VII. GENERAL TERMS AND CONDITIONS OF EMPLOYMENT

Section 1. EMPLOYEE FITNESS AND HEALTH

A. Any employee may be required to take an examination at City expense at any time to determine the employee's general fitness for employment based on the essential requirements of his position. Such examinations may include, but are not limited to, physical, psychological, psychiatric examinations, or any evaluation deemed appropriate. Failure to comply with an order to take an examination will result in disciplinary action, up to and including dismissal.

B. The reason(s) for requesting an examination must be submitted in writing to the Human Resources Director for review to determine whether or not an examination is warranted. If an examination is deemed appropriate, the Human Resources Department will schedule the examination; prepare notification to the employee in conjunction with the employee's supervisor; and prepare the information for the examining physician, including, but not limited to, the essential job requirements/functions, as outlined in the employee's job description, which are of concern; on-the-job injury/vehicle accident history and circumstances; job performance concerns; health; etc. The report of the independent medical examination, conducted by a competent medical authority selected by the Human Resources Director, will be submitted to the Human Resources Director and will be maintained on a confidential basis, pursuant to statutory regulations. The Human Resources Director, in conjunction with the employee's Supervisor/Department Director, will review the medical reports and determine appropriate actions as necessary.

Section 2. EMPLOYEE PERSONNEL FILES, VERIFICATIONS, REFERENCE CHECKS

A. The Human Resources Department is the custodian of employee personnel records.

It is each employee's responsibility to ensure that his personnel file is accurate and is updated to reflect current information, including, but not limited to, the following:

- name changes.
- address, including actual place of residence and mailing address.
- names, dates of birth, social security numbers for life insurance beneficiaries and for retirement beneficiaries.
- telephone number.
- emergency contact (name, address, and telephone number).
- copies of education certificates, diploma(s), letters of commendation, awards, etc.
- payroll deduction authorization(s).
- tax withholding forms.

B. All requests for employment verification regarding current or former employees shall be referred to the Human Resources Department (e.g., mortgage forms, reference checks, eligibility for rehire, confirmation of employment dates, etc.) so that any information released will be **documented information only**. Supervisors must refer all telephone calls of this nature to the Human Resources Department. Supervisors who release employment information on their own authority, contrary to this policy, may risk personal legal liability.

Section 3. SOLICITATION AND DISTRIBUTION

Solicitation for any purpose other than City business is not permitted on City premises/facilities without prior authorization of the City Manager and/or the Human Resources Director for City benefit programs. If a sales representative contacts any employee while on duty or visits City facilities for the purpose of selling his product, the vendor should be informed in a courteous manner of the City's procedures and rules regarding solicitation and advised to contact the Human Resources Department.

To best serve the public, no personal or private business shall be conducted in working areas during working time. Employees, as well as sales representatives, are prohibited from soliciting employees during working hours, or distributing literature in areas where the work of public employees is performed, such as offices and other public facilities. This does not prohibit the distribution of materials during employees' lunch hours or in such areas not specifically devoted to the performance of employees' duties, provided the employees involved are not on duty.

Section 4. BULLETIN BOARDS

The various bulletin boards of the City are to be reserved for the posting of official notices and activities of the City. Employees are permitted to post notices of personal items for sale. Other personal messages or business advertisements are prohibited, except by permission of the Department Director. Information relating to represented employees may be posted on bulletin boards pursuant to the provisions of the respective collective bargaining agreements.

Section 5. INVENTIONS/PATENTS/ROYALTIES

The City encourages and supports employment-related inventions and ideas; however, the City shall not pay any further compensation for inventions since the employees will be receiving adequate compensation for their employment.

Employees shall promptly disclose to a Department Director all inventions, discoveries, and improvements which the employee may make, either solely or jointly with others, while in the employ of the City. For a period of twelve (12) months following separation of the employee from the City, the employee shall identify which inventions, discoveries, and improvements relate to products, systems, programs, or other developments manufactured, developed, or sold by the City during the period of employment with the City, or the manufacture, development, or sale of which was in contemplation by the City. The employee agrees to transfer, assign, and convey to the City the employee's whole right, title, and interest in, including the employee's whole right, title, and interest in and to any domestic and foreign patent rights therein and any renewals.

