4
1.5 Agency Clerk.....	5
1.6 Agency Seal.....	6
Section 2. TPA Governing Board	6
2.1 Membership.....	6
2.2 Officers	6
2.3 Meetings	8
2.4 TPA Board Committees	10
2.5 TPA Advisory Committees and Ad Hoc Committees	10
2.6 Transportation Disadvantaged Local Coordinating Board (LCB).....	11
Section 3. Technical Advisory Committee (TAC)	11
3.1 Role and Function	11
3.2 Membership.....	12
3.3 Officers	12
3.4 Meetings	13
Section 4. Citizen's Advisory Committee (CAC).....	15
4.1 Role and Function	15
4.2 Membership.....	15
4.3 Officers	16
4.4 Meetings	16
Section 5. Vision Zero Advisory Committee (VZAC).....	18
5.1 Role and Function	18
5.2 Membership.....	18
5.3 Officers	19
5.4 Meetings	19
Section 6. Emergency Powers	21
6.1 Applicability	21
6.2 Virtual Meetings	21
6.3 Emergency Approvals	22
Section 7. Amendments	22

Section 1. General Information

1.1 Purpose

The Palm Beach Transportation Planning Agency (TPA) Operating Procedures facilitate efficient conduct by the TPA as it collaboratively plans, prioritizes and funds a safe, efficient, connected, and multimodal transportation system for all of Palm Beach County.

1.2 Authority

The federal government, under the authority of Title 23 United States Code (USC) §134 and Title 49 USC §5303, requires each metropolitan area, as a condition for the receipt of federal capital or operating assistance, to designate a Metropolitan Planning Organization (MPO) to conduct a continuing, cooperative, and comprehensive transportation planning process that results in transportation plans and programs consistent with the comprehensively planned development of the metropolitan area. Pursuant to Titles 23 USC §134(d), 49 USC §5303, 23 CFR §450.310(b), and Section 339.175(2), Florida Statutes (F.S.), the Palm Beach MPO, d/b/a the Palm Beach TPA is designated by Interlocal Agreement to serve as the federally mandated MPO for that part of the Miami Urbanized Area Transportation Management Area (TMA) within Palm Beach County (PBC).

1.3 Definitions

The following terms when used in these Operating Procedures shall be defined as set forth below, unless the context of usage affirmatively dictates to the contrary:

- A. TPA - The Palm Beach Transportation Planning Agency (TPA), which serves as the Metropolitan Planning Organization (MPO) for that part of the Miami Urbanized Area Transportation Management Area (TMA) within Palm Beach County.
- B. Interlocal Agreement - The agreement executed by the Governor and units of general purpose local government representing at least 75 percent of the affected population in the Palm Beach County urbanized area which formally designates the TPA, as it may be amended from time to time.
- C. TPA Governing Board - The policy-making body for the TPA responsible for coordinating the cooperative decision-making process of the TPA's actions and taking required actions as the TPA.
- D. Governing Board Member - A unit of General Purpose Local Government or an agency that operates or administers a major mode of transportation with voting membership on the TPA pursuant to the most current Interlocal Agreement (and any amendment thereto) creating the TPA.
- E. Governing Board Representative - An elected official appointed by a Governing Board Member to exercise its voting membership on the TPA Governing Board.

- F. Governing Board Alternate - An elected official appointed by a Governing Board Member to exercise its voting membership on the TPA Governing Board in the event the Representative is not in attendance.
- G. TAC Member - A local government, airports, seaports, public transit agencies, the school superintendent or designee, and other entities as deemed appropriate by the TPA Governing Board.
- H. TAC Representative - An individual nominated by the TAC Member and appointed by the TPA Governing Board to represent the TAC Member at TAC meetings. If a TAC Member has a TAC Representative and TAC Alternate, these terms are used interchangeably.
- I. TAC Alternate - An individual nominated by the TAC Member and appointed by the TPA Governing Board to represent the TAC Member at TAC meetings in the event the TAC Representative is not in attendance.
- J. CAC Member - An individual nominated by a TPA Governing Board Member and appointed by the TPA Governing Board to represent the citizenry of Palm Beach County at CAC meetings.
- K. VZAC Member – A local government, law enforcement and fire rescues services, school district, health department, active transportation advocacy groups, or other entity as deemed appropriate by the TPA Governing Board.
- L. VZAC Representative - An individual nominated by the VZAC Member and appointed by the TPA Governing Board to represent the VZAC Member at VZAC meetings. If a VZAC Member has a Representative and Alternate, these terms are used interchangeably.
- M. VZAC Alternate - An individual nominated by the VZAC Member and appointed by the TPA Governing Board to represent the VZAC Member at VZAC meetings in the event the VZAC Representative is not in attendance.
- N. Quorum – A quorum of the TPA Board or any of its committees shall be constituted by a majority of Representatives (or Members, for the CAC). Only designated Representatives physically present shall count toward establishing a quorum unless the TPA is operating under Section 6. Emergency Powers.
- O. Robert's Rules of Order - Roberts Rules of Order, Newly Revised (10th Edition).
- P. Communications Media Technology - the electronic transmission of printed matter, telephone, audio, computer, full-motion video, freeze-frame video, compressed video, and digital video by any method available.

1.4 Interpretations

If any provision of these Operating Procedures conflicts with the Interlocal Agreement that designates the TPA, the Interlocal Agreement shall control. Furthermore, all provisions contained in these Operating

Procedures shall be interpreted to be consistent with applicable state and federal law and the TPA's Public Participation Plan (PPP). In the event of a conflict, state or federal law shall control.

