



HUMAN RESOURCES POLICY

PURPOSE

It is the policy of the Greater Miami Expressway Agency (GMX) to foster a work environment in which all individuals are treated with respect and dignity and which promotes mutual respect and equal opportunities in employment.

With that intent, this Human Resources Policy addresses GMX's employment policies, which serve as guidelines for uniform and consistent administration of personnel. All changes to this Human Resources Policy require approval of the GMX Governing Board.

SPECIFIC REQUIREMENTS

Through the approval of this policy, the GMX Governing Board delegates authority to the Executive Director or his/her designee for developing, updating and implementing procedures to ensure consistent and uniform compliance with this policy, applicable laws and quality personnel management principles. Notwithstanding anything to the contrary herein, pursuant to Chapter 348.0304, F.S. and the Agency's Bylaws, the hiring and termination of employees requires approval by the GMX Board, unless otherwise delegated to the Executive Director.

Some or all of the benefits and considerations described herein and/or in any subsequent *Employee Manual* may be forfeited by the employee if found guilty or has admitted to being guilty of any disqualifying act such as committing, aiding or abetting any embezzlement, theft or bribery in connection with their GMX service.

The requirements of this policy and subsequent *Employee Manual* apply to all employees of GMX, except as may be otherwise established through an employment agreement. If conflicts exist between an employment agreement and this policy, the employment agreement shall govern.

I. EQUAL EMPLOYMENT OPPORTUNITY

GMX is an equal opportunity employer and makes employment decisions on the basis of merit. GMX shall recruit, hire, train, promote and compensate employees on the basis of competence and potential for advancement.

In compliance with federal and state laws, employment opportunities with GMX will be afforded to persons without discrimination or harassment on the basis of race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age, disability or genetic information, or any other bias protected by applicable federal and state laws.¹



II. AMERICANS WITH DISABILITIES ACT

GMX, in compliance with Title II of the American with Disability Act (ADA), commits to provide reasonable accommodations to qualified individuals with disabilities.

Refer to the *American with Disabilities Act (ADA) Policy*.

III. NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

GMX is committed to a work environment free of harassment and discrimination. All GMX employees and persons acting in furtherance of GMX's interests must comply with all applicable laws prohibiting discrimination and harassment.

Please refer to the *GMX Non-Discrimination and Anti-Harassment Policy*.

IV. WHISLTEBLOWER PROTECTION

In accordance with Sections 112.3187 – 112.31895, Florida Statutes, also known as the “Whistleblower’s Protection Act,” GMX may not dismiss, discipline or take any adverse employment action against an employee who reports an activity of an employee or agent believed to be a violation or suspected violation of any federal, state, or local law, rule, or regulation committed by an employee or agent that creates and presents a substantial and specific danger to the public’s health, safety, or welfare or any act or suspected act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, or gross neglect of duty committed by an employee or agent of the Agency.

As such, if an employee has knowledge or a concern of such activity, he or she must contact the Ethics Officer. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally or recklessly files a report of wrongdoing that they know is false is not a whistleblower and will be subject to disciplinary action.

V. DRUG-FREE WORKPLACE

GMX is a drug-free workplace. The unlawful sale, possession, manufacture, distribution, dispensation, use, or being under the influence of illegal drugs or controlled substances while in or on GMX owned or controlled property is prohibited and will be subject to immediate disciplinary action. Furthermore, the use of drugs or alcohol or being under its influence during work hours, including meal periods and breaks, is also absolutely prohibited. Violation of these rules will be cause for disciplinary action, up to and including dismissal.



VI. FAIR LABOR STANDARDS ACT (FLSA)

The FLSA is the federal law requiring that covered employees be paid at least the federal minimum wage and overtime pay (at time and one-half of the employee’s regular rate of pay) for all hours worked over 40 hours in a workweek. GMX refers to employees covered by FLSA as “non-exempt” and to those not covered by the FLSA minimum wage and overtime provisions as “exempt”.

Pursuant to FLSA, GMX will classify and compensate employees accordingly.

VII. RECRUITMENT, PROMOTIONS AND TRANSFERS

GMX is committed to hiring and retaining qualified candidates that best suit the job description for which they are applying.

The Executive Director shall establish procedures for the recruitment, promotion and transfer of employees in accordance with this Policy and include them in the *Employee Manual*.

