

EMPLOYEE RULES & REGULATIONS HANDBOOK



Utility Board - City of Key West, Florida

'Keys Energy Services'

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WELCOME & INTRODUCTION TO KEYS EMPLOYEE HANDBOOK

This handbook is intended to help you get acquainted with Keys Energy Services (KEYS). It explains KEYS' philosophies, beliefs, and general employment guidelines. We hope that it will serve as a useful reference document throughout your employment with KEYS.

The handbook is not a contract (express or implied) and does not create any legally enforceable employment contracts or other obligations on the part of KEYS or change the nature of any employment relationship. To the extent previous policies adopted by the General Manager & CEO regarding the same subject matter conflict with the provisions of the handbook, the handbook will control.

KEYS' General Manager & CEO is responsible for establishing procedures to administer these policies and recommending changes to the Utility Board and/or its committees. KEYS reserves the right to make changes to the policies, procedures, and other statements made in this Employee Handbook consistent with Federal, State, and local laws. Business conditions, Federal and State law, and organizational needs are constantly in flux and may require that portions of the handbook be re-written from time to time to foster a mutually beneficial employment relationship and to further KEYS' mission and vision. KEYS will notify its employees of any amendments to the handbook in a timely manner. Each KEYS employee is responsible for knowing and complying with all provisions contained herein.

The General Manager & CEO has the authority to amend the handbook as necessary to reflect changes in KEYS' organizational structure, including but not limited to changes in job titles, levels of management, and staff reorganization.

Please review the handbook in detail, sign the acknowledgement form at the end of the handbook and return it to the Human Resources & Communications Office. The received signature page will serve as a record of your receipt and review of the handbook.

MISSION STATEMENT

Provide safe, reliable energy with excellent customer service at the lowest reasonable cost.

VISION STATEMENT

Enrich our customers' lives by providing energy services in a safe, reliable, affordable, sustainable manner while exploring new avenues to benefit our community.

HISTORY OF KEYS ENERGY SERVICES

KEYS is the public power utility for the lower Florida Keys. Headquartered in Key West, KEYS provides electrical distribution services to more than 29,000 customers from Key West to the Seven-Mile Bridge.

1.

The City of Key West purchased the electric utility in 1943 and the City Council created the Utility Board of the City of Key West (the "Utility Board") to oversee KEYS (then known

as City Electric System). In 1969, the Florida State Legislature passed a new enabling act for the governing of KEYS which called for the popular election of five Utility Board members serving four-year terms. All Utility Board members were required to reside within the City of Key West. In 2002, the legislature approved the use of the name "Keys Energy Services", and the Utility Board adopted the name and the slogan "Powering Paradise". In 2017, the legislature approved changes to the enabling act providing that two of the five board members must reside in unincorporated Monroe County, within KEYS' service area.

Initially, KEYS only provided electric service to the City of Key West. In 1953, the utility expanded its service area up the Keys to the Seven-Mile Bridge. In those early years, electricity was produced via local generation.

In the late 1970s, the Utility Board studied alternative power supplies and eventually decided to construct a transmission line (or TIELINE) to interconnect to the mainland power grid. On May 8, 1987, KEYS interconnected with the mainland power grid and KEYS' operations changed dramatically.

KEYS currently imports nearly all of its power supply and uses local generation for emergency back up only. The utility relies on power from the mainland because it is far less expensive than generating electricity locally. As a member of the Florida Municipal Power Agency's All Requirements Project, KEYS pools its power resources with other public power utilities in the State. Together, the public power utilities in the state of Florida enjoy greater efficiency and economies of scale.

Today, KEYS is a nationally recognized Reliable Public Power Provider (RP3) by the American Public Power Association and a local leader with green initiatives that help conserve energy and improve the environment. KEYS maintains a highly respected position within the local community, and in the public power industry, for its dedication to reliable electric service and forward-thinking initiatives – KEYS customers have come to expect nothing less than the best from the utility that has been powering paradise since 1943.

ANTI - HARASSMENT POLICY

KEYS will not tolerate any form of harassment of employees by anyone including Supervisors, Department Directors, Managers, other employees, or customers.

KEYS is committed to providing a workplace free of sexual harassment as well as harassment based upon such factors as race, color, religion, sex, national origin, ancestry, age, medical condition, sexual orientation, gender identity or expression, marital status, disability, or veteran status. KEYS strongly disapproves of, and will not tolerate, harassment of employees by Supervisors, Department Directors, Managers, or co-workers.

Harassment is objectionable and unwelcome conduct, comment, or display that demeans, humiliates, causes offense, or constitutes a threat to a person's health or safety, or creates an intimidating, offensive, or hostile working environment or that interferes with work performance. Some examples include racial or sexist slurs, ethnic jokes, posting of statements, posters, or cartoons designed to offend, gossiping or spreading rumors, insulting or humiliating another, slandering, ridiculing or maligning another, ignoring or alienating another, or other similar conduct that a reasonable person would find

unprofessional, disturbing, or harmful to the conduct of their affairs. Harassment may occur in person, over the telephone, electronic mail, text, or over social media platforms.

Sexual harassment includes solicitation of sexual favors, unwelcome sexual advances, or other verbal, visual, or physical conduct of a sexual nature. No employee shall use his/her job position or authority to solicit, or imply solicitation, of sexual favors of any nature. Further, no employee may subject any other employee to adverse working conditions (i.e., conditional wage increases, conditional promotions, threats of termination or termination, unnecessary change of work schedule, unfair evaluation of performance, etc.) for failure to comply with any such solicitation, implied or otherwise.

Employees should report any incident of harassment, including work-related harassment by any KEYS personnel or any other person, promptly (within 48 hours, unless extenuating circumstances apply) to their Supervisor or Department Director (or to any other member of management) and/or to the Director of Human Resources or equivalent, who is responsible for investigating the matter. Directors who receive complaints or who observe harassing conduct should immediately inform the Director of Human Resources or equivalent. Employees should report incidents solely to the Director of Human Resources or equivalent if their direct Supervisor is the individual accused of harassment.

Every complaint of harassment that is reported to the Director of Human Resources or equivalent will be investigated thoroughly and promptly.

KEYS will not tolerate retaliation against any employee for making a complaint to the Director of Human Resources or equivalent or to any other member of management.

If a KEYS employee is found to have engaged in harassment, he/she is subject to disciplinary action up to and including termination.

KEYS will attempt to protect employees from harassment by third parties. If an act of harassment by a customer, vendor, contractor, or other third party is reported, KEYS will consult with the appropriate third parties to attempt to eliminate the harassment.

ATTENDING INTERNAL AND EXTERNAL SEMINARS, WORKSHOPS, AND TRAINING COURSES

All employees must follow KEYS' Travel Policy and Procedures for the payment and/or reimbursement of expenses related to attendance of external seminars, workshops and training courses. Employees who are required to attend a work-related seminar, training session or workshop must receive prior written approval from their Department Director, who will inform the Human Resources Supervisor if an employee must leave before the program is over. The employee must also receive prior permission to stay for additional days or hours as a result of failure to pass required certifications from their Department Director, who will advise the Human Resources Supervisor. Any employee who leaves early or stays beyond the approved time without prior approval will be subject to disciplinary action up to and including termination. Such employee may also be responsible for reimbursing KEYS for the entire cost of the program, which may include travel, meals, accommodations, registration fees, and any other charges associated with the program.

BULLETIN BOARDS

KEYS has placed bulletin boards throughout the facilities for the purpose of communicating with its employees. Postings on these boards are limited to KEYS-related material, including statutory and legal notices, job postings, safety and disciplinary rules, KEYS policies, memos of general interest relating to KEYS, local operating rules, union matters, and other items. Any postings by employees must have prior approval by the Human Resources & Communications department.

BREAK ROOM

KEYS provides a designated break room at each of its locations. The Service Building main break room is located on the second floor, with kitchenettes available on the first and third floors. In the Ralph Garcia Steam Plant the break room is located on the second floor. At the T&D facility, the breakroom is located on the second floor. The sections that will not be utilizing the break rooms stated above will break in an area designated by their Supervisor. Employees are required to keep facilities clean at all times.

CALL RECORDING

Calls made to KEYS' Control Center and Customer Services Department will be fronted with a message notifying callers that the call may be recorded for training and quality assurance purposes. Inbound and outbound KEYS employee calls, made or received on recorded phone lines, may also be recorded. Employees should not expect privacy in their communications made through KEYS' channels.

CODE OF ETHICS POLICY

The Utility Board has adopted a Code of Ethics for its employees. This Code of Ethics is substantially similar to the Code of Ethics adopted by the State of Florida for state, county, and city elected officials, officers and employees. The purpose of this Code of Ethics is to ensure that KEYS' business transactions and professional affairs are carried out in a professional and ethical manner without conflicts of interest or the appearance of conflicts of interest. This Code of Ethics applies to all KEYS employees.