1.5 Agency Clerk

- A. The Executive Director shall appoint a designated member of the TPA staff to serve, ex officio, as the Agency Clerk. Alternatively, the Executive Director may appoint the executive director to serve, ex officio, as the agency clerk. The duties and responsibilities of the agency clerk shall be to: maintain the official seal of the agency; index and file agency resolutions, orders, operating procedures, and official agency records; send notices of workshops and meetings; transcribe minutes of the Governing Board and committee and subcommittee meetings and workshops; maintain and be the custodian of agency files and records; make certifications of true copies and actions; attest to the signatures of MPOAC officers; and perform such other duties as determined by the executive director. See §339.175(2)(e), F.S.
- B. Upon completion of the preparation of an agenda for a meeting of the Governing Board, or any committee or subcommittee, the agency clerk shall make available the agenda for the meeting for distribution on request by any interested person who pays the reasonable cost for a copy of said agenda; to any person named in said agenda; and to any class of individuals to whom intended action is directed.
- C. The agency clerk shall give written notice of said meeting by all applicable members and the general public prior to any meeting or workshop of the Governing Board, the Executive Committee, or any other committee of the TPA. In addition, the agency clerk shall prepare and make available a copy of said notice or the agenda package: for distribution on request to any interested person who pays the reasonable cost for a copy of said notice; to any person named in said notice; to members of the applicable board or committee; and to any class of individuals to whom action is directed. Meeting notices should be advertised on the TPA web-site at least seven (7) days prior to any non-emergency meeting. All notices to members shall be sent to the official address of the member delegate and alternate delegate at such current address on file with the agency clerk. Agenda packages may be sent via e-mail.
- D. The agency clerk shall be responsible for coordinating responses for all public records.
- E. The agency clerk, or a person having custody of public records, may designate another officer or employee of the TPA to permit the inspection and copying of public records, but the agency clerk or other person having custody of a public record, must disclose the identity of the designee to the person requesting to inspect or copy public records. Accord, §119.07(1)(b), F.S.
- F. Photographing public records shall be done under the supervision of the agency clerk, who may adopt and enforce reasonable rules governing the photographing of such records. Photographing of public records shall be done in the room where the public records are kept. If, in the judgment of the agency clerk, this is impossible or impracticable, photographing shall be done in another room or place, as nearly adjacent as possible to the room where the public records are kept, to be determined by the agency clerk. Where provision of another room or place for photographing

is required, the expense of providing the same shall be paid by the person desiring to photograph the public record as provided by law. Accord, §119.07(3)(c) and (d), F.S.

- G. If the furnishing of a public record can be accomplished with little or no effort or cost to the TPA, the agency clerk is authorized to waive the collection of a fee for copying and providing the public record.
- H. The TPA shall prominently post the contact information for the agency's agency clerk and custodian of public records in the TPA's primary administrative building in which public records are routinely created, sent, received, maintained, and requested and on the agency's website. The signage shall advise anyone requesting a public record to advise the agency clerk as custodian of public records of any request for a public record. See §119.12(2), F.S.

1.6 Agency Seal

The agency seal is hereby adopted. The seal shall consist of two concentric circles, one inside the other. In the center of the inner circle, the agency's logo shall be displayed, together with the words "OFFICIAL SEAL" set forth. Between the inner and outer circles shall be the agency name "Palm Beach Transportation Planning Agency".

Section 2. TPA Governing Board

2.1 Membership

- A. Number of Governing Board Members - The number of Governing Board Members for the TPA shall be as determined by the Interlocal Agreement, as amended.
- B. Representatives - Each Governing Board Member shall designate a Representative and notify the TPA in writing of this designation. The qualifications of Representatives shall be as specified in the Interlocal Agreement.
- C. Alternates - Each Governing Board Member shall designate an Alternate(s) and notify the TPA in writing of this designation. The Alternate must meet the same qualifications as a Representative. An Alternate may serve as a Representative for the Governing Board Member during any meeting or portion of a meeting where that Governing Board Member's Representative is not in attendance.
- D. Term of Office - Representatives and Alternates shall serve until the TPA has been notified in writing of a new designation by the Governing Board Member or until their earlier death, resignation, disqualification, incapacity to serve, or removal in accordance with the law.

2.2 Officers

- A. Officers - The officers of the TPA shall consist of a Chair, a Vice Chair, and three at-large Representatives of the Governing Board. Together, the officers shall be referred to as the Executive Committee. Not more than two of the officers may be County Commissioners.

- B. Elections - The officers shall be elected annually at the last regularly scheduled meeting of the calendar year or earlier if desired by the TPA Governing Board. The newly elected officers shall take office on the first day of the following calendar year or earlier if desired by the TPA Governing Board. Additional elections may be held as necessary if an officer cannot carry out said officer's duties and complete the remainder of the appointed term.
- C. Officer Criteria - The Chair must have served on the TPA Governing Board as a Representative for a minimum of one year prior to taking office. All officers must have completed the MPOAC Institute training program for elected officials, attended a national Association of MPOs (AMPO) Conference, or received similar training. The training criteria can be waived by majority vote of the TPA Governing Board.
- D. Terms of Office - The term of office for officers shall be until their successors take office as provided in Section 2.2.B.
- E. Duties of the Chair - The Chair shall call and preside at TPA Governing Board meetings, set the order of business for each meeting and sign official documents for the TPA. The Chair shall additionally approve the disbursement of funds for official business travel undertaken by TPA Governing Board members and other appointed officials, advisory committee members, interns and other authorized officials, provided the travel was authorized in advance and the requestor sought advanced registration discount rates, the most economical and efficient means to/from the travel occasion and reasonably priced lodging accommodations. In the Chair's absence, the Vice Chair shall preside and complete all other duties of the Chair. In the absence of both the Chair and the Vice Chair, the Representatives present shall elect a Chair Pro-Tem to preside and complete all other duties of the Chair.

In the event that the Chair is unable to carry out their duties for the remainder of the term, the Vice Chair shall automatically become Chair and a new Vice Chair shall be elected from the remaining Representatives, including the at-large members of the Executive Committee, for the remainder of the term.

- F. Duties of the Executive Committee – The Executive Committee shall:
 - 1. Meet annually to review and recommend updates to the TPA's Strategic Plan for consideration by the Governing Board;
 - 2. Meet as necessary to review and recommend content related to other TPA initiatives (e.g., the 561 Mobility Plan, the Vision Zero Action Plan, transportation surtax funding strategies, and other plans and strategies) for consideration by the Governing Board;
 - 3. Meet as necessary to review and recommend updates to TPA policies and procedures as requested by the Executive Director;
 - 4. Meet as necessary to participate in TPA procurement selection committees as requested by the Executive Director;
 - 5. Meet as necessary to facilitate the process of hiring a new Executive Director, including but not limited to refining the job profile, evaluating candidates, recommending a candidate, negotiating an employment agreement for Board consideration, and recommending an interim director for Board consideration; and

6. Undertake other tasks as may be assigned by the Governing Board.

- G. Agency clerk - The TPA Executive Director shall act as the Agency Clerk pursuant to Section 339.175(2)(e), F.S.