VIII. EMPLOYMENT POLICY

GMX hires U.S. citizens and lawfully authorized alien workers. As required by federal law. New hires must present documentation of employment authorization within three (3) days of employment and employees with work visas that have an expiration date must provide continued proof of a valid visa or work authorization or face termination.

GMX uses E-Verify (an Internet-based system that compares information from the employee's I-9 form to data from the U.S. Department of Homeland Security and from Social Security Administration records) to confirm employment eligibility.

IX. POLITICAL ACTIVITIES

When a GMX employee participates in any political activity, the following limitations apply:

- GMX personnel, time, equipment and supplies cannot be used;
- Advertisements or solicitations may not refer to employment with GMX;



- Endorsement of a political candidate, whether or not compensation for the endorsement is involved, cannot include a reference to employment with GMX;
- GMX consultants cannot be used to assist in the employee's political activities;
- Information obtained by reason of employment with GMX cannot be used to promote political advantage; and
- GMX personnel may not pursue political opportunities where the employee knows or should know that there is a substantial likelihood that the opportunity is afforded to influence the conduct of the employee's official GMX duties or where a recurring conflict with the employee's duties and responsibilities to GMX will occur.

X. EMPLOYMENT AT WILL

GMX adheres to an at-will employment policy, which means that the employment relationship can be terminated at any time, with or without cause, with or without notice, at the option of either the employee or GMX. Different provisions for termination may be included in an individual employment agreement approved at the discretion of the GMX Governing Board or the Executive Director, under his or her delegated authority.

XI. PERFORMANCE APPRAISALS

Appraisal of performance is an on-going process. Supervisors should frequently review employee performance in an informal way. However, GMX aims to conduct formal reviews once a year for each employee.

XII. COMPLAINTS

Employees may identify conditions that represent a hindrance to effective operations and may make suggestions for improvement of such conditions, whether such conditions are the result of co-workers' conduct, supervisors' conduct, agency policies or inefficiencies, etc.

The employee shall report the complaint to his or her supervisor, the next level supervisor, the Human Resources Office, or GMX Ethics Officer so that appropriate action may be taken in accordance with the GMX's policies and state and federal law. All complaints reported to a supervisor shall be reported by the supervisor to the Human Resources Office. In the event any allegation involves the Human Resources Office staff, the matter shall be reported to the Ethics Officer. In the event any allegation involves the Ethics Officer, the matter shall be reported to the Executive Director.



XIII. NEPOTISM

Chapter 112.3135, Florida Statutes, Restriction on Employment of Relatives, is commonly referred to as the "Nepotism Law" for public agencies.

"Relative" is defined in Chapter 112.3135, Florida Statutes as the 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.

GMX further prohibits the employment of any relative of an employee from working in the same department without proper approval. This rule also prohibits any personnel action, which places an employee under the line of authority of his or her relative. In no case may personnel action be taken that would result in an employee or successful applicant being placed in a position over his or her relative or that results in direct supervision (being the immediate supervisor, rater or reviewer) over his or her relative. GMX also prohibits the employment of any employee's relative by contractors or subcontractors when the employee participates in the selection of, recommendation for the renewal, or approval of invoices of the contractor or subcontractor.

XIV. OUTSIDE EMPLOYMENT

Pursuant to Chapter 112.313 Florida Statutes, Conflicting Employment or Contractual Relationships, outside work is prohibited while the employee is on GMX's time or premises and shall not conflict in any way with an employee's responsibilities and duties at GMX.

GMX employees must follow the procedures outlined in the *GMX Employee Manual* for notification to and prior approval by the Executive Director of any outside employment.

XV. LAYOFFS

Layoffs generally, but not always, occur for economic reasons. Regardless of the economic status of GMX, the agency may reduce its workforce or eliminate any position at any time it deems such elimination is in the best interest of GMX. The timing and extent of any reduction of workforce or elimination of one or more positions shall be at the sole and exclusive discretion of the Executive Director, through his or her Board



delegated authority.

XVI. COMPENSATION

Compensation for the GMX employees will consist of salary, benefits and other considerations approved from time to time by the Executive Director, and subject to annual budget approval. The salary of the Executive Director and the General Counsel will be established by the Board. GMX may enter into an employment agreement with the Executive Director, which may include provisions for salary, fringe benefits and other considerations. The salary ranges of all other employees, exempt or non-exempt, will be approved by the Board as part of the annual budget process. All employees may be considered for performance based and cost of living pay adjustments.

XVII. LEAVE TYPES:

a) Vacation Time

Regular full-time employees are eligible for vacation time. Vacation time is earned on an accrual basis. The hours earned are based on the employee's year of service.

An employee will be paid for unused vacation time upon (1) termination of employment, or (2) at the discretion of the Executive Director. In no case shall an employee receive payment for accrued vacation time in excess of five hundred (500) hours.

In case of death, the vacation time balance payout will be made to the employee's beneficiary, estate or otherwise permitted by law.

b) Sick Leave

Regular full-time employees shall accrue four (4) hours of sick leave per pay period. Eligible employees will be paid the appropriate number of unused sick time upon (1) termination of employment, or (2) at the discretion of the Executive Director.

Upon separation from GMX and after ten (10) years of continuous service, employees will receive a lump sum payout of twenty-five percent (25%) of their unused accrued sick leave.

In no case shall an employee receive payment for accrued sick time in excess of five hundred (500) hours.



In case of death, the sick leave payout will be made to the employee's beneficiary, estate or otherwise permitted by law.

c) **Personal Holiday**

Regular fulltime employees will receive two (2) personal days (16 hours) on July 1st of each year. The personal days must be taken as full days (8 hours) prior to June 30th of the following year or they will be forgone. Unused personal days will not be paid out upon separation.

d) **Birthday Holiday**

Regular fulltime employees receive a birthday holiday on their birthday each year. The birthday holiday must be taken as one full day (8 hours) prior to the birthday of the following year or it will be forgone. Unused birthday holiday will not be paid out upon separation.

e) **Bereavement Leave**

In the event of a death in the immediate family, an employee may have time off with pay of up to three (3) working days for an in-state memorial service, or five (5) working days for an out-of-state memorial service. The Executive Director, in his or her discretion, may extend Bereavement Leave to allow employee to handle family affairs and memorial service attendance.

f) **Parental Leave**

Regular full time employees are eligible to paid leave for the birth, adoption or foster care placement of a child. Paid parental leave is intended to provide time to bond with their new child, adjust to their new family situation, and provide the opportunity to form strong family attachments and relationships.

Eligible employees shall be granted up to 240 hours of paid parental leave for the birth, adoption or foster care placement of a child.

g) **Discretionary Leave for Exempt Employees**

Discretionary Leave is paid time off that a Manager may award to an exempt employee to recognize noteworthy achievement and work effort. Discretionary Leave should be awarded for exceptional performance, for going the extra mile or when an employee "goes above and beyond the call of duty," etc. Discretionary Leave is not intended for "business as usual" or for



doing one's job well. Doing one's job well is the expectation. Discretionary Leave may be awarded for going beyond that. While it may be awarded for working an extraordinary number of hours to complete an assignment or to deal with an unexpected situation, it is not intended to be compensatory time off earned on an hour-for-hour basis.

Discretionary Leave for exempt employees has no cash value, and GMX has no obligation to grant discretionary leave to any exempt employee.

h) Military Reserve and National Guard Training Leave

An employee who is commissioned reserve officer, reserve enlisted personnel of the armed forces or a member of the National Guard ordered into active or inactive short-term training is eligible for paid leave of up to 240 hours per military year. If the training duration extends beyond the allowable paid leave, the employee will default to un-paid administrative leave.

i) Military Leave

An employee who is actively serving in the United States uniformed services is eligible for military leave of absence. Upon return from military service, the employee will be eligible for re-employment and will be reinstated in the same or substantially similar position.

j) National Guard State Service

As a member of the Florida National Guard, if an employee is ordered to state service by the Governor, he or she will be granted a paid leave of absence on all days during which the employee is engaged in active state duty for a named event, declared disaster, or operation declared by the governor. Such leave shall not exceed thirty (30) days for each emergency or disaster.

k) Disabled Veteran-Re-examination or Treatment

Employees who per the Veterans' Administration have incurred a service-connected disability and are scheduled by the U.S. Department of Veterans Affairs to be re-examined or treated for such disability may be granted time off with pay for the doctor's appointment, up to six (6) calendar days per year, upon presentation of written confirmation of having been so scheduled.

l) Jury Duty

Agency policy is to encourage employees to serve on jury panels. An employee who is summoned as a member of a jury panel will be granted administrative leave with pay for all hours required for such duty, but not to exceed the number of hours in the employee's



normal workday. Jury payment, if any, shall be retained by the employee.