In accordance with the City's financial contribution and the associated risk undertaken to demonstrate

the practical utility of the invention, discovery, or improvement, each employee further agrees that during his period of employment with the City and any time thereafter, to execute any instruments, including without limitation, applications for letters, patents, and assignments thereof, or to comply with any directives which may be deemed desirable by the City to effectuate the provisions of this section. All expenses of filing or prosecuting any patent applications shall be borne solely by the City, but the employee shall cooperate in filing and/or prosecuting any such other application.

Section 6. RULES REGARDING THE USE OF TOBACCO PRODUCTS IN CITY FACILITIES AND VEHICLES

The City strives to improve working conditions and protect the health of employees and the general public. Effective October 1, 2013, in accordance with the "Florida Clean Indoor Air Act" (Florida Statutes, Chapter 386), it is the policy of the City to provide a healthy, comfortable, and safe environment in all respects by prohibiting use of all tobacco products in all City buildings, City properties (including right-of-ways), and in all City vehicles.

Any supervisor, who observes an employee in violation of this rule, shall proceed with counseling followed by formal disciplinary action if future violations occur.

Employees hired after October 1, 2012 will be required to sign a Non-Tobacco Use Agreement as a condition of employment.

Effective October 1, 2013, employees participating in the group health insurance programs, who use any tobacco products, shall pay a monthly premium surcharge as designated by the City.

Section 7. SAFETY PROGRAM

The City complies with all applicable federal, state, and local health and safety regulations to provide a work environment as free as possible from recognized hazards. Employees are expected to comply with all safety and health requirements whether established by Department supervision or by federal, state, or local law. All Department Directors, Supervisors, and employees must recognize their responsibility in the Safety Program as outlined in the City of Oviedo Safety Manual, which is provided to each employee when hired by the City.

Section 8. WORKPLACE SECURITY

The City of Oviedo is committed to providing as much protection as possible for the security of our employees and the public, including security of City property/premises. Accordingly, certain items such as credit cards, keys/entry or access codes to City buildings and facilities, etc., will be issued only to employees whose responsibilities require them. Employees may be required to sign a form indicating receipt of a particular item and their understanding that it is the property of the City and is to be used for official business only.

Duplication of any restricted access item is prohibited.

Loss of any restricted access item must be reported to the issuing party as soon as the loss is discovered. An employee may be charged an appropriate fee for the replacement of any lost item.

Section 9. RESIDENCY REQUIREMENTS

The City has no residency requirements for employment, except as required by the City Charter.

Section 10. INFORMATION TECHNOLOGY

Access to the computer systems and networks owned and operated by the City of Oviedo impose certain responsibilities upon users, in accordance with City policy and local, state and federal law. Users accept the responsibility for utilizing services in ways that are ethical, that demonstrate integrity and respect for others who share this resource.

Because there are so many individuals who utilize this shared resource, respect for the rights and needs of others is central to this policy. To ensure access and service for all users, users must refrain from any action which interferes with the system, such as:

- Using computer or network services for commercial purposes
- Sending excessive e-mail or messages locally or over the network such as chain letters, advertisements or solicitations
- Knowingly installing or running a program that will damage or place an undue burden on the system
- Knowingly acting in a manner that will disrupt normal operations of computers or the network

Technology should not be used in a manner that infringes upon individual's right to privacy. The following restrictions are imposed to protect the employee's privacy, as well as the privacy of others. Unless authorized to do so, users are prohibited from:

- Using computer or network services in a way that violates copyrights, patent protections or license agreements
- Gaining unauthorized access to information that is private or protected, or attempting to do so
- Running programs that attempt to identify passwords or codes
- Interrupting programs that protect data or secure systems, or attempting to damage the network, equipment, materials, or data (e.g. hacking, flooding, or virus deployment)
- Monitoring or tampering with another employee's e-mail
- Reading, copying, changing or deleting another employee's work
- Using another employee's password or allowing others to use yours
- Attempting to gain network privileges to which you are not entitled
- Using electronic resources for personal financial gain, for political election/campaign activities, online bidding or comparable activities, or for any activities related to conducting a personal/private business.