2.3 Meetings

- A. Regular Meetings - Meetings will be held on the third Thursday of each month, except as noted on the meeting calendar published to the public on the TPA website. The Chair may cancel regular meetings should there be insufficient business on the TPA's tentative agenda or a lack of anticipated quorum.
- B. Special Meetings - Special meetings may be called by the Chair with three (3) day notice. Whenever possible, at least seven (7) day notice shall be given.
- C. Workshops - Workshops may be called from time to time and shall not require a quorum; however, all workshops shall be noticed in the same manner as regular meetings of the TPA Governing Board. No official actions may be taken at a workshop.
- D. Attendance - Each Representative shall be expected to attend each regular meeting. It shall be the obligation of the Representative to provide at least 24-hours advance notice to the TPA when the Representative will not be attending a meeting. It shall be the obligation of a Representative to provide reasonable notice to the Alternate when the Representative will not be attending a meeting. An absence without advance notice or without having an Alternate in attendance will be considered unexcused.

When a Representative or Alternate for a Governing Board Member does not attend three (3) consecutive regular meetings, the TPA Executive Director will send a letter to the chief elected officer of the Governing Board Member indicating the number of absences and requesting reaffirmation or reappointment of the Governing Board Member's Representative.

- E. Agenda - The Executive Director, in consultation with the Chair, shall create a published list of items for decision (consent and action items), discussion (special presentations, reports, and information items), and receipt without discussion (administrative items) at a meeting. The agenda and any backup material for a TPA Governing Board meeting shall be published on the TPA website seven (7) days prior to the meeting or as early as practicable. Only when extenuating circumstances warrant, a Representative, Alternate, or the TPA Executive Director may propose an additional item or a modification to the agenda at the commencement of a given meeting, subject to approval by a majority of the Representatives/Alternates at the meeting; provided that consideration of such item(s) is consistent with the TPA's PPP noticing requirements.

TPA advisory committee requests to add an item to a TPA Governing Board meeting agenda or to furnish work product (*e.g.*, written report, video, *etc.*) of a specific topic to the TPA Governing Board shall first be approved by the committee in the manner and format in which the matter should be presented.

Organizations wishing to make a presentation to the TPA Governing Board must contact the Executive Director at least ten (10) days prior to the meeting. The Executive Director shall consult with the Chair to determine if the presentation should take place during the public comment

period or be added as a regular agenda item. Presentations added to the regular agenda shall be limited to ten (10) minutes or as allowed by the Chair.

Members of the public wishing to add an item to a future agenda must first request the item during a Board meeting by submitting a public comment. The Board will determine whether to add the item to a future meeting.

- F. Voting Procedures - The Chair and any Representative may call for a vote on any issue, provided that it is seconded and within the purposes set forth on the agenda. Representatives must be physically present to vote unless a Representative is approved to participate remotely by the physically present Representatives. At any given meeting, if a Representative(s) is absent, the Alternate(s), may vote in place of the absent Representative(s).

Voting shall be by voice, but the minutes shall contain sufficient detail to record the vote of each Representative/Alternate. A Roll Call vote shall be held upon the request of the Chair, a Representative, or the TPA Executive Director. Pursuant to Section 339.175(13) F.S. a recorded roll call vote shall be taken for the Long Range Transportation Plan (LRTP), the Transportation Improvement Program (TIP), and any corresponding amendments. A tie vote shall be interpreted as a failure to pass.

Any Representative who voted on the prevailing side may make a motion for reconsideration at the meeting during which the vote was taken or at the next regularly scheduled meeting unless the action for which the vote was taken has been completed by the next regularly scheduled meeting and cannot be undone. A Representative desiring to request reconsideration of a matter shall advise the Executive Director no less than ten (10) days prior to the meeting. The Executive Director shall endeavor to provide notice of the request to the TPA Governing Board Members prior to the meeting. Any Representative who was not present at the meeting at which the vote was taken shall be deemed to be on the prevailing side unless the absence was unexcused. A motion to reconsider cannot be renewed if it has been voted on and defeated except by unanimous consent of those present at the meeting.

Board Representatives/Alternates may not abstain from voting, unless the Representative/Alternate has a voting conflict of interest as defined by Section 112.3143, F.S., or unless the matter is quasi-judicial in nature and the abstention is to avoid prejudice or bias as provided in Section 286.012, F.S. If a Representative/Alternate abstains from voting, the Representative/Alternate must declare the conflict at the introduction of the item and not participate in the discussion of the item. The Representative/Alternate must then submit a completed Florida Commission on Ethics - Form 8B to the TPA Agency Clerk within 15 days after the abstention occurs.

In the absence of any direction from these Operating Procedures or other duly adopted voting procedures pursuant to certain approval actions, Robert's Rules of Order will designate procedures governing voting over any TPA Governing Board, advisory committee, subcommittee or ad hoc committee meeting. In the interest of efficiency or flexibility, a majority consensus of the TPA Governing Board may approve departures from Robert's Rules of Order.

Proxy and absentee voting are not permitted.

- G. Public Comment Procedures - All TPA Governing Board meetings shall be open to the public. Members of the public are permitted to speak on any topics not on the Agenda during the General Public Comment period by providing a Speaker Card to the Executive Director or designee prior to the commencement of the meeting. Members of the public are allowed to speak on agenda items following presentation of the item to the TPA Governing Board but prior to Representative discussion, by providing a Speaker Card to the Executive Director or designee prior to the presentation of the item. Public comment shall be limited to three (3) minutes. The deadlines for submitting a Speaker Card and time limits for public comment may be waived by the Chair.
- H. Florida's Open Meetings Law - Every Representative/Alternate shall comply with the State's Open Meetings Law. This includes not discussing current board items or other matters that may foreseeably come before the TPA Governing Board for action with other members outside of a noticed meeting.

2.4 TPA Board Committees

As necessary, the TPA Governing Board may establish a committee of Representatives and/or Alternates to investigate and report on specific subject areas of interest to the TPA Governing Board.

A TPA Board Committee shall consist of at least three (3) Representatives and/or Alternates. A majority of the committee members must be physically present for the committee to take formal action. The committee shall meet and establish a chair and vice chair. The chair or vice chair shall report to the TPA Governing Board at its next regular meeting on the committee's activities.

A TPA Board Committee's authority shall be limited to making recommendations regarding items to be considered by the TPA Governing Board.