m) Voting

GMX encourages its employees to participate in the election of government leaders. Therefore, for primary and general state and federal elections, one (1) hour time off is allowed to exercise this right. The employee should schedule this time off with his or her supervisor to ensure proper work coverage.

n) Domestic Violence Leave

Pursuant to Section 741.313, Florida Statutes, an employee may take up to three (3) days of leave within any 12-month period if the employee or a family or household member of an employee is the victim of domestic violence or sexual violence. GMX will grant this leave with pay.

o) Personal Leave of Absence

GMX may grant personal leaves of absence, without pay, in some cases. A personal leave of absence that does not fall within vacation time or the Family and Medical Leave Policy may be granted up to a maximum of thirty (30) calendar days. An extension beyond thirty (30) calendar days will be considered in the event of serious or extenuating circumstances and will be determined by the Executive Director.

p) Administrative Leave

Paid and unpaid administrative leave may be granted to regular fulltime employees at the discretion of the Executive Director.

q) Family and Medical Leave Act (FMLA)

FMLA entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to twelve (12) work weeks of leave in a 12-month period for:

- The birth of a child and to care for the newborn child within one year of birth;
- The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- To care for the employee's spouse, child, or parent who has a serious health condition;
- A serious health condition that makes the employee unable to perform the essential functions of his or her job;



- Qualifying exigencies leave arising out of the fact that the employee’s spouse, son, daughter, or parent is a covered military member on “covered active duty”, or
- Military caregiver leave – Twenty-six (26) work weeks or leave during a single 12 months period to care for a covered serviced member with a serious injury or illness if the eligible employee is the service member’s spouse, son daughter, parent or next of kin.

XVIII. BENEFITS:

At the discretion of the Executive Director and subject to budget availability, other benefits not listed herein may be provided to GMX employees.

a) Healthcare

GMX offers employees medical, vision, dental, life, disability insurance, and other supplemental insurance options. Other healthcare benefits may be offered at the discretion of GMX. COBRA is also available to employees upon separation from the GMX at the employee’s cost. GMX shall follow the Health Insurance Portability and Accountability (HIPPA) requirements.

b) Retirement Plan/Deferred Compensation

All fulltime and permanent part-time employees are eligible to participate in the Florida Retirement System (FRS).

In addition, GMX has established a deferred compensation plan for employees, under Section 457(b) of the Internal Revenue Code. The plan is maintained for the exclusive benefit of employees and is intended to comply with the deferred compensation plan requirements of Section 457(b), Internal Revenue Code regulations and other applicable law. This is an employee only contribution plan.

c) Worker’s Compensation

Injuries incurred on the job must be reported to the employee’s supervisor and the Human Resources Office immediately.

d) Employee Assistance Program

GMX provides an Employee Assistance Program (EAP). EAP provides confidential counseling to employees and their dependents.



e) **Educational/Tuition Reimbursement**

GMX's Executive Director may approve reimbursement to its employees for the cost of books, tuition and fees for College Level Equivalency Program (CLEP) exams and other expenses for accredited courses related to the employee's field of work from any Florida public, accredited college or university. Documentation of a passing grade is required.

XIX. PROFESSIONAL MEMBERSHIPS, TRAINING AND DEVELOPMENT

GMX encourages employees to maintain memberships in professional organizations. GMX will pay one hundred percent (100%) of annual membership dues for professional organizations for each regular fulltime employee subject to availability of budgeted funds, and approval by both the employee's supervisor and the Executive Director.

XX. ATTENDANCE

With the exceptions of planned and pre-approved absences, GMX expects employees to be at work on time and to work a full workday. An employee who will be absent from work, without prior authorization, for any reason must notify their supervisor at or before the employee's scheduled start time.

The Executive Director has the discretion on agency-wide telecommuting and/or flexible work schedules.

XXI. PERSONAL APPEARANCE

While GMX does not have a formal dress code, all employees are expected to dress in a manner professionally appropriate for their positions. Certain positions (as approved by the Executive Director) are required to wear uniforms at all times while on duty. These uniforms will be provided to employees in those positions at no cost to the employee. GMX will also provide cleaning services for the uniforms. These approved employees may be provided with one new set of work boots per fiscal year.

XXII. PERSONAL PROPERTY

GMX's insurance policies do not include coverage for employees' personal items. GMX will not reimburse any employee for personal items that are stolen or damaged at GMX's office.



XXIII. ELECTRONIC COMMUNICATIONS & TECHNOLOGY

GMX provided computers and cellular phones shall be used for GMX related business only. While GMX recognizes that there may be occasions when employees need to conduct personal matters during business hours, it is expected that all employees will use these systems for appropriate business purposes.

The Internet may not be accessed at any time to gamble or engage in other illegal activities or to view, display, store, download, transmit, or receive any material that is fraudulent, harassing, sexually explicit, profane, obscene, defamatory, or otherwise unlawful, including offensive material directed at anyone including the protected classes outlined in the GMX policies, regardless of intent.

GMX reserves the right to monitor internet/e-mail communication and activity at any time, without prior notice, and to access and examine information in a GMX computer at any time.

All e-mails and texts, either received or sent, pertaining in any way to GMX business are subject to inspection as provided by Florida Public Record Law. There shall be no attempt to hide e-mails pertaining to GMX business.

Please refer to *GMX Electronic Media Communications Policy*.

XXIV. EMPLOYEE SERVICE AWARDS

GMX recognizes the value of its employees in the success of its operations. To that end, a *Employee Recognition Program* that rewards employees for milestone anniversaries, recognition for excellence and exceptional contributions, etc. shall be adopted by the Executive Director and included in the *GMX Employee Manual*.

XXXI. SAFETY

GMX expects its employees to conduct themselves in a safe manner. All employees should use good judgement and common sense in matters of safety, and observe any safety rules applicable to their work environment. Field employees are required to follow the safety regulations under the Occupational Safety and Health Act (OSHA).

Any work related incident must be promptly reported to the employee's immediate supervisor and the Human Resources Office.

In the event of hurricanes or other unsafe weather conditions, GMX offices will be closed at the discretion of the Executive Director. At that time, each employee will be contacted by their immediate supervisor and informed of the closure.



XXXII. VIOLENCE-FREE WORKPLACE

GMX has a “Zero Tolerance Policy” for violence. GMX expects employees to treat everyone they meet with courtesy and respect. Threatening, abusive, or vulgar language has no place at work.

GMX will not tolerate threatening, abusive, or vulgar language from employees while they are at work, conducting GMX business, or attending GMX related business or social functions.

If an employee witnesses or encounters a threatening situation or the potential of harm to an employee, supervisor, member, visitor or customer, he or she is to contact law enforcement (911) immediately.

XXXIII. SMOKING POLICY

Smoking may only be conducted outside of any GMX owned or leased buildings and shall be done only in designated smoking areas.

XXXIV. ETHICS POLICY

GMX employees are required to read, understand, acknowledge and comply with GMX's Ethics Policy.

XXXV. AGENCY VEHICLES

GMX owned or leased vehicles are to be used for GMX business only. No personal use of GMX vehicles is permitted. All employees driving a GMX vehicle must possess a valid driver's license. Employees driving a GMX vehicle must always wear a seatbelt and follow all safe driving rules and regulations.

The use of electronic devices without hand-free equipment is strictly prohibited while driving. If an employee is unable to concentrate fully on the road, because of weather or traffic conditions, for example, the employee must pull over and safely park before resuming driving.



XXXVI. WEAPONS POLICY

Employees may not, at any time while on any property owned, leased, or controlled by GMX, including anywhere that GMX business is conducted, such as customer locations, client locations, trade shows, restaurants, company event venues, and so forth, possess or use any weapon.

Weapons include, but are not limited to, guns (of any type), knives, or swords with blades over four inches in length, explosives, and any chemical which purpose is to cause harm to another person.

Regardless of whether an employee possesses a concealed weapons permit or is allowed by law to possess a weapon, weapons are prohibited on any GMX property. They are also banned in any location in which the employee represents GMX for business purposes, including those listed above.

However, pursuant to Florida Statutes Section 790.251, employees may lawfully, and without being in violation of this policy, possess a firearm that is locked inside their private motor vehicle in the GMX parking lot.

Employees who violate this policy will be subject to disciplinary actions, up to and including employment termination. The employment termination would be characterized as a termination for cause.

Adopted by the Governing Board on the 27th of September, 2023.

ⁱ U.S. Equal Employment Opportunity Commission (EEOC) protected characteristics