Computer systems and networks allow for a free exchange of ideas and information. This exchange serves to enhance learning, teaching, critical thinking and research. While the constitutional right of free speech applies to communication in all forms, we encourage civil and respect discourse. City policy and local, state and federal law do prohibit some forms of communication, to include:

- Obscenity
- Defamation

- Advocacy directed to incite or produce lawless action
- Threats of violence
- Disruption of the business environment
- Harassment based on sex, race, disability, religion, national origin, physical attributes or other protected status
- Anonymous or repeated messages designed to annoy, abuse or torment
- Using electronic resources for illegal or inappropriate activities.
- Other uses that the City considers unacceptable.

Each employee who obtains a computer/e-mail account, or uses the computers and network resource made available by the City, must understand that he is accountable for these policies. Users assume responsibility for:

- Protection of passwords
- Reporting any breech of system security
- Reporting unauthorized use of your account
- Changing your password on a regular basis, as required

The Information Technology Department may access user files for the maintenance of networks, computers and storage systems. The IT Department may monitor usage patterns for both voice and data communications. This may include a number called, a site accessed, or an email sent or received. Reasons for review include, but are not limited to: system problems or failure, cost analysis/allocation, legal actions against the City, probable cause to suspect a crime or violation of City policies, or job performance when the user is unavailable. Privacy or confidentiality of documents and messages stored on City owned equipment cannot be guaranteed. Systems staff may also routinely monitor and log usage data, such as network connection times, CPU and disk utilization for each user, security audit trails, internet activity and network loading. Data collected may be reviewed and further investigated should evidence of violation of policy or law occur. If necessary, IT may monitor the activities and files of specific users on their computers and networks.

It is a violation of the City's procedures and rules for any employee, vendor or person to install hardware/software or remove hardware/software from City owned technology equipment or attached unauthorized equipment to the City's network, including game systems, computers, or any device without approval from the Information Technology Department.

A. Hardware

General hardware standards will be established to ensure hardware compatibility across City departments. It is the goal of the City to reduce training costs, supply costs and maintenance costs through the use of similar and compatible equipment. It is not intended to impede the initiative of departments wishing to computerize applications. Departments are encouraged to pursue additional computerization, but must coordinate with the Information Technology Department to meet these goals.

B. Software

To ensure long range, cost effective interdepartmental communications, software standards have been established to increase the benefits of sending and receiving interdepartmental data among

City computer users. Providing software standards will assist in maximizing the compatibility of data exchanges between all City computers. Increased interdepartmental communications by means of software compatibility will assist employees in maintaining a high level of service to the City residents. Recommendations for additions/changes to the software standards list should be directed to the Information Technology Director for review. Software standards will be based upon the following criteria:

- Program compatibility with existing hardware and software
- Recommendations from the IT Department and computer representatives following evaluation of the software package
- Features and benefits that are applicable to the majority of departments
- Availability of vendor support for the product
- Cost/benefit analysis, if necessary
- Ease of data file exchange for simplified data retrieval and transfers
- Overall contribution to enhancement of the city-wide computing and information processing
- Purchases and use of software version upgrades will be based upon the software standards criteria and approved by the IT Department

C. Security

The Information Technology Department is responsible for ensuring that the security system is operable and up to date. All menu options, passwords, operators and automatic setup routines are to be monitored by the IT Department to ensure that conflicts or errors do not occur. All users are required to log out or lock their workstations when not in use for an extended period of time (more than 10 minutes). In addition, screensavers with passwords will be utilized to enhance system security. For security purposes:

- No employee shall divulge his network or e-mail password. Any person with knowledge or any password not their own shall report this to their supervisor immediately. The IT Department will have the password reset upon notification.
- No employee shall attempt unauthorized access to the City's network.
- Use of City-owned laptop/portable and handheld devices must be authorized by the IT Department and must be issued with software images developed and/or approved by the City. Only IT personnel shall install City-owned or approved software on such devices. All information contained within such devices is the property of the City of Oviedo and is not considered personal information. Maintenance for these devices shall be performed by IT personnel.
- Only City-owned or approved devices shall be allowed to connect to the network infrastructure unless prior approval has been granted by the IT Director.
- Employees issued portable devices shall be held responsible for the security of the device and for the security of the information contained on such devices. Portable devices are not to be left in plain sight in vehicles while vehicle is unoccupied for extended periods of time.