2.5 TPA Advisory Committees and Ad Hoc Committees

The TPA Governing Board relies on the standing advisory committees as outlined below to review and make recommendations regarding items to be considered by the TPA Governing Board. No advisory committee member may serve on more than one advisory committee to the TPA Governing Board at any time; however, advisory committee members may serve on more than one ad hoc committee in addition to serving on an advisory committee.

- A. Technical Advisory Committee (TAC) - The TAC is comprised of representatives of local governments, airports, seaports, public transit agencies, the school superintendent or designee, and other entities as deemed appropriate by the TPA Board pursuant to Section 339.175(6)(d), F.S.
- B. Citizen's Advisory Committee (CAC) - The CAC is responsible for providing the TPA Governing Board with a "citizen's eye" view of ongoing transportation issues in Palm Beach County. Members are appointed by the TPA Governing Board according to required special designations in accordance with Section 339.175(e.)1., F.S. and other categories as identified by the TPA Governing Board.
- C. Vision Zero Advisory Committee (VZAC) – The VZAC is comprised of county and municipal planners, law enforcement and fire rescues services, school district, health department, active

transportation advocacy groups, or other entity as deemed appropriate by the TPA Governing Board to advance those elements of the TPA's Vision Zero Action Plan oriented around pedestrian and bicycle safety.

From time to time, an advisory committee or the Executive Director may form an ad hoc committee for the purpose of investigating specific subject areas of interest. Ad hoc committees shall report to the advisory committee(s) on their activities at the next available meeting.

2.6 Transportation Disadvantaged Local Coordinating Board (LCB)

The TPA Governing Board is the Designated Official Planning Agency (DOPA) for the Palm Beach County Transportation Disadvantaged (CTD) program, as designated by the Florida Commission for the Transportation Disadvantaged. In accordance with Section 427.0157, F.S., all members of the LCB shall be appointed by the DOPA. Membership and conduct are established by separate by-laws adopted by the LCB.

The LCB is an advisory body to the CTD and identifies local service needs and provides information, advice and direction to the Palm Beach County Community Transportation Coordinator (CTC) on the coordination of services to be provided to the transportation disadvantaged through the Florida Coordinated Transportation System.

Section 3. Technical Advisory Committee (TAC)

3.1 Role and Function

Pursuant to Section 339.175(6)(d), F.S., the TAC provides technical review, comments and recommendations regarding items to be considered by the TPA Governing Board, including transportation plans, programs, studies, and other appropriate documents and regional transportation issues. The TAC addresses other matters and concerns when directed by the TPA Governing Board. It shall be the function of the TAC to provide technical review and make recommendations to the TPA Governing Board regarding:

- Long Range Transportation Plans (LRTP) goals, objectives, performance measures, targets and desired and cost feasible projects and programs;
- Priority Project Lists, Transportation Improvement Programs (TIP), and Unified Planning Work Programs (UPWP);
- Objective Scoring system used to rank project applications submitted for funding through the annual Local Initiatives (LI) Program and State Road Modifications Program (SRM);
- Other TPA-led transportation plans, studies and reports;
- Transportation plans, studies, reports, and project designs presented to the TPA by partner agencies (FDOT, PBC Engineering, Municipalities, SFRTA, Palm Tran, Seaport, Airport, etc.);
- Regional transportation plans, studies, reports, and projects; and
- Proposed TPA policy or position statements.

3.2 Membership

- A. Number of TAC Members - The number of TAC Members shall be as determined by the TPA Governing Board. An agency seeking membership on the TAC shall submit a written request to the TPA for consideration and approval by the TPA Governing Board. The TPA Governing Board has final approval of membership in accordance with Section 339.175(6)(d), F.S. If FDOT seeks membership on the TAC, their Representative and Alternate would serve as a non-voting adviser.
- B. TAC Representatives - Each TAC Member shall nominate a TAC Representative by submitting a written nomination and a description of the individual's credentials to the TPA for consideration and approval by the TPA Governing Board. No advisory committee Representative may serve on more than one advisory committee to the TPA Governing Board at any time. The membership of the technical advisory committee must include, whenever possible, planners; engineers; representatives of local aviation authorities, port authorities, and public transit authorities or representatives of aviation departments, seaport departments, and public transit departments of municipal or county governments, as applicable; the school superintendent of each county within the jurisdiction of the MPO or the superintendent's designee; and other appropriate representatives of affected local governments.
- C. TAC Alternates - Each TAC Member may nominate a TAC Alternate(s) by submitting a written nomination and a description of the individual's credentials to the TPA for consideration and approval by the TPA Governing Board. The Alternate must meet the same qualifications as a TAC Representative. A TAC Alternate may serve as a TAC Representative for the TAC Member during any meeting, or portion of a meeting, where that TAC Representative is not in attendance. No advisory committee Alternate may serve on more than one advisory committee to the TPA Governing Board at any time.
- D. Term Limits for TAC Representatives and Alternates - TAC Representatives and Alternates shall serve at the pleasure of the TPA Governing Board for a three (3) year term. TAC Representatives and TAC Alternates may be reappointed by the TPA Governing Board and are not required to submit an updated letter of request or credentials.

3.3 Officers

- A. Officers - The officers of the TAC shall consist of a Chair and a Vice Chair.
- B. Elections - The officers shall be elected annually at the last regularly scheduled meeting of the calendar year. The newly elected officers shall take office at the first regularly scheduled meeting of the following calendar year. Additional elections may be held as necessary if an officer cannot carry out their duties and complete the remainder of the appointed term.
- C. Terms of Office - The term of office for officers shall be one (1) calendar year.
- D. Duties of Officers - The Chair shall call and preside TAC meetings and sign official documents for the TAC. In the Chair's absence, the Vice Chair shall preside and complete all other duties of the Chair. In the absence of both the Chair and the Vice Chair, the Representatives present shall elect a Chair Pro-Tem to preside and complete all other duties of the Chair.

In the event that the Chair is unable to carry out their duties for the remainder of the term, the Vice Chair shall automatically become Chair and a new Vice Chair shall be elected for the remainder of the term.