In addition to complying with the Code of Ethics, all KEYS employees must also avoid situations or transactions prohibited by applicable law or rule, and situations or transactions not specifically addressed herein which could be construed to constitute a conflict of interest or give the appearance of impropriety.

KEYS employees are prohibited from having any interest, financial or otherwise, direct or indirect, engaging in any business transaction, or incurring any obligation, in any case where their dealings, transactions, or obligations would be in conflict with the discharge of their duties to KEYS.

KEYS employees may not solicit or accept anything of value, including cash, in-kind services, tips, gifts, loans, rewards, promises of future employment, favors or services used to influence or attempt to influence their official actions as KEYS employees.

KEYS employees may not purchase, rent, or lease realty, goods or services on behalf of KEYS from any business entity if they (or a spouse or child) is an officer, partner, director, or proprietor in that business entity or otherwise has a financial interest in it. KEYS employees, acting in a private capacity are prohibited from selling, renting, or leasing realty, goods or services to KEYS.

KEYS employees may not use or attempt to use their position, property, or resources or perform duties in a way that would secure a special privilege, benefit, or exemption for themselves or others.

KEYS employees may not have employment or contractual service relationships with business entities that have a business relationship with KEYS, other than being a customer. KEYS employees may not have employment or contractual relationships that create or are reasonably likely to create recurring conflicts between their private interests and the performance of their duties with KEYS, or which could impede their ability to carry out their duties to KEYS.

The prohibitions against doing business with KEYS and against conflicting employment or contractual relationships with KEYS is not violated if:

- the business is transacted on a rotation system among all qualified suppliers of goods and services;
- the business is awarded under a sealed, competitive bidding process to the best evaluated bidder; the employee does not participate in determining the best evaluated bidder and does not use or attempt to use influence to get the contract; and the employee discloses the interest to KEYS in writing prior to award of the bid;
- the purchase or sale is for utility services, passage on a common carrier, or legal advertising in a daily newspaper published and having a general circulation in the City of Key West, Florida, and in such other newspapers or publications as the Utility Board shall deem advisable;
- the purchase is an emergency purchase to protect the health, safety, or welfare of the public or KEYS' operations;
- the business entity is KEYS' only source of supply and there is full written disclosure to KEYS of the interest of the employee or the employee's family member in the business entity;
- the KEYS employee or family member is a stockholder, officer, or director of a bank which is a qualified depository of funds under the jurisdiction of KEYS, provided that the General Manager & CEO determines that the employee has not favored such bank over other qualified banks; and,
- KEYS employees do not violate this Code of Ethics by having an employment relationship with a tax exempt organization (such as a religious, charitable, scientific, literary or educational organization, non-profit business league, chamber of commerce, etc.) that contracts or does business with KEYS as long as such person is not directly or indirectly compensated as a result of the contractual or business relationship.

KEYS employees may not disclose or use information that is not available to the general public and that was gained through or because of their association or employment with KEYS for their gain or the gain of others.

KEYS employees acting in their official capacity may not procure contractual services for KEYS from any business entity of which a relative is an officer, partner, director, or proprietor, or in which they or their spouses and/or children have a material interest.

KEYS employees shall not accept gifts, foods or beverages that they know or should know are worth more than the amount stipulated in Commission on Ethics Rule 34-13.310 (currently \$100.00), as amended from time to time, unless the gifts are accepted on behalf of KEYS and shared whenever practicable with other KEYS employees. However, any gift, regardless of the amount, must be reported in writing to the General Manager & CEO. This prohibition does not apply to food and beverages consumed at a single sitting or event.

The voters of Florida in 1976 approved Article II, Section 8, of the Florida Constitution entitled "Ethics in Government". In addition, the Florida Legislature enacted Florida Statutes Chapter 112, Part III, entitled "Code of Ethics for Public Officers and Employees." These provisions are general in nature and the Commission on Ethics, authorized in Section 8 of the Constitution and created by Florida Statutes, Chapter 112, encourage political subdivisions including municipalities to adopt ethical standards tailored to their particular needs.

The KEYS Code of Ethics is supplementary to all state and local laws or rules regarding ethics and professional conduct and compliance with all relevant state and local laws and rules is required. Required compliance includes the disclosure and reporting requirements and the use of disclosure and reporting forms adopted by the Commission on Ethics.

Violations of the provisions of the Code of Ethics may result in disciplinary action, up to and including termination, to be imposed pursuant to Utility Board policy.

The provisions of this section of KEYS' Rules & Regulations may be revised or amended by the General Manager & CEO without approval of the Utility Board whenever necessary to conform to Florida law, as it may be revised or amended. The Utility Board will be notified prior to making the change. The following page contains a list of helpful guidelines.

HELPFUL GUIDELINES

- DO handle your business transactions and professional affairs in a professional and ethical manner.
- DO avoid any situation or transaction that could be construed to represent a conflict of interest.
- DO comply with all laws and rules relating to disclosure and reporting.
- DO disclose your financial interests that are relevant to your employment with KEYS to your supervisor or a supervisory employee.
- DO NOT do business with KEYS in your private capacity.
- DO NOT use your position to obtain or attempt to obtain a special benefit for yourself and DO NOT use information not available to the public for your own private gain.
- DO NOT solicit or accept gifts and DO NOT accept unauthorized compensation given to influence or attempt to influence your actions.
- DO NOT accept employment or make a contract with a business that does business with KEYS or have an employment or contractual relationship that creates a conflict between your private interests and KEYS' interests.

- DO NOT accept cash or tips under any circumstances, regardless of the amount.
- DO NOT accept in-kind services under any circumstances (for instance, "I'll trim your trees today if you fix my window air conditioner tomorrow.")

COMPUTER ACCEPTABLE USE POLICY

Overview

. KEYS' Information Services section is committed to protecting KEYS employees and the company from illegal or damaging actions by individuals, either knowingly or unknowingly. The following Acceptable Use Policy is formulated to further those goals while avoiding restrictions which are contrary to KEYS' established culture of trust, integrity, and openness.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, and FTP, are the property of KEYS. These systems are to be used for business purposes in serving the interests of KEYS and its customers in the course of normal operations. Please review other related policies in this handbook relating to computer usage for further details.

Effective security is a team effort involving the participation and support of every KEYS employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly.

Purpose

The purpose of this policy is to outline the acceptable use of computer equipment at KEYS. These rules are in place to protect the employee and KEYS. Inappropriate use exposes KEYS to risks including virus attacks, compromise of network systems and services, and legal issues.

Scope

This policy applies to the use of information, electronic and computing devices, and network resources to conduct KEYS business or interact with internal networks and business systems, whether owned or leased by KEYS, the employee, or a third party. All employees, contractors, consultants, temporaries, and other workers at KEYS, including all personnel affiliated with third parties, are responsible for exercising good judgment regarding appropriate use of information, electronic devices, and network resources in accordance with KEYS' policies and standards, as well as applicable laws and regulations.

Policy

General Use and Ownership

1. KEYS' proprietary information stored on electronic and computing devices whether owned or leased by KEYS, the employee, or a third party, remains the sole property of KEYS. Users should be aware that the data they create on the corporate systems remains the property of KEYS. Because of the need to protect KEYS' network, management cannot guarantee the confidentiality of information stored on any network device belonging to KEYS.
2. Employees have the responsibility to promptly report the theft, loss, or unauthorized disclosure of KEYS' proprietary information. Employees may access,

- use or share proprietary information only to the extent necessary to fulfill their assigned job duties.
3. Employees are responsible for exercising good judgment regarding the reasonableness of personal use. Employees should be guided by policies on personal use, and if there is any uncertainty, employees should consult their Supervisor or Director.
 4. For security and network maintenance purposes, authorized individuals within KEYS may monitor equipment, systems, and network traffic at any time.
 5. KEYS reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

Security and Proprietary Information

- The user interface for information contained on Internet/Intranet/Extranet-related systems should be classified as either confidential or not confidential, as defined by corporate confidentiality guidelines. Examples of confidential information include but are not limited to: trade secrets, critical component specifications, and customer lists containing personal information. Employees should take all necessary steps to prevent unauthorized access to this information.
- Keep passwords secure in accordance with the Password Policy, and do not share your logon information (USERNAME / PASSWORD) with anyone including Information Services. Authorized users are responsible for the security of their passwords. Providing access to another individual, either deliberately or through failure to secure access, is prohibited.
- All PCs, laptops, and workstations should be secured with a password-protected screensaver with the automatic activation feature set at 10 minutes or less, or by locking the computer (control-alt-delete-lock computer) when the device is unattended.
- Because information contained on portable computers is especially vulnerable, special care should be exercised.
- Postings by employees from a KEYS email address to newsgroups is forbidden unless the posting is in the course of the employee's business duties. All such postings of personal opinion / nature should be done using the employees personal email address. All PCs, laptops, and workstations used by employees that are connected to KEYS' Internet/Intranet/Extranet, whether owned by the employee or KEYS, shall be continually executing approved virus-scanning software with a current virus database, unless overridden by departmental or group policy.
- Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain malware. Before opening, contact Information Services.