The IT Department will install an anti-virus product on each PC workstation so that it runs full-time in the background. Once properly installed, there is no user action necessary to ensure that your system is protected.

Upon receipt of a report of a virus infection, the IT Department will notify all Department Directors and brief them on the likelihood of the virus spreading further and of the virus infecting any files on the server. They will oversee the effort to eradicate viruses from the City's networks.

D. Electronic Mail

The City provides electronic mail to employees for business purposes. All electronic messages are the property of the City and therefore are not considered private. The City may provide access to its electronic mail system to external users such as consultants, other city or county employees, special task force members and others as deemed necessary. External users will only be given access to the City's electronic mail system if they make a formal public records request through the City Clerk's Office. The contents of communications by external users will be accessed or disclosed as provided in Florida Public Records Law.

The following uses of the City's electronic mail system are prohibited:

- Use of the e-mail system to send chain letters, commercial advertisements, documents in violation of copyright laws and/or messages containing offensive, abusive, threatening, harassing, or other language inappropriate for the City
- Use of the e-mail system to send or receive passwords
- Use of the e-mail system to compromise the integrity of the City and its business in any way
- Use of the e-mail system for political gain or advertising
- Personal use of the City's e-mail system
- Use of the e-mail system for the purpose of satisfying idle curiosity about the affairs of others, with no substantial business purpose for obtaining access to the files or communications of others

Users are cautioned to exercise care and good judgment when sending humorous material. Off-color humor in e-mail or voice mail is strictly prohibited. Moreover, humor, irony, and emotion are difficult to communicate in an e-mail message. Therefore, attempts at either may be misinterpreted by the reader or recipient.

When using group e-mail, users are required to use discretion and to exercise good judgment. For example, sending to the "Oviedo" group adds to everyone's workload and taxes the network; examples of such inappropriate use include announcements of leave time and solicitations.

E. Internet

The City's internet access is a privilege granted to employees to enhance their abilities and knowledge, increase their productivity and provide opportunities for professional growth. Please remember, when you are conducting business on the internet, you are representing the City of Oviedo. All actions and communications should be conducted in a courteous and ethical manner.

The internet is a valuable resource tool. Employees are encouraged to use the internet in the performance of their duties, or to enhance their effectiveness. Employees are not permitted to "surf the net" for personal purposes.

Examples of appropriate use of the Internet would be:

- Performance of job functions
- Communication in an efficient, timely manner
- Resource and personnel coordination
- Communication with outside organizations in order to perform job functions
- Conduct job related research

Examples of inappropriate use of the Internet would be:

- Illegal activities
- Pirated software
- Documents in violation of copyright laws
- Use that compromises the City's integrity
- Personal business (job searches, on-line dating, advertisements)
- Sexually explicit material
- Political endorsements
- Commercial activities
- Creating or forwarding threatening or Hate related material

F. File Downloads

All downloads from the Internet or any other external computer will be screened for viruses. All users must assume that websites and their corresponding data could be infected with a virus.

G. Internet Enabled Programs

Numerous programs exist which use the Internet or access to the Internet to facilitate various activities including chat programs, file sharing programs and messaging programs. Unless authorized by your Department Director, the following programs or similar programs are not to be used on the City of Oviedo's Information Network. This includes, but is not limited to the following programs:

- ICQ
- AIM (America Online Instant Messenger)
- MSN Messenger
- MySpace
- Napster
- FaceBook
- UTube
- Hotline

H. Internet Streaming Content

Numerous programs exist which stream media to a users computer. This type of program causes network congestion and is not recommended on the City of Oviedo's Information Network. The following programs or similar programs are not recommended:

- Real Audio Internet Radio
- Streaming Video Broadcasts

I. Network User Accounts and Passwords

User IDs and passwords are necessary to maintain individual accountability for computer usage including Internet and e-mail, and must never be shared or revealed to anyone, regardless of the circumstances. To do so exposes the authorized user to responsibility for actions the other party takes with the password. If users need to share computer resident data, they should utilize public directories on the local area network.

J. Voicemail

The voice mail system is a user friendly, privileged communications system that digitally creates stores and forwards communications and data from one user to one or more users throughout the City.