3.4 Meetings

- A. Regular Meetings - Meetings will be held on the first Wednesday of each month, except as noted on the meeting calendar published to the public on the TPA website. A quorum is required to vote on issues for recommendation to the TPA Board. If a quorum cannot be established, action items on the agenda will receive a consensus which will be forwarded to the TPA Board. The TPA Executive Director may cancel regular meetings should there be insufficient business on the TAC agenda or an anticipated lack of quorum.
- B. Special Meetings - Special meetings may be called by the Chair with three (3) days of notice given prior to the meeting. Whenever possible, at least seven (7) days of notice shall be given prior to the meeting.
- C. Attendance - Each TAC Representative shall be expected to attend each regular meeting. It shall be the obligation of a TAC Representative to provide reasonable notice to the TAC Alternate when the TAC Representative will not be attending a meeting, and to provide at least 24-hours advance notice to the TPA when neither a TAC Representative nor TAC Alternate will be attending a meeting. An absence without advance notice and without having a TAC Alternate in attendance will be considered unexcused.

TAC Representatives shall be automatically removed for lack of attendance. Lack of attendance is defined as unexcused absence at three (3) consecutive meetings. Further, TAC Members that do not have a TAC Representative or TAC Alternate for three (3) consecutive meetings will be presented to the TPA Board for consideration and removal from the committee.

- D. Agenda - The TPA staff, in consultation with the Chair, shall create a published list of items for decision (consent and action items), discussion (special presentations, reports, and information items), and receipt without discussion (administrative items) at a meeting. The agenda and any backup material for a TAC meeting shall be published for the public on the TPA website at least seven (7) days prior to the meeting, or as early as practicable. When good cause is shown in the judgment of the TAC, at the request of a TAC Representative, TAC Alternate, or the TPA Executive Director, an additional item(s) may be added to the agenda prior to adoption of the agenda for a given meeting. Addition of an item to the agenda is subject to approval by a majority of the TAC Representatives/Alternates voting at the meeting, provided that consideration of such item(s) is consistent with the TPA's Public Participation Plan noticing requirements.

In the event a TAC member desires to have an item added to a TAC meeting agenda or to furnish work product (*e.g.*, written report, video, *etc.*) of a specific topic to the TAC, it shall first be approved by the TAC. The item or work product may be added as an agenda item to a future TAC meeting agenda by a TAC member first making the request at a TAC meeting during the member comments section. The TAC will determine whether to add the item or work product to a future meeting and the manner and format in which the matter should be presented.

Organizations wishing to make a presentation to the TAC, must contact the TPA Executive Director at least ten (10) days prior to the meeting.

- E. Voting Procedures - The Chair and any TAC Representative may call for a vote on any issue, provided that it is seconded and within the purposes set forth on the agenda. At any given meeting, if a TAC Representative(s) is absent, the TAC Alternate(s), may vote in place of the absent Representative(s).

Voting shall be by voice but the minutes shall contain sufficient detail to record the vote of each TAC Representative/Alternate. A Roll Call vote shall be held upon the request of the Chair, a TAC Representative, or the TPA Executive Director. A tie vote shall be interpreted as a failure to approve the motion made.

Any TAC Representative who voted on the prevailing side may make a motion for reconsideration at the meeting during which the vote was taken or at the next regularly scheduled meeting, unless the action for which the vote was taken has been executed by the next regularly scheduled meeting and cannot be undone. A TAC Representative desiring to request reconsideration of a matter shall advise the Executive Director no less than ten (10) days prior to the meeting. The TPA Executive Director shall endeavor to provide notice of the request to the TAC Members prior to the meeting. Any TAC Representative who was not in attendance at the meeting at which the vote was taken shall be deemed to be on the prevailing side, unless the absence was unexcused. A motion to reconsider cannot be renewed if it has been voted on and defeated, except by unanimous consent of those voting TAC Representatives present at the meeting. Proxy and absentee voting are not permitted.

TAC Representatives/Alternates may not abstain from voting, unless the Representative/Alternate has a voting conflict of interest as defined by Section 112.3143, F.S. or unless the matter is quasi-judicial in nature and the abstention is to avoid prejudice or bias as provided in Section 286.012, F.S.

If a TAC Representative/Alternate is going to abstain from voting, the member must declare the conflict at the beginning of the public meeting and not participate in the discussion of the item. The Representative/Alternate must then submit a completed Florida Commission on Ethics - Form 8B to the TPA secretary within 15 days after the abstention occurs.

- F. Public Comment Procedures - All TAC meetings shall be open to the public. Members of the public are permitted to speak on any topics not on the agenda during the General Public Comment period by providing a Speaker Card to the TPA Executive Director, or the Executive Director's designee, prior to the commencement of, or during, the meeting. Members of the public may speak on agenda items following presentation of the item to the TAC by providing a Speaker Card to the TPA Executive Director, or the Director's designee. Public comment shall be limited to three (3) minutes unless the Chair authorizes an extension of time.
- G. Florida's Open Meetings Law - Every TAC Representative/Alternate shall comply with the State's Open Meetings Law. This includes not discussing current agenda items or other matters that may foreseeably come before the TAC for action with other TAC Representatives outside of a noticed meeting.

Section 4. Citizen's Advisory Committee (CAC)

4.1 Role and Function

Pursuant to Section 339.175(6)(e), F.S., the CAC reviews and makes recommendations regarding items to be considered by the TPA Governing Board with respect to the concerns of the various segments of the community regarding their transportation needs. It shall be the function of the CAC to provide citizen's review and make recommendations to the TPA Governing Board regarding:

- Public Participation Plan (PPP) development, implementation and modification;
- Policies and/or Projects contained within the TPA's Long Range Transportation Plans (LRTP), Priority Project Lists, Transportation Improvement Programs (TIP), and Unified Planning Work Programs (UPWP);
- Other TPA-led transportation plans, studies and reports;
- Transportation plans, studies, reports, and project designs presented to the TPA by partner agencies (FDOT, PBC Engineering, Municipalities, SFRTA, Palm Tran, Seaport, Airport, etc.);
- Regional transportation plans, studies, reports, and projects; and
- Proposed TPA policy or position statements.

4.2 Membership

- A. Number of CAC Members - The CAC is comprised of up to twenty-three (23), and no less than eleven (11) CAC Members, representing a diverse segment of Palm Beach County's citizenry. Effective September 30, 2025, the CAC membership shall be comprised of up to twenty-one (21), and no less than eleven (11) CAC Members, representing a diverse segment of Palm Beach County's citizenry. During the period until September 30, 2025, there shall be two at-large appointees who shall be nominated and appointed to serve by the TPA Governing Board. Should either at large appointee resign, be removed from the CAC, or die, said at large appointee's position shall cease to exist and the total CAC membership shall be reduced accordingly.

CAC Members - Each TPA Governing Board Member may nominate one CAC Member via submittal of a written request to the TPA along with a concise summary of the nominee's credentials for consideration and approval by the TPA Governing Board. When nominating CAC Members, TPA Governing Board members shall ensure adequate representation for minorities, the elderly and the handicapped in accordance with F.S. 339.175, Section (6)(e)1. Additionally, TPA Governing Board member nominations shall promote representation for environmental issues, business interests, the construction and development industry, the freight and goods movements industry, and private transportation providers as well as the general public. All CAC Members shall be residents and electors of Palm Beach County. A CAC Member cannot be an elected official or directly employed by an elected official. No advisory committee member may serve on more than one advisory committee to the TPA Governing Board at any time. The TPA Governing Board shall have the authority to grant waivers to the CAC membership requirements.

- A. Term Limits for CAC Members - CAC Members shall serve at the pleasure of the TPA Governing Board for a three (3) year term. CAC Members may be reappointed by the TPA Governing Board.

4.3 Officers

- A. Officers - The officers of the CAC shall consist of a Chair and a Vice Chair.
- B. Elections - The officers shall be elected annually at the last regularly scheduled meeting of the calendar year. The newly elected officers shall take office at the first regularly scheduled meeting of the following calendar year. Additional elections may be held as necessary if an officer cannot carry out their duties and complete the remainder of the appointed term.
- C. Terms of Office - The term of office for officers shall be one (1) calendar year.
- D. Duties of Officers - The Chair shall call and preside at CAC meetings and sign official documents for the CAC. In the Chair's absence, the Vice Chair shall preside and complete all other duties of the Chair. In the absence of both the Chair and the Vice Chair, the Members present shall elect a Chair Pro-Tem to preside and complete all other duties of the Chair.

In the event that the Chair is unable to carry out their duties for the remainder of the term, the Vice Chair shall automatically become Chair and a new Vice Chair shall be elected for the remainder of the term.

4.4 Meetings

- A. Regular Meetings - Meetings will be held on the first Wednesday of each month, except as noted on the meeting calendar published to the public on the TPA website. A quorum is required to vote on issues for recommendation to the TPA Board. If a quorum cannot be established, action items on the agenda will receive a consensus, which will be forwarded to the TPA Board. The TPA Executive Director may cancel regular meetings should there be insufficient business on the CAC agenda or a lack of anticipated quorum.
- B. Special Meetings - Special meetings may be called by the Chair with three (3) day notice. Whenever possible, at least seven (7) day notice shall be given.
- C. Attendance - Each CAC Member shall be expected to attend each regular meeting. It shall be the obligation of the CAC Member to provide at least 24-hours advance notice to the TPA when the Member will not be attending a meeting. An absence without advance notice will be considered unexcused.

CAC Members are expected to attend scheduled meetings on a regular basis. CAC Members shall be automatically removed for lack of attendance. Lack of attendance is defined as unexcused absence at three (3) consecutive meetings.

Additionally, when a CAC Member does not attend three (3) consecutive meetings for any reason, the TPA will send a letter to the CAC Member indicating the number of absences and requesting reaffirmation of the CAC Member's intent to serve on the committee.

- D. Agenda - The TPA staff, in consultation with the Chair, shall create a published list of items for decision (consent and action items), discussion (special presentations, reports, and information items), and receipt without discussion (administrative items) at a meeting. The agenda and any

backup material for a CAC meeting shall be published for the public on the TPA website at least seven (7) days prior to the meeting, or as early as practicable. When good cause is shown in the judgment of the CAC a CAC Member, or the TPA Executive Director, may propose an additional item(s) be added to the agenda prior to adoption of the agenda for a given meeting. Additional of an item to the agenda is, subject to approval by a majority of the Members voting at the meeting; provided that consideration of such item(s) is consistent with the TPA's Public Involvement Plan noticing requirements.

In the event a CAC member desires to have an item added to a CAC meeting agenda or to furnish work product (*e.g.*, written report, video, *etc.*) of a specific topic to the CAC, it shall first be approved by the CAC. The item or work product may be added as an item to a future CAC agenda by a CAC member first making the request at a CAC meeting during the member comments section. The CAC will determine whether to add the item or work product to a future meeting agenda and the manner and format in which the matter should be presented.

Organizations wishing to make a presentation to the CAC must contact the TPA Executive Director at least ten (10) days prior to the meeting.

- E. Voting Procedures - The Chair and any CAC Member may call for a vote on any issue, provided that it is seconded and within the purposes set forth on the agenda.

Voting shall be by voice but the minutes shall contain sufficient detail to record the vote of each Member. A Roll Call vote shall be held upon the request of the Chair, a CAC Member, or the TPA Executive Director. A tie vote shall be interpreted as a failure to pass.

Any CAC Member who voted on the prevailing side may make a motion for reconsideration at the meeting during which the vote was taken or at the next regularly scheduled meeting unless the action for which the vote was taken has been completed by the next regularly scheduled meeting and cannot be undone. A CAC Member desiring to request reconsideration of a matter shall advise the Executive Director no less than ten (10) days prior to the meeting. The TPA Executive Director shall endeavor to provide notice of the request to the CAC Members prior to the meeting. Any CAC Member who was not present at the meeting at which the vote was taken shall be deemed to be on the prevailing side unless the absence was unexcused. A motion to reconsider cannot be renewed if it has been voted on and defeated except by unanimous consent of those voting Members present at the meeting. Proxy and absentee voting are not permitted.

CAC Members may not abstain from voting, unless the Member has a voting conflict of interest as defined by Section 112.3143, F.S., or unless the matter is quasi-judicial in nature and the abstention is to avoid prejudice or bias as provided in Section 286.012, F.S.

If a CAC Member is going to abstain from voting, the member must declare the conflict at the beginning of the public meeting and not participate in the discussion of the item. The member must then submit a completed Florida Commission on Ethics - Form 8B to the TPA secretary within 15 days after the abstention occurs.

- F. Public Comment Procedures - All CAC meetings shall be open to the public. Members of the public are permitted to speak on any topics not on the agenda during the General Public Comment period by providing a Speaker Card to the TPA Executive Director, or the Executive Director's designee, prior to the commencement of, or during, the meeting. Members of the public may

speaking on agenda items following presentation of the item to the CAC by providing a Speaker Card to the TPA Executive Director, or the Director's designee. Public comment shall be limited to three (3) minutes unless the Chair authorizes an extension of time.

- G. Florida's Open Meetings Law - Every CAC Member shall comply with the State's Open Meetings Law. This includes not discussing current agenda items or other matters that may foreseeably come before the CAC for action with other CAC Members outside of a noticed meeting.

Section 5. Vision Zero Advisory Committee (VZAC)

5.1 Role and Function

The VZAC serves in an advisory capacity to the TPA Governing Board to advance those elements of the TPA's Vision Zero Action Plan oriented around pedestrian and bicycle safety, and to address other matters and concerns when directed by the TPA. It shall be the function of the VZAC to review and make recommendations to the TPA Governing Board regarding the non-motorized elements of:

- Objective Scoring system used to rank project applications submitted for funding through the annual Transportation Alternatives Program and project rankings;
- The TPA's Long Range Transportation Plans (LRTP), Priority Project Lists, Transportation Improvement Programs (TIP), and Unified Planning Work Programs (UPWP);
- Other TPA-led transportation plans, studies and reports;
- Transportation plans, studies, reports, and project designs presented to the TPA by partner agencies (FDOT, PBC Engineering, Municipalities, SFRTA, Palm Tran, Seaport, Airport, etc.);
- Regional transportation plans, studies, reports, and projects; and
- Other items of interest as determined by the TPA or the VZAC.

5.2 Membership

- A. Number of VZAC Members - The number VZAC Members for the TPA shall be as determined by the TPA Governing Board. An agency seeking membership on the VZAC shall submit a written request to the TPA for consideration and approval by the TPA Governing Board. The TPA Governing Board has final approval of membership. If FDOT seeks membership on the VZAC their Representative and Alternate would serve as a non-voting advisor. The membership of the VZAC shall include representatives of local governments, law enforcement and fire rescue services, school district, health department, active transportation advocacy groups, and other entities as deemed appropriate by the TPA Board to advance those elements of the TPA's Vision Zero Action Plan oriented around pedestrian and bicycle safety.
- B. VZAC Representatives - Each VZAC Member shall nominate a VZAC Representative by submitting a written nomination and a description of the individual's credentials to the TPA for consideration and approval by the TPA Governing Board. No advisory committee Representative may serve on more than one advisory committee to the TPA Governing Board at any time.
- C. VZAC Alternates - Each VZAC Member may nominate a VZAC Alternate(s) with a description of the individual's credentials and submit the nomination in writing to the TPA for consideration and

approval by the TPA Governing Board. The VZAC Alternate must meet the same qualifications as a VZAC Representative. A VZAC Alternate may serve as a VZAC Representative for the VZAC Member during any meeting, or portion of a meeting, where that VZAC Member's Representative is not in attendance. No advisory committee Alternate may serve on more than one advisory committee to the TPA Governing Board at any time.

- D. Term Limits for VZAC Representatives and Alternates - VZAC Representatives and VZAC Alternates shall serve at the pleasure of the TPA Governing Board for a three (3) year term. VZAC Representatives and Alternates may be reappointed by the TPA Governing Board and are not required to submit an updated letter of request or credentials.

5.3 Officers

- A. Officers - The officers of the VZAC shall consist of a Chair and a Vice Chair.
- B. Elections - The officers shall be elected annually at the last regularly scheduled meeting of the calendar year. The newly elected officers shall take office at the first regularly scheduled meeting of the following calendar year. Additional elections may be held as necessary if an officer cannot carry out their duties and complete the remainder of the appointed term.
- C. Term of Office - The term of office for officers shall be one (1) calendar year.
- D. Duties of Officers - The Chair shall call and preside at VZAC meetings and sign official documents for the VZAC. In the Chair's absence, the Vice Chair shall preside and complete all other duties of the Chair. In the absence of both the Chair and the Vice Chair, the Members present shall elect a Chair Pro-Tem to preside and complete all other duties of the Chair.

In the event that the Chair is unable to carry out their duties for the remainder of the term, the Vice Chair shall automatically become Chair and a new Vice Chair shall be elected for the remainder of the term.

5.4 Meetings

- A. Regular Meetings - Meetings will be held on the first Thursday of each month, except as noted on the meeting calendar published to the public on the TPA website. A quorum is required to vote on issues for recommendation to the TPA Board. If a quorum cannot be established, action items on the agenda will receive a consensus, which will be forwarded to the TPA Board. The TPA Executive Director may cancel regular meetings should there be insufficient business on the VZAC agenda or a lack of anticipated quorum.
- B. Special Meetings - Special meetings may be called by the Chair with three (3) day notice. Whenever possible, at least seven (7) day notice shall be given.
- C. Attendance - Each VZAC Representative shall be expected to attend each regular meeting. It shall be the obligation of a VZAC Representative to provide reasonable notice to the VZAC Alternate when the VZAC Representative will not be attending a meeting, and to provide at least 24-hours advance notice to the TPA when neither a Representative nor Alternate will be attending a meeting. An absence without advance notice and without having an Alternate in attendance will be considered unexcused.

VZAC Representatives shall be automatically removed for lack of attendance. Lack of attendance is defined as unexcused absence at three (3) consecutive meetings. Further, VZAC Members that do not have a VZAC Representative or VZAC Alternate for three (3) consecutive meetings will be presented to the TPA Board for consideration and removal from the committee.

- D. Agenda - The TPA staff, in consultation with the Chair, shall create a published list of items for decision (consent and action items), discussion (special presentations, reports, and information items), and receipt without discussion (administrative items) at a meeting. The agenda and any backup material for a VZAC meeting shall be published for the public on the TPA website at least seven (7) days prior to the meeting or as early as practicable. When good cause is shown in the judgment of the VZAC, at the request of a VZAC Representative, Alternate, or the TPA Executive Director, an additional item(s) may be added to the agenda prior to adoption of the agenda for a given meeting. Addition of an item to the agenda is subject to approval by a majority of the VZAC Representatives/Alternates voting at the meeting; provided, that consideration of such item(s) is consistent with the TPA's Public Participation Plan noticing requirements.

In the event a VZAC member desires to have an item added to a VZAC meeting agenda or to furnish work product (*e.g.*, written report, video, *etc.*) of a specific topic to the VZAC, it shall first be approved by the VZAC. The item or work product may be added as an item to a future VZAC meeting agenda by a VZAC member first making the request at a VZAC meeting during the member comments section. The VZAC will determine whether to add the item or work product to a future meeting agenda and the manner and format in which the matter should be presented.

Organizations wishing to make a presentation to the VZAC must contact the TPA Executive Director at least ten (10) days prior to the meeting.

- E. Voting Procedures - The Chair and any VZAC Representative may call for a vote on any issue, provided that it is seconded and within the purposes set forth on the agenda. At any given meeting, if a VZAC Representative(s) is absent, the VZAC Alternate(s), may vote in place of the absent Representative(s).

Voting shall be by voice but the minutes shall contain sufficient detail to record the vote of each VZAC Representative/Alternate. A Roll Call vote shall be held upon the request of the Chair, a VZAC Representative, or the TPA Executive Director. A tie vote shall be interpreted as a failure to approve the motion made.

Any VZAC Representative who voted on the prevailing side may make a motion for reconsideration at the meeting during which the vote was taken or at the next regularly scheduled meeting unless the action for which the vote was taken has been executed by the next regularly scheduled meeting and cannot be undone. A VZAC Representative desiring to request reconsideration of a matter shall advise the Executive Director no less than ten (10) days prior to the meeting. The TPA Executive Director shall endeavor to provide notice of the request to the VZAC Members prior to the meeting. Any VZAC Representative who was not in attendance at the meeting at which the vote was taken shall be deemed to be on the prevailing side, unless the absence was unexcused. A motion to reconsider cannot be renewed if it has been voted on and defeated, except by unanimous consent of those voting VZAC Representatives present at the meeting. Proxy and absentee voting are not permitted.

VZAC Representatives/Alternates may not abstain from voting, unless the Representative/Alternate has a voting conflict of interest as defined by Section 112.3143, F.S., or unless the matter is quasi-judicial in nature and the abstention is to avoid prejudice or bias as provided in Section 286.012, F.S.

If a VZAC Representative/Alternate is going to abstain from voting, the member must declare the conflict at the beginning of the public meeting and not participate in the discussion of the item. The Representative/Alternate must then submit a completed Florida Commission on Ethics - Form 8B to the TPA secretary within 15 days after the abstention occurs.

- F. Public Comment Procedures - All VZAC meetings shall be open to the public. Members of the public are permitted to speak on any topics not on the agenda during the General Public Comment period by providing a Speaker Card to the TPA Executive Director, or the Director's designee, prior to the commencement of, or during the meeting. Members of the public may speak on agenda items following presentation of the item to the VZAC by providing a Speaker Card to the TPA Executive Director, or the Director's designee. Public comment shall be limited to three (3) minutes, unless the Chair authorizes an extension of time.
- G. Florida's Open Meetings Law - Every VZAC Representative/Alternate shall comply with the State's Open Meetings Law. This includes not discussing current agenda items or other matters that may foreseeably come before the VZAC for action with other VZAC Representatives outside of a noticed meeting.

Section 6. Emergency Powers

6.1 Applicability

In the event that an emergency prevents the TPA from conducting a board or committee meeting consistent with these Operating Procedures, the following emergency powers are established.

6.2 Virtual Meetings

If the TPA Governing Board, or any of its committees, is permitted by law, executive order, or similar action to conduct a meeting with a quorum of the Governing Board or TPA committee established virtually, the TPA shall conduct these meetings utilizing communications media technology.

Public notice of these meetings shall be provided consistent with the TPA's PPP and with state law, shall include instructions to access the public meeting via communications media technology and shall name locations, if any, where communications media technology shall be available for use by the public.

The public meeting shall provide the opportunity for public comment, and all comments, evidence, testimony, or written submissions shall be afforded equal consideration. The notice of the public meeting shall include instructions regarding how members of the public may submit written documents, written comments, written questions before the meeting or verbal comments or questions to be presented during the public meeting.

6.3 Emergency Approvals

In the event that the TPA is not able to conduct a board meeting consistent with these Operating Procedures or using communications media technology, and the TPA is required to take an immediate action approving or amending one of its essential documents (LRTP, Priority Project List, TIP, UPWP, etc.) or executing an implementing agreement or application for one of its essential documents, the TPA Chair (or Vice Chair in the absence of the Chair), upon consultation with the Executive Director and TPA General Counsel, is hereby authorized to approve or amend the essential document and/or execute the implementing agreement or application on behalf of the TPA.

The TPA Executive Director is authorized to submit any documents approved under this emergency authority to the Florida Department of Transportation, Federal Highway Administration, and/or Federal Transit Administration as necessary along with documentation of the TPA's inability to conduct a TPA Board meeting consistent with these Operating Procedures or using communications media technology.

Any documents approved under this emergency authority shall be presented to the TPA Board at its next Board meeting for endorsement or modification, provided that the action taken using the emergency authority is able to be modified. The TPA will also provide opportunity for public review and comment at that time in a manner consistent with the PPP.

Section 7. Amendments

These operating procedures may be amended at any meeting of the Governing Board by a majority vote of those Governing Board Representatives attending the meeting; provided, that the draft proposed amendment appears on the agenda and the draft proposal is included in the agenda package at least seven (7) days prior to the meeting. An amendment to a draft proposal taking place at a Governing Board meeting shall not require re-noticing of the proposal to amend these Operating Procedures.



2023 TPA Governing Board, Advisory Committee & Coordinating Board Meeting Dates

Meetings held at 301 Datura Street, West Palm Beach, FL 33401

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Governing Board 3 rd Thursday of most months at 9:00 a.m.		16	16	20	18	15	20		21	26*		14**
Technical Advisory Committee (TAC) 1 st Wednesday of most months at 9:00 a.m.		1	1	5	3	7	5		6	18^		6
Citizen's Advisory Committee (CAC) 1 st Wednesday of most months at 1:30 p.m.		1	1	5	3	7	5		6	18^		6
Vision Zero Advisory Committee (VZAC) 1 st Thursday of most months at 9:00 a.m.		2	2	6	4	8*	6		7	19~		7
Transportation Disadvantaged Local Coordinating Board (TDLCB) 2 nd month of each quarter at 2:00 p.m.		22			24			23			15	

Shaded = No Meeting

* Fourth Thursday

** Second Thursday

^ Third Wednesday

~ Third Thursday