Unacceptable Use

The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a PC, laptop, and workstation if that host is disrupting production services).

Under no circumstances is an employee of KEYS authorized to engage in any activity that is illegal under Local, State, Federal or international law while utilizing KEYS' resources.

The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities

- Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by KEYS is strictly prohibited.
- Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which KEYS or the end user does not have an active license is strictly prohibited.
- Accessing data, a server or an account for any purpose other than conducting KEYS business, even if an employee has authorized access, is strictly prohibited.
- Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal and strictly prohibited. The appropriate management should be consulted prior to export of any material that is in question.
- Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.), is strictly prohibited.
- Revealing your account password to others or allowing use of your account by others, including but not limited to family or other household members when work is being done at home, is strictly prohibited.
- Using a KEYS computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws or rules and regulations is strictly prohibited.
- Making fraudulent offers of products, items, or services originating from any KEYS account is strictly prohibited.
- Making statements about warranty, expressly or implied, unless it is a part of normal job duties, is strictly prohibited.
- Effecting security breaches or disruptions of network communication is strictly prohibited. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
- Port scanning or security scanning is expressly prohibited.
- Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty, is strictly prohibited.
- Circumventing user authentication or security of any host, network or account is strictly prohibited.
- Introducing honeypots, honeynets, or similar technology on the KEYS network is strictly prohibited.
- Interfering with or denying service to any user other than the employee's host (for example, denial of service attack) is strictly prohibited.
- Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet, is strictly prohibited.
- Providing information about, or lists of, KEYS employees to parties outside KEYS, is strictly prohibited.

Email and Communications Activities

- Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email "spam"), is strictly prohibited.
- Any form of harassment via email, telephone or paging, whether through language, frequency, or size of messages is strictly prohibited.
- Unauthorized use, or forging, of email header information is strictly prohibited.
- Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies, is strictly prohibited.
- Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type is strictly prohibited.
- Use of unsolicited email originating from within KEYS' networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by KEYS or connected via KEYS' network is strictly prohibited.
- Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup "spam") is strictly prohibited.

Enforcement

KEYS will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback. Any employee found to have violated this policy may be subject to disciplinary action up to and including termination.

COMPUTER PASSWORD POLICY

Overview

Passwords are an important aspect of computer security. They are the front line of protection for user accounts. A poorly chosen password may result in the compromise of KEYS' entire corporate network. As such, all KEYS employees (including contractors and vendors with access to KEYS' systems) are responsible for taking the appropriate steps, as outlined below and as otherwise directed by the Information Services section, to select and secure their passwords.

Purpose

The purpose of this policy is to establish a standard for creation of strong passwords, the protection of those passwords, and the frequency of change.

Scope

The scope of this policy includes all personnel who have or are responsible for an account (or any form of access that supports or requires a password) on any system that resides at any KEYS facility, has access to the KEYS network, or stores any non-public KEYS information.

General

- All system-level passwords including without limitation root, enable, NT admin, and application administration accounts (such as Oracle database administrator and ISSU administrator) must be changed on at least a quarterly basis.
- All production system-level passwords must be part of Information Services administered global password management database.

- All user-level passwords (e.g., email, web, desktop computer, etc.) must be changed at least every 30 days.
- User accounts that have system-level privileges granted through group memberships or programs must have a unique password from all other accounts held by that user.
- Passwords must not be inserted into email messages or other forms of electronic communication.
- All user-level and system-level passwords must conform to the guidelines described below.

Guidelines

General Password Construction Guidelines

Passwords are used for various purposes at KEYS. Some of the more common uses include: user level accounts, web accounts, email accounts, screen saver protection, voicemail password, and local router logins. Since support for one-time tokens (i.e., dynamic passwords which are only used once) is limited in KEYS' networks, selecting strong passwords is of utmost importance.

Poor, weak passwords have the following characteristics:

- The password contains less than eight characters
- The password is a word found in a dictionary (English or foreign)
- The password is a common usage word such as: names of family, pets, friends, co-workers, fantasy characters, etc.
- Computer terms and names, commands, sites, companies, hardware, software.
- The words "KEYS" or any derivation
- Birthdays and other personal information such as addresses and phone numbers
- Word or number patterns like aaabbb, qwerty, zyxwvuts, 123321, etc.
- Any of the above spelled backwards
- Any of the above preceded or followed by a digit (e.g., secret1, 1secret)
- Avoid recycling the ten previously used passwords

Strong passwords have the following characteristics:

- Contain both upper and lower case characters (e.g., a-z, A-Z)
- Have digits and punctuation characters as well as letters (e.g., 0-9, !@#\$%^&*()_+|~=-\`{}[]:~<>?,./)
- Are at least eight alphanumeric characters long, preferably 10-15 alphanumeric characters
- Are not a word in any language, slang, dialect, jargon, etc.
- Are not based on personal information, names of family, etc.
- Passwords should never be written down or stored on-line. Try to create passwords that can be easily remembered. One way to do this is create a password based on a song title, affirmation, or other phrase. For example, the phrase might be: "This May Be One Way To Remember" and the password could be: "TmB1w2R!" or "Tmb1W>r~" or some other variation.

NOTE: Do not use these examples as passwords!

Password Protection Standards

Do not use the same password for KEYS accounts as for other non-KEYS access (e.g., personal ISP account, option trading, benefits, etc.). Where possible, don't use the same

password for various KEYS access needs. For example, select one password for the HARRIS systems and a separate password for KEYS network log in authentication.

Do not share KEYS passwords with anyone, including Staff Assistants. All passwords are to be treated as sensitive, confidential KEYS information.

- Don't reveal a password over the phone to ANYONE
- Don't reveal a password in an email message
- Don't reveal a password to any superior or co-worker
- Don't talk about a password in front of others
- Don't hint at the format of a password (e.g., "my family name")
- Don't reveal a password on questionnaires or security forms
- Don't share a password with family members
- Don't reveal a password to co-workers while on vacation
- Don't use the "Remember Password" feature of applications

If an account or password is suspected to have been compromised, or if someone demands a password, immediately contact Information Services at ISStaff@KeysEnergy.com or (305) 295-1026, and change all passwords.

Do not write passwords down and store them anywhere in your office. Do not store passwords in a file on ANY computer system (including smart phones) without encryption.

Enforcement

Any employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

CONFLICTS OF INTEREST

All employees must avoid activities or relationships that conflict with KEYS interests or may adversely affect KEYS' reputation. All employees are subject to KEYS' Code of Ethics Policy (included in this handbook). The types of activities and relationships employees must avoid include, but are not limited to:

- accepting or soliciting a gift, favor, or service that is intended to, or might appear to, influence the employee's decision-making or professional conduct;
- accepting, agreeing to accept, or soliciting money or other tangible or intangible benefit in exchange for the employee's favorable decisions or actions in the performance of his or her job;
- accepting employment or compensation or engaging in any business or professional activity that might require disclosure of KEYS' confidential information, and/or compromise KEYS' effectiveness;
- accepting employment or compensation that could reasonably be expected to impair the individual's independent judgment in the performance of his or her KEYS duties.

Each employee must disclose any actual or potential conflict to his/her Supervisor and/or Department Director as soon as he/she becomes aware of such conflict. Failure to make

required disclosures or resolve conflicts of interest satisfactorily may result in discipline, up to and including termination of employment.

CUSTOMER RELATIONS

Each employee is a KEYS representative. Whether dealing in person, by electronic communication, on the telephone, or by mail, the customers' and the public's impression of KEYS is shaped by each employee interaction. As a KEYS representative, an employee should be courteous and maintain a business-like manner whenever dealing with customers, the public, or fellow employees. To promote clear communications with KEYS customers (both internal and external), employees shall remove any body piercing (including but not limited to tongue piercing) that might otherwise impede communications while working.

DOMESTIC PARTNERSHIP POLICY

The Domestic Partnership Resolution allows employees in committed relationships that meet the criteria established by the Resolution as constituting domestic partnerships, to register the partnership by executing the Declaration of the Domestic Partnership form attesting to their status. The Resolution recognizes certain rights-of-access for domestic partners. The Utility Board Resolution does not affect state law in any areas of property rights, custody, or inheritance. Please contact Human Resources for more information regarding this policy or for related documents, including the Domestic Partnership Information Sheet, Declaration of Domestic Partnership application form, and Termination of Domestic Partnership application form.

PERSONAL APPEARANCE AND UNIFORMS

Maintaining a professional, businesslike appearance is very important to the success of KEYS. The image we project must demonstrate that we are the most professional, productive, and reliable organization within our industry. Appearance is a major element of our image to our customers and the outside world.

Personal appearance is a powerful business tool. A neat professional appearance is a requirement. It is expected that all employees will exercise good judgment and dress and groom appropriately for their jobs so as not to constitute a safety hazard and in order to present a professional image. Interpretation of this code is the responsibility of the Department Director, in consultation with the Director of Human Resources or equivalent.

Whether or not you are dealing with KEYS' customers, vendors, or the public, you are always a KEYS representative. Part of the impression that you make on others depends on your choice of dress, personal hygiene, and courteous and professional behavior.

Clothing should be appropriate for the office. For example, appropriate pants include slacks or dress pants (cotton, polyester, linen, denim, etc.) that are clean and wrinkle free. Inappropriate pants include sweatpants, wind suits, athletic/athleisure/workout pants, shorts, or any pants that are faded, tattered, stained, creased, frayed or cut. Appropriate shirts include those that are clean and wrinkle free. Inappropriate shirts include tank tops, spaghetti straps, halter tops, crop tops (tops short enough to reveal the waistline with arms raised), off-the-shoulder tops, athletic/athleisure/workout shirts and

clothing with words, pictures, symbols, or logos that may reasonably offend or which promote the use of illegal drugs. Appropriate dresses and skirts are those that are business or business casual. Skirt and dresses may not be shorter than four inches above the knee. Inappropriate dresses or skirts include sundresses (spaghetti straps) or miniskirts. Appropriate footwear includes loafers, boots, flats, dress sandals, clogs, and leather deck shoes. As a general rule, sneakers or flip flops should not be worn in the office.. Clothing that works well for the beach, yard work, dance clubs, exercise sessions, and sports contests generally are not appropriate for the casual, professional office appearance.

Field workers and those employees working at KEYS' industrial sites, including Purchasing, T&D, Electrical, Fleets & Facilities, Engineering, and Generation, will be required to wear long pants, closed in shoes (safety shoes as required) and shirts complying with KEYS' dress code (uniformed shirts may be assigned as approved by management). The Department Director may make exceptions; however, the employee is always required to wear personal protective equipment (PPE) and long pants while working in safety sensitive areas (substations).

Special events and work situations may necessitate a temporary deviation from the standard businesslike appearance.

In addition, KEYS strives to impart an appropriate image to its customers. To promote clear communications with KEYS customers (both internal and external), employees shall, while working or on company time, remove any body piercings (including but not limited to tongue piercings) that might impede communications while working.

The Department Director and/or Supervisor will consult with the Director of Human Resources or equivalent to decide if an employee reporting to work in clothing not suitable for KEYS' image should be sent home, without pay, to change into appropriate clothing. The Director of Human Resources or equivalent decision will be final. An employee who wears inappropriate clothing to work after being placed on notice is subject to discipline.

KEYS may also require uniforms in certain sections or departments. KEYS will select the color, types, and styles of such uniforms. If they are required, they must be kept clean and worn at all times while performing official KEYS duties. A person not wearing the required uniform will be sent home to change, without pay, and may be subject to additional disciplinary action up to and including termination. KEYS will pay a reasonable amount for up to five (5) days of clothing for those required to wear uniforms. Any further purchase of uniforms will be the employee's responsibility. Uniforms will be replaced at KEYS' discretion. KEYS reserves the right to rescind the uniform policy with two weeks' notice to employees.

KEYS employees are responsible for all the uniforms issued to them. Replacement resulting from the employee's negligence in the care and/or use of the uniform will be at the expense of the employee. If a uniform is torn or cannot be worn, it must be turned in. Under no circumstances should an employee give away, lend, or discard a KEYS uniform. KEYS employees are prohibited from allowing non-employees to wear KEYS uniforms. In order to prevent non-employees from misrepresenting themselves, KEYS employees are prohibited from lending, giving, or sharing uniform materials with non-employees. Individual departments may have specific policies concerning inventory control. For more information, ask your Supervisor. KEYS employees may not wear uniforms when they are not performing official KEYS duties. When employees leave KEYS,

they must turn in any uniforms or clothes with the KEYS insignia before their final payouts are issued, such as vacation and/or sick leave payouts. This may include uniform pants, shirts, and blouses, as well as, caps, rain gear, shirts and coveralls.

Employees shall not consume or purchase alcoholic beverages while in uniform, whether on duty or off duty, nor engage in other behavior that would create a negative image of KEYS. Under no circumstance shall any article of clothing displaying a KEYS logo be worn by any employee consuming or purchasing alcohol.

DRIVER'S LICENSE

All KEYS employees required by their job description to maintain a valid Florida driver license must immediately report any status change (i.e. points, DWI, DUI, suspension, expiration, etc.) to their Supervisor and the Director of Human Resources or equivalent. Failure to report any status change of your driver license may result in disciplinary action up to and including termination.

DRUG-FREE WORKPLACE POLICY

I. PURPOSE

As a part of its commitment to safeguard the health of its employees, to provide a safe place for its employees to work, and to promote a drug-free community, KEYS has established this policy on the use or abuse of alcohol and drugs by its employees. This policy is set up pursuant to the Drug-Free Workplace program under Florida's Workers' Compensation Law. Substance abuse, while at work or otherwise, seriously endangers the safety of employees as well as the general public, and creates a variety of workplace problems including increased injuries on the job, absenteeism, increased health care and benefit costs, theft, decreased morale, decreased productivity, and a decline in the quality of services provided. This policy is established to detect and, if appropriate, remove users and abusers of drugs and alcohol. It is also KEYS' policy to prevent the use and/or presence of these substances in the workplace and to assist employees in overcoming any dependence on drugs and/or alcohol in accordance with the following guidelines.

The Drug-Free Workplace program under the Florida Workers' Compensation Act provides that an employee who is injured in the course and scope of employment and tests positive on a drug or alcohol test, forfeits his/her eligibility for medical and indemnity benefits under Florida's Workers' Compensation laws. Refusal to take a drug or alcohol test also will result in the employee forfeiting his/her eligibility for medical and indemnity benefits under Florida's Workers' Compensation and automatic termination of the employee.

The purpose of this policy is to communicate KEYS' position on drugs and alcohol in the workplace and to provide guidance for the implementation of related programs.

II. SCOPE

All employees are covered by this policy and as a condition of employment, are required to abide by the terms of this policy.

Applicable state and federal laws and regulations may subject certain employees to additional requirements not enumerated in this policy.

III. DEFINITIONS

A. Drugs:

This refers to illegal drugs, prescription drugs, and legal non-prescription drugs which may cause intoxication, drowsiness, or other side effects which may reasonably affect performance of employment duties.

B. Alcohol:

This refers to alcohol for human consumption in all its forms, including distilled spirits, wine, a malt beverage, or intoxicating liquor.

C. KEYS Premises:

This refers to all areas which KEYS operates or controls. It includes, but is not limited to KEYS' buildings, parking lots, leased and owned vehicles, personal vehicles when used for business purposes, storage facilities, work areas, substations, etc.

D. The Drug-free Workplace Program Requirements:

This refers to the Drug-free Workplace program requirements contained in the Florida Workers' Compensation Act, Sections 440.101 and 440.102, et seq., as amended from time to time.

E. Division Drug Testing Rules:

This refers to the Drug Free Workplace Standards, which implement the Drug-Free Workplace Program. These rules appear in the Florida Administrative Code, Agency for Health Care Administration, Ch. 59A-24, et seq., as amended from time to time.

F. Accident:

The term "accident" means any accident or incident in which an employee's injury cannot be classified as first aid under the Florida Worker's Compensation Statute, or an accident in which third party property damage occurs or damage to KEYS' property is estimated by KEYS' Risk & Safety Coordinator or equivalent to be at least \$1,000. In any case, if a KEYS' Management Investigation Committee convened by the General Manager & CEO suspects a personal injury due to an accident, the employee will be required to submit to an alcohol and/or urine drug test.

IV. POLICY:

A. Prohibited Acts:

The use of illegal drugs including the presence of illegal drugs in an employee's system, the use of alcohol including the presence of alcohol in an employee's system while at work, as well as the abuse of alcohol, on or off the job, is prohibited. The sale, possession, use, or purchase of drugs or alcohol while working in an official capacity either on or off KEYS property, while on KEYS property whether working or not, or while operating a KEYS vehicle, machinery, or equipment is prohibited. Any employee violating this prohibition, except in the circumstances set forth in paragraph IV- B below, will be subject to disciplinary action, up to and including automatic termination for the first offense.

- B. Exceptions for prescription and over-the-counter drugs:
The intent of this policy is to protect the safety and health of KEYS employees and customers. Many of our employees perform safety-sensitive jobs, so KEYS must know if an employee is taking prescribed medication, and whether or not that medication may affect their ability to perform their assigned duties safely. Also, in the event of an emergency, KEYS must be able to provide information to attending medical professionals regarding medication the employee is taking, in case the employee is not able to communicate the information himself/herself. Additionally, the policy protects employees that undergo employment-related drug screenings and return a positive result because of their prescribed medication.

KEYS' Drug-Free Workplace Policy – Exceptions for prescription and over-the-counter drugs: Employees taking prescription medication must report the information to their Supervisor and Director of Human Resources or equivalent immediately upon returning to work. The employee's failure to notify his/her Supervisor and the Director of Human Resources or equivalent before starting any work-related activity will cause the employee to forfeit this exception and be subject to disciplinary action, up to and including termination, under the terms and conditions of this policy.

When an employee visits his/her personal physician and receives prescribed medication, he/she should obtain a note from the prescribing physician indicating whether the employee IS or IS NOT able to safely and effectively perform their job duties while taking the prescribed medication. The employee must be sure that the physician understands the requirements of their job.

- If the employee IS able to fulfill their job requirements while taking the medication, the physician's statement will be forwarded to Human Resources and placed in the employee's medical file.
 - If the employee IS NOT able to fulfill their job requirements while taking the medication, the employee will be sent home and placed on "Sick Leave" until the employee returns with the note from the prescribing physician, releasing him/her to full duty work.
- C. It is against KEYS' policy for an employee to report to work if drugs or alcohol, as defined by the Drug-free Workplace Program and the Division Drug Testing Rules, are present in the employee's system at a level proscribed by the Division Drug Testing Rules.
- D. It is a violation of KEYS' policy for an employee to report to work, or to return to work, with the odor of alcohol on the employee's breath, regardless of whether or not the employee is actually intoxicated.
- E. It is a condition of employment for each employee to refrain from taking illegal drugs on or off the job, and to refrain from consuming alcohol on or off the job in a way that results in the employee being at work with a blood alcohol/or urine drug level greater than that proscribed by the Division Drug Testing Rules. It is also a condition of employment for each employee to report the use of all prescription and non-prescription drugs in the confidential manner set forth herein. (See B above - exceptions for prescription and over-the-counter drugs.)

- F. Any employee who refuses to submit to or who tampers with or alters a test for drugs or alcohol which may be conducted pursuant to section V, below,, or who receives a positive confirmed drug test may forfeit eligibility for medical and indemnity benefits under the Worker's Compensation Statute and will be subject to automatic termination.
- G. Observance of this policy is a condition of continued employment for every employee. Violation of any aspect may result in disciplinary action, up to and including automatic termination.

V. TESTING:

- A. KEYS will conduct the following types of drug tests:
 - 1. All job applicants selected for positions within KEYS that are considered "mandatory-testing positions" must take and pass a drug screening as a condition of obtaining employment. KEYS may use a refusal to submit to a drug test or a positive confirmed drug test as a basis for refusing to hire a job applicant. A mandatory-testing position includes any position that KEYS determines includes job duties and/or assignments that may require an employee to perform life threatening procedures, work with heavy or dangerous machinery/equipment, work as a safety inspector, and/or any job assignment in which a momentary lapse in attention could result in injury or death to any person.
 - 2. A drug test will be administered if an employee is required to undergo a Fitness for Duty Medical Examination.
 - 3. Random, follow-up testing will be conducted upon any employee who returns to work after successfully completing a drug rehabilitation program, at least once a year for at least three (3) years.
 - 4. A drug test will be required whenever KEYS has a reasonable suspicion (a belief that an employee is using or has used drugs or alcohol in violation of this policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience). Reasonable suspicion may be based upon, without limitation:
 - a. Observable phenomena such as direct observation of drug use or the physical symptoms of being under the influence of drugs or alcohol.
 - b. Behavioral symptoms associated with drug use or intoxication from either drugs or alcohol such as abnormal conduct, erratic behavior, or a significant deterioration in performance.
 - c. Report of drug use provided by a credible source that has been independently corroborated by evidence that is considered reasonable under the circumstances.
 - d. Any evidence that an individual has tampered with a drug test.
 - e. Any evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working on or off KEYS property, whether the employee is working or not at the time of such action.
 - f. Information that an employee has caused, contributed to, or was involved in an accident at work. If it cannot be determined who was driving a KEYS' vehicle at the time of an accident, then anyone who was driving the vehicle

during the work day during which the accident occurred will be required to take a drug and/or alcohol test. A committee consisting of at least two management employees will make the determination as to whether the employee takes a drug and/or alcohol test.

If drug testing based on reasonable suspicion is to be performed, KEYS shall promptly create a written explanation of the circumstances that formed the basis of the reasonable suspicion determination, which shall be provided to the employee upon request.

5. KEYS will test for all of the following drugs:
 - a. Alcohol including distilled spirits, wines, a malt beverage, or intoxicating liquor.
 - b. Amphetamines
 - c. Cannabinoids
 - d. Cocaine
 - e. Phencyclidine (PCP)
 - f. Methaqualone
 - g. Opiates
 - h. Barbiturates
 - i. Benzodiazepines
 - j. Methadone
 - k. Propoxyphene
 - l. A Designer Drug
 - m. Or a Metabolite of any of the Substances above

B. Test results/challenge:

1. A positive confirmed drug test is grounds for automatic termination. An employee who is terminated or disciplined for a positive confirmed test is considered to have been terminated or disciplined for good cause.
2. An employee or applicant whose drug test is confirmed as positive shall not by virtue of the result alone be deemed to have a handicap or disability as defined under Federal, State or Local Laws such as Americans with Disabilities Act.
3. All employees or applicants with a positive, confirmed test result will be notified, in writing, within five (5) working days from receipt of the results by the Medical Review Officer (MRO), and provided with a list of options available to the employee or applicant. KEYS will provide a copy of the test results upon request.
4. An employee or applicant with a positive confirmed test result may, within five (5) working days from receipt of the written results, submit information to the MRO explaining or contesting the positive test result. If the challenge or explanation is not satisfactory to the MRO, the MRO shall report a positive test result back to KEYS and the employee or applicant may contest the drug result pursuant to law or to rules adopted by the Agency for Healthcare Administration.

5. Any employee may file a grievance concerning a violation of the Drug-Free Workplace Policy (unless the employee is subject to a Last Chance Agreement). A bargaining unit employee may use the grievance procedure contained in the Collective Bargaining Agreement between Utility Board and the International Brotherhood of Electrical Workers "IBEW." Management employees may use the grievance procedure as stated in the Rules and Regulations Handbook under "Standards of Employment and Rules of Conduct."

VI. AMNESTY and REHABILITATION

An employee who has a drug or alcohol dependency problem who voluntarily, before an incident occurs while the employee is at work or off-duty that may result in a drug and/or alcohol test, notifies his/her Supervisor, Department Director or the Director of Human Resources or equivalent of such problem, may be allowed to enter and complete an appropriate rehabilitation program approved by KEYS at the employee's own expense. This will not be available to an employee who has previously tested positive for drug use, used EAP or entered an employee assistance program for drug use or entered a drug-rehabilitation program. The intent of this program is to encourage employees with an alcohol or drug dependency problem to come forward before they are involved in an incident that might lead to discipline by KEYS or arrested and/or convicted of a felony offense. If approval is granted, the employee will be permitted to take accrued sick leave and accrued vacation leave in order to attend the program. If the employee does not have accrued sick or vacation leave, an employee may request leave without pay. This will be considered on a case-by-case basis and granted at the sole discretion of KEYS. The employee must submit to appropriate medical testing, execute a Last Chance Agreement, and execute all other documents and releases required by KEYS to allow KEYS to monitor the employee's attendance and progress in the program.

If an employee is employed in a safety sensitive position (a position in which a momentary lapse in attention could result in injury, death, or serious equipment damage)) and enters an Employee Assistance Program or Drug Rehabilitation Program, the employee may be, at the option of KEYS, assigned to a position other than a safety sensitive position or, if such position is not available, placed on leave without pay while the employee is participating in a program.

Upon receipt of written documentation of successful completion of the approved rehabilitation program, the employee will be placed in a similar position when available. This policy does not require KEYS to hold any position open nor create a position for employees who successfully complete a drug rehabilitation program.

Upon reinstatement, the employee shall submit to random tests for alcohol and/or drugs (without prior notice) by KEYS for a period of three (3) years. All such tests will be administered by qualified personnel. Failure by the employee to submit to any test or any test result showing any degree of intoxication of alcohol or any level or amount of drugs/controlled substances, not wholly attributable to drugs prescribed by the employee's physician and previously disclosed to KEYS, shall be considered a voluntary resignation by the employee. Nothing in this policy shall be construed as an obligation upon KEYS to provide or to pay for substance abuse counseling or rehabilitation except to the extent it may be part of KEYS' health insurance plan.

VII. RETALIATION:

Any supervisor or employee who, in good faith, reports an alleged violation of this policy shall not be harassed, retaliated against, or discriminated against in any way.

VIII. ADDITIONAL INFORMATION:

- A. The following is a list of the most common drugs and medications, by brand name, common name, and chemical name, which may result in a positive drug test:
1. ALCOHOL
All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proofs), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).
 2. AMPHETAMINES
Obetrol, Biphedamine, Desoxyn, Dexedrine, Didrex, and others
 3. CANNABINOIDS
Marinol (Dronabinol, THC)
 4. COCAINE
Cocaine HCl topical solution (Roxanne)
 5. PHENCYCLIDINE
Not legal by prescription
 6. METHAQUALONE
Not legal by prescription
 7. OPIATES
Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, etc.
 8. BARBITURATES
Phenobarbital, Tuinal, Amytal, Nembutal, Secondal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabartital, Butabital, Phrenilin, Triad, etc.
 9. BENZODIAZEPINES
Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax, etc.
 10. METHADONE
Dolophine, Methadose, etc.
 11. PROPOXYPHENE
Darvocet, Darvon N, Dolene, etc.
- B. Each employee and applicant will be given an opportunity, both before and after the drug test, to confidentially report the use of prescription or non-prescription medications that may affect a drug test.
- C. KEYS will test for all the drugs listed on the drug-testing list.
- D. Each employee and applicant has a right to consult the testing laboratory KEYS uses to administer its drug test for further information. The name and address of the laboratory, and the person to contact, regarding this information will be available to all employees and applicants subject to testing.

E. The following is a list of names and addresses of employee assistance programs and rehabilitation programs.

1. Employee Assistance Program
(Cigna Behavioral Health)
www.cignabehavioral.com
1.877.622.4327
2. Lower Keys Medical- Medical Detoxification
1200 Kennedy Drive
Key West, Florida, 33040
305- 292-5872
3. The U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration's (SAMHSA) National Drug and Alcohol Treatment Referral Service provides free and confidential information in English and Spanish for individuals and family members facing substance abuse and mental health issues. 24 hours a day, 7 days a week.

SAMHSA's Toll-Free Treatment Referral Helpline: 1-800-662-HELP (4357)

Online Treatment Facility Locator: <https://findtreatment.samhsa.gov/>

F. A statement that taking and passing a drug test is a condition of initial and continued employment in conformity with this policy shall be placed on all vacancy announcements and job postings. This policy will be posted in a conspicuous location on KEYS' premises, and copies will be available upon request from Human Resources.

G. All applicants and employees shall be provided, prior to testing, a copy of these regulations. Any individual who requires more information should refer to the Worker's Compensation Act, Section 440.101 and 102, and the implementing rules 59-A-24 et seq. Florida Administrative Code, which is available in Human Resources.

DRUG AND ALCOHOL TESTING RULES FOR COMMERCIAL DRIVERS

I. Policy

All KEYS employees who are required by their job description to hold a Commercial Driver's License (CDL) and who perform in a safety sensitive position are prohibited from being under the influence of controlled substances and/or alcohol while performing their job, and shall be subject to the random alcohol and drug testing program by law as outlined below.

A. Safety Sensitive Positions:

1. A position that requires an employee to operate, or be immediately available and in a state of readiness to operate, a commercial vehicle, requiring a CDL.

Operation of a motor vehicle includes:

- waiting to be assigned to the operation of a motor vehicle
 - actual operation of a commercial motor vehicle
 - inspection of a commercial motor vehicle
 - loading and unloading a commercial motor vehicle
 - repairing a commercial motor vehicle
 - performing the tasks required of drivers relating to accidents including striking an unattended vehicle
2. An employee that supervises employees who operate commercial vehicles, and due to the nature of such Supervisory responsibilities, is required to maintain a CDL.

B. Prohibited Use:

1. No employee shall possess or carry alcohol in a commercial vehicle.
2. No employee shall report for duty or remain on duty while under the influence of alcohol or a controlled substance.
3. No employee shall use alcohol while performing a safety sensitive function.
4. No employee shall perform in a safety sensitive function within four (4) hours of using alcohol.
5. No employee required to submit to a post-accident alcohol or controlled substance test shall use alcohol for eight (8) hours following the accident, or until the driver undergoes the required post-accident test, whichever occurs first.
6. No employee shall refuse to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or controlled substance test. Refusal to submit to an alcohol or drug test is grounds for automatic termination.
7. No employee shall report for duty or remain on duty while using any controlled substances unless used in accordance with the prescription of a medical doctor who has advised that the substance will not adversely affect the employees' ability to operate a commercial motor vehicle.

II. Testing (CDL)

A. CDL Pre-employment Testing will be performed:

1. Before CDL applicants are hired or after an offer to hire, but before actually performing safety sensitive functions for the first time.
2. Upon transferring into a CDL safety sensitive position.
3. Pre-employment drug testing but not alcohol testing is required.
4. Driver applicants must provide a prior employment history for a ten (10) year period preceding application. Drivers must also provide KEYS with written consent to obtain information from prior employers regarding all positive alcohol and controlled substance test results or refusals to test covering a two (2) year period preceding application.

B. CDL Post Accident Testing:

1. An employee who is operating a commercial vehicle involved in an accident that results in a moving violation or loss of life.

- a. When reporting the accident, the employee is required to report whether the accident resulted in the loss of life or moving violation. It is the responsibility of the Supervisor to arrange testing.
- b. The alcohol tests must be conducted within eight (8) hours following the accident and within thirty-two (32) hours following the accident for controlled substance testing. If the tests are not administered within the required time frame, KEYS shall document the reasons the tests were not conducted.

C. CDL Reasonable Suspicion Testing

1. Supervisors will monitor employees in safety sensitive positions for alcohol and controlled substance use. (When the Supervisor has reasonable suspicion, based on the training provided, that an employee in a safety sensitive position is under the influence of alcohol or a controlled substance, the Supervisor shall require a reasonable suspicion test of the employee.)
2. The Supervisor will inform the employee of the suspicion of alcohol and/or controlled substance and notify the Director of Human Resources or equivalent.
3. The employee shall immediately stop performance of the safety sensitive position.
4. A designated person shall transport the employee directly to the designated testing facility. After the appropriate testing has been completed, the employee shall be transported to his/her place of residence.
5. A reasonable suspicion testing report must be completed by the Supervisor who made the determination of reasonable suspicion within twenty-four (24) hours of the observed behavior or before the results of the test are released, whichever is later. The report shall be forwarded to the Director of Human Resources or equivalent.

D. CDL Random Testing:

1. The Safety & Risk Coordinator randomly selects CDL drivers from the CDL list. Under this selection process, each driver shall have an equal chance of being tested each time selections are made.
 - a. On an annual basis, a minimum of 25% of the average number of CDL required positions will be administered random alcohol tests.
 - b. On an annual basis, a minimum of 50% of the average number of CDL required positions will be administered random controlled substance testing.
2. The random tests are unannounced and the dates and times of the testing shall be spread reasonably throughout the year, or as dictated by law.
3. The Safety & Risk Coordinator shall notify the Supervisor of each driver selected for random testing. The driver shall be relieved of any safety sensitive functions and immediately taken to the test site.

E. Return to duty/Follow up:

1. A positive drug test or alcohol test results of .04 or greater is a violation of Drug-free Workplace Policy and is grounds for automatic termination. If an employee tests .04 or greater on the Breathalyzer, he/she may request a blood test for a backup test. Even if an employee is terminated, KEYS

recommends that such employees seek substance abuse treatment and will make references to the community resources available.

F. Commercial Driver's License Drug and Alcohol Clearinghouse

1. KEYS is required to participate in the Federal Motor Carrier Administration Commercial Driver's License Drug and Alcohol Clearinghouse. As required by 49 Code of Federal Regulations, Parts 40 and 382, KEYS will query the clearinghouse database for drug and alcohol violations before permitting any employee or prospective employee to operate a commercial vehicle on public roads, and query the clearinghouse annually for each commercial vehicle driver. KEYS will report, as required, any information related to violations of applicable drug and alcohol regulations to the clearinghouse.

For further information about the Commercial Driver's License Drug and Alcohol Clearinghouse, visit <https://clearinghouse.fmcsa.dot.gov>

III. TESTING PROCEDURES

A. Alcohol:

1. The rules require breath testing using Evidential Breath Testing (EBT) devices approved by the National Highway Traffic Safety Administration (NHTSA). Two (2) breath tests are required to determine if a person has a prohibited alcohol concentration. A screening test is conducted first. (An analytical procedure to determine whether a driver may have a prohibited concentration of alcohol in his/her system.
 - a. Any results less than 0.02 alcohol concentration is considered a "negative" test and the employee can return to work.
 - b. If the alcohol concentration is 0.02 or greater but less than 0.04 the employee shall be prohibited from returning to a safety sensitive position until the start of the employee's regularly scheduled duty but not less than twenty-four (24) hours following the administration of the test and the employee will be subject to disciplinary actions.
 - c. A positive alcohol test result of .04 or higher is a violation of the Drug-Free Workplace Policy and is grounds for automatic termination. If an employee tests .04 or greater on the Breathalyzer, he/she may request a blood test for back up.

B. Controlled Substances Testing:

1. The rule requires a "primary" and a "split" urine specimen. If the result of the primary specimen is positive, the employee may request that the physician direct the split specimen to be tested in a different Dept. of Health and Human Services certified laboratory for presence of the drugs for which:
 - a. Drivers are prohibited from having bodily concentration of drugs exceeding threshold levels listed below unless prescribed by a physician:
 1. amphetamines 500 ng/ml
 2. benzoy lecogine (cocaine) 150 ng/ml
 3. cannabinoid (marijuana) 50 ng/ml

4. opiates 2000 ng/ml
5. phencyclidine (PCP) 25 ng/ml
- b. A positive result was obtained in the test of the primary specimen. The request shall be honored if made within seventy-two (72) hours of the employee having been notified of a verified positive test result.
- c. A positive drug test is a violation of the Drug-free Workplace Policy and is grounds for automatic termination.
- d. The physician shall make reasonable efforts to contact the employee to review the test results and shall notify KEYS if efforts to contact the employee have been unsuccessful. The physician must report the test results to KEYS immediately after notifying the employee.

IV. Training, Referral, Evaluation, and Treatment

A. Training

1. All Supervisors and Management officials responsible for the supervision of safety sensitive drivers must attend at least one hour of training on the signs and symptoms of alcohol misuse and at least one hour of training on drug abuse. This training is necessary to assist Supervisors and KEYS officials in making appropriate determinations for reasonable suspicion testing.

B. Referral, Evaluation and Treatment:

1. All affected employees shall receive detailed information about alcohol and substance abuse, the policy, the testing requirements, and how and where drivers can get help.
2. The following is a list of names and addresses of employee assistance programs and rehabilitation programs.

- a. Employee Assistance Program (Cigna Behavioral Health)
www.cignabehavioral.com
1.877.622.4327

- b. Lower Keys Medical- Medical Detoxification
1200 Kennedy Drive
Key West, Florida, 33040
305-292-5872

- c. The U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration's (SAMHSA) National Drug and Alcohol Treatment Referral Service provides free and confidential information in English and Spanish for individuals and family members facing substance abuse and mental health issues. 24 hours a day, 7 days a week.

SAMHSA's Toll-Free Treatment Referral Helpline: 1-800-662-HELP (4357)

Online Treatment Facility Locator: <https://findtreatment.samhsa.gov/>

V. Record Retention

A. Types of Records Retained:

1. Records relating to the collection process

2. Records related to an employee's test results
3. Records related to other violations
4. Records related to evaluations
5. Records related to education and training
6. Records related to drug testing

ALL MEDICAL RECORDS ARE CONFIDENTIAL AND ARE KEPT SEPARATE FROM THE EMPLOYEE'S PERSONNEL RECORD.

TESTING PROCEDURES

I. ALCOHOL TESTING

KEYS' CDL employees required to submit to alcohol testing will be escorted to the testing site by a management employee. A Breath Alcohol Technician (BAT) who has been certified to administer evidential breath tests shall conduct the test. If the result of the alcohol screening test using the evidential breath-testing device is .02 or greater, a confirmation test shall be conducted. The confirmation test shall be conducted within twenty (20) minutes of the screening test.

The alcohol test shall be conducted in a manner that affords visual and auditory privacy to the employee being tested and the test location shall prevent unauthorized persons from seeing or hearing the test results. Employees shall be required to produce their driver's license to confirm positive identification to the BAT.

At the start of the test, the technician shall open an individually sealed mouthpiece in the presence of the employee to be tested. The employee must blow forcefully into the mouthpiece of the testing device. The BAT shall show the employee the results of the test. The information about the test results shall be entered by the technician into the logbook and the employee shall initial the entry. The technician shall notify the Human Resources Office of the results, and subsequently forward the breath alcohol test report to the Human Resources Office.

If the results of the test show that, the employee's blood alcohol concentration is less than .02, the employee shall return to duty. If the results show a concentration of greater than .02, transportation will be provided to the employee's residence.

II. CONTROLLED SUBSTANCES TESTING

An employee required to undergo a controlled substance test will be transported to the designated testing facility to submit a urine specimen, which shall be collected using the split sample method. The split samples shall be shipped together with the chain of custody form in a single shipping container.

If the test results of the primary specimen is positive, the employee may request that the medical review officer direct that the split specimen be tested in a different DHHS certified laboratory for presence of the drugs for which a positive result was obtained in the test of the primary specimen. The request shall be honored if made within seventy-two (72) hours of the employee having been notified of the verified positive test result.

III. NOTIFICATION

The medical review officer may report test results to the employer using any method of communication; however, in all cases the medical review officer shall forward to

the employer within three business days of the completion of the review a signed, written notification containing the following:

- A. That the test being reported was conducted in accordance with the requirements of this policy.
- B. The name of the individual tested.
- C. The type of test conducted, I.E. random, post-accident, etc.
- D. The date and location of the test collection.
- E. The identity of the person taking the collection, conducting the analysis, and serving as the medical review officer.
- F. The verified test results, and if positive for controlled substances, the identity of the controlled substance(s) for which the test verified positive.

The medical review officer shall make reasonable efforts to contact the employee to review the test results and shall notify the employer if efforts to contact the employee have been unsuccessful. The employer shall inform the employee to contact the medical review officer prior to requiring the employee to return to work, or within twenty-four (24) hours, whichever is earlier.

ELECTRONIC COMMUNICATION SYSTEMS

All electronic and telephonic communication systems ("systems") and all communications and information transmitted by, received from, or stored in those systems are the property of KEYS and may not be deleted, removed, or otherwise disposed of except with express permission of KEYS consistent with the employee's job duties and responsibilities. All pass codes or encryption keys are the property of KEYS. KEYS retains the right to monitor all of its electronic and communication systems at its discretion, including, but not limited to, listening to, recording of, transcribing, copying, or otherwise storing in a separate location all voicemail, e-mail messages, data and program files, etc.

Employees using any KEYS-provided systems for personal purposes do so at their own risk of loss and all employees hereby expressly consent to KEYS monitoring, recording, and transcribing all such personal use. Personal use of the KEYS-provided equipment, including systems, shall be limited to use that is incidental to KEYS business usage, that is personal to the employee, and that occurs on an irregular and infrequent basis.

Employees are prohibited from using KEYS' systems for any commercial activity unrelated to KEYS business or unrelated to the employee's compensation and benefits provided by KEYS, i.e., the systems should not be used for personal gain, advancement of individual views, or solicitation of non-KEYS business. Use of the systems must not disrupt the operations of KEYS and not interfere with an employee's productivity.

Employees are not permitted to use a pass code or encryption key, to access a file, or to retrieve any stored communication unless authorized to do so, or unless they have received prior clearance from an authorized KEYS representative. Employees are not permitted to use a pass code that has not been issued to that employee or that is unknown to KEYS, except as set forth herein. Employees are not permitted to use an encryption key or program that has not been provided by KEYS or that has not been provided to KEYS prior to use. Further, employees are not permitted, without proper authorization, to provide other employees or individuals access to a pass code or encryption key. Employees who violate this policy are subject to disciplinary action up to and including termination.

In addition to the foregoing prohibitions, employees are prohibited from engaging in the inappropriate use of any systems. Inappropriate use may result in loss of access privileges and disciplinary action up to and including termination. Inappropriate use includes, but is not limited to:

- Unauthorized access of another employee's e-mail or voicemail account or any other account maintained on the system as well as unauthorized access to data stored on any electronic or telephonic system. This would include any attempt to obtain unauthorized access.
- Any effort to inhibit authorized access to data, mail, or programs stored on electronic or telephonic systems.
- Any effort to prevent the KEYS' monitoring of an electronic telephonic system.
- Transmission of obscene or harassing messages to any other individual (i.e., hate mail, obscenity, ethnic slurs, racial comments, off-color jokes, antisocial behavior) in violation of any policy herein or any State or Federal law.
- Use of the electronic and/or telephonic communication system to violate any other KEYS policy.
- Any illegal, unethical, or other activity that could adversely affect KEYS, including KEYS' reputation or image.
- Accessing sexually oriented Internet sites, the intentional storage for later use or transmission of sexually oriented material.
- Unauthorized downloading of software.
- Unauthorized copies of copyrighted materials whether created, distributed, or knowingly utilized.
- Posting inaccurate, inappropriate, and unlawful business information.
- Unauthorized attempts to break into any computer whether it belongs to KEYS or another organization.
- Copying, sending, or posting confidential materials of KEYS or its members, unless duly instructed to do so.
- Sending chain letters/e-mail.

ELECTRONIC WIRELESS COMMUNICATION DEVICES/CELL PHONES

This policy includes cellular telephones (including all hands-free models). Violations of this section shall subject an employee to discipline up to and including termination.

In order to maintain employee productivity, KEYS issues certain employees in key positions a cellular phone so they can effectively work and conduct KEYS business while out of the office.

Designated Supervisors and Directors may choose to have a company-provided phone.

If an employee takes a KEYS-issued cell phone with them when traveling outside the US, they will likely be charged roaming charges for any type of use. In some countries, it is possible to incur roaming charges even if the phone is not actually used, but is powered on.

If an employee is sent out of the US on KEYS business and is required to take their KEYS issued phone, KEYS will be responsible for all charges incurred that are related to KEYS business. Any personal calls or Internet use, including roaming charges associated with personal use, will be the employee's responsibility. It is the employee's responsibility to determine what rates will apply in these situations and understand they will be responsible to pay for any such charges.

If an employee is out of the country on personal travel and is required to take their KEYS-issued phone, KEYS will be responsible for all charges incurred that are related to KEYS business. Any personal calls or Internet use, including roaming charges associated with personal use, will be the employee's financial responsibility. It is the employee's responsibility to determine what rates will apply in these situations and understand they will be responsible to pay for any such charges.

KEYS requires its employees to comply with safe driving standards. If use of a cellular phone is necessary while an employee is operating a KEYS vehicle, the employee must perform any actions which require physically contacting the device (i.e. calling or hanging up) while the vehicle is in park, and may only utilize the "speaker" function or a hands-free device while the vehicle is in motion.. Under no circumstances shall an employee utilize a hands-free device which requires the use of more than one (1) headphone or in-ear monitor while operating a vehicle.

The following guidelines have been established for the use of cell phones during company time, and must be adhered to by all KEYS employees.

- Cell phones may be used only for high-priority communications, and not for casual use.
- The ringer volume on cell phones must be kept to a minimum as not to disturb other workers.
- If a call must be received or made, the worker must ensure the work area and all personnel in the work area are safe before answering or placing a call.
- Cell phones will be turned off while performing the following tasks:
 - Performing work on energized equipment;
 - Working from the bucket of an aerial device;
 - While climbing or belted off on poles;
 - While climbing or working from the steel structure of a substation;
 - Performing work with a crew or by one's self, by which the call could create a safety issue or unnecessary work stoppage.
 - Serving as grounds person or otherwise spotting an employee who is performing work on energized equipment or from the bucket of an aerial device.
 - Driving or operating any KEYS vehicle, as set forth above.
 - Fueling a KEYS vehicle (phones should be powered down while doing so and/or left inside of the vehicle).
 - Any other scenario wherein a supervisor has given direction that cell phones must be turned off.

- Sending, reading, or responding to text messages or utilizing applications while operating a KEYS vehicle is expressly prohibited.
- Cell phone use (including calls, texting, social media and other applications) should be kept to a minimum and should not interfere with an employee's responsibilities.
- A KEYS employee must have a compelling, articulable reason for utilizing a cell phone while the employee is located in any public right of way or where work is being performed (whether by the user or another crew member) in view of the public.
- Supervisors have discretion to require employees to leave their phones in their vehicles when performing KEYS duties.

Employees of KEYS may perform job duties using a variety of electronic communications, depending on the nature of the work and responsibilities involved (e.g., responding to company emails, text messages, and phone calls).

While simply monitoring electronic communications/messages during non-work hours is not counted when determining hours worked, as with other types of authorized extra work, time spent outside an employee's regularly scheduled or approved work hours by a non-exempt employee using electronic communications for work purposes may be considered hours worked, which may be compensable and may count toward overtime eligibility, if required by law.

Therefore, the use of electronic communications to perform work duties by non-exempt employees is prohibited outside the non-exempt employee's scheduled or approved work hours unless required by the employee's supervisor or director, in which case, all time engaged in the use of electronic communications to perform work must be documented so that a determination can be made as to whether the time spent is compensable.

To avoid confusion, supervisors/directors who use electronic devices to communicate with non-exempt employees outside the regularly scheduled or approved work hours of non-exempt employees (i.e., before a work shift starts or after a work shift ends) must clearly state whether any immediate response by the non-exempt employee is required (and authorized). Absent direction by the supervisor/director advising of the need for an immediate response during non-work hours, the employee shall be expected/required to respond only during regularly scheduled or approved work hours.

Text messaging is not an acceptable communication method for KEYS personnel. As a general rule, KEYS employees and board members may not use text messaging for anything other than personal use or KEYS business transitory messages which have no record retention requirements.

An exception to the general rule is for providing updates on system disturbances or emergency communications. Such texts should originate from the Control Center through KEYS' email system and records should be maintained by the originator.

Neither KEYS employees nor board members are permitted to send text messages regarding policy or KEYS business. In the rare event that such a text is sent or received regarding KEYS official business - such text needs to be retained per Florida Records Retention Schedule. The retention period is determined by the subject matter.

It is recommended that such texts be forwarded to a KEYS email address in order to appropriately retain such texts.

Cell phone records, including usage data, are subject to public records laws.

ELECTRONIC MAIL

Electronic mail (e-mail) is a primary method for disseminating important information to large employee groups. Employees are responsible for checking their KEYS' email account on a regular basis to ensure receipt of crucial information.

Employees may not send, originate, or forward e-mail messages containing information that is harassing in nature, sexually explicit, obscene, derogatory, or offensive in such topics as race, sex, age, religion, national origin, disability, sexual orientation, or are similarly inappropriate, including but not limited to "chain letters." E-mail and Internet usage records are not private and may be viewed at any time by KEYS.

If an employee needs to send an e-mail or view a website and is not sure whether it is permitted within these guidelines, they should discuss this matter with their Director.

EMPLOYEE CLASSIFICATIONS

- **Bargaining Unit:** These employees are represented by the International Brotherhood of Electric Workers - IBEW Local Union 1990. All Bargaining Unit employees should refer to the Union Contract, in addition to the Rules and Regulations Handbook, for further provisions relating to benefits, hours of work, pay policies, etc.
- **Management Employees:** All Management employees should refer to the Management Handbook, in addition to the Rules and Regulations Handbook, for further provisions relating to benefits, hours or work, pay policies, etc.

Proper classification of employees is important to administering salaries, determining eligibility under KEYS' employee benefits plan, and complying with employment and tax laws.

All employees are hired to regularly work 40 or more hours each week and are classified as exempt or nonexempt for overtime and minimum wage requirements.

Exempt employees are not subject to overtime requirements. An employee is exempt if determined to be an executive, administrative, or professional employee or outside sales representative as defined by the Fair Labor Standards Act.

Nonexempt employees are entitled to overtime pay of at least one-and-one-half times their regular rate for hours actually worked in excess of 40 hours in any workweek. Any employee who is not classified as exempt is nonexempt.

Non-exempt employees are not permitted to work extra time or perform any work duties, including via the use of electronic communications (e.g., smart phones, emails, texts, etc.) outside their regularly scheduled or approved work hours (before or after

clocking in/out at the start and end of a work shift) unless properly authorized by a supervisor or director. Please refer to the Time & Attendance Policy in this Handbook for more information related to documenting work time/hours.

All work performed outside the regularly scheduled or approved work hours of a non-exempt employee, including time required to respond to electronic communications, must be properly documented by the employee and the supervisor/director.

Non-exempt employees who work unauthorized overtime or who perform unauthorized work duties outside their regularly scheduled or approved work hours may be subject to disciplinary action.

EMPLOYEE PARKING

KEYS provides parking for its employees and assigns parking spaces to all employees working in the Service Building. If a KEYS employee parking lot is full, employees must find alternate parking at their own expense. Employees may not park on any KEYS property unless designated for employee parking. Parking permits will be issued to employees as needed.

KEYS is not responsible for fire, theft, or damage