Voicemail is to be used as a last resort tool for recovering customer calls. It is not to be used as a substitute for employees answering the phone. All calls from our residents are to be answered first by an employee, and then by the voice mail system. Every attempt, whether departmentally or systematically, should be made to answer the call with a person. Voice mail is an option for the customer as a courtesy and as a backup to the employee's call path. Failure on an employee's part to answer their or their department's calls and abuse the voice mail system could result in disciplinary action.

The City reserves the right to monitor voice mail messages and, with City Manager approval, to access and disclose the contents of any employee's voice mailbox. Any contents properly obtained may be disclosed within the City without the consent of the employee, but only to those employees who have some reasonable need for access to the information. Incidental and occasional personal messages will be permitted within the City, but these messages will be treated the same as all other messages sent via the voice mail system.

No employee shall divulge his mailbox password or attempt unauthorized access to the voice mail system. Any employee with knowledge of any password not their own shall report this to the supervisor immediately. The supervisor will take the appropriate action for securing the mailbox.

K. File Management and Disk Organization

It is important that all employees understand that any data that may need to be shared should be stored in an area under their own department section of the file server. Shared data should not be stored in the employee's home directory, which is denoted by their login name on the network. When an employee leaves the employment of the City, their home directory will routinely be

deleted from the file server. It is the responsibility of the department to notify the IT Department prior to the employee's termination of any data that must be copied from the home directory.

L. Remote Access

It is the responsibility of City employees with remote access privileges to the City's network to ensure that their remote access connection is given the same consideration as the employee's on-site connect to the City of Oviedo. General access to the internet for recreational use by immediate household members through the City's network is not permitted. The employee is responsible to ensure that no one other than the authorized user can gain access to the City's network. The City employee bears responsibility for the consequences should the access be misused.

Secure remote access must be strictly controlled. Control will be enforced via one-time password authentication or public/private keys with strong pass-phrases. At no time should any employee provide their remote access/VPN password to anyone, not even family members. Employees must ensure that their City-owned or personal computer or workstation, which is remotely connected to the City's network, is not connected to any other network at the same time, with the exception of personal networks that are under the complete control of the employee. Employees must not use non-City e-mail accounts (Hotmail, Yahoo, AOL) or other external resources to conduct City business, thereby ensuring that official business is never confused with personal business.

Reconfiguration of an employee's personal equipment for the purpose of split-tunneling or dual homing is not permitted. Non-standard hardware configurations must be approved by the IT Department. All hosts that are connected to the City's internal networks via remote access must use up-to-the-date anti-virus software, to include personal computers.

M. Website Linkage

An external link is a hyperlink from the City's website to a website maintained by another party. The purpose of the City's website and external links is to provide information about officials, services and attractions related to the City of Oviedo. Any entity requesting a link from the City's website must request the link by contacting the City's IT Department.

N. Helpdesk

To facilitate communication between the IT Department and City employees, three methods of contacting the department have been established.

- Web interface on the City's intranet (Chicken Coop). There is an IT Helpdesk link on the homepage which allows you to enter new work orders.
- E-mail addressed to helpdesk@cityofoviedo.net will allow you to contact the IT department with problems, and
- Telephone may be used if your computer is completely inoperable.

You can check the status of your helpdesk ticket at any time by accessing the Helpdesk via the web interface on the City's intranet (Chicken Coop).

O. Computer Replacement Program

The IT Department has set priorities that will help determine the sequence in which computers are replaced. City computers will be replaced with standard machines designed with specifications adequate for a four-year life cycle for desktops and a three-year life cycle for laptops. The standard configuration for both desktops and laptops will be determined by the IT staff at the beginning of each fiscal year. The IT Department does not special-order computers unless there is a demonstrated need for an additional (non-replacement) computer or an emergency replacement is required.

Computers older than four years that have been replaced through the replacement program are said to be "out-of-cycle" or "OOC". All components of such machines will be clearly marked as OOC. OOC computers may not be passed on to departments and will be disposed of by a process established by the City Council.

P. Users are required to abide by the rules of communications etiquette. This includes being polite, abstaining from the use of vulgar or obscene language, and providing timely responses to communication.

Q. The City requires that employees respect the copyright law and the rights of copyright owners. An individual may be breaking the law if he/she reproduces or uses a work created by someone else without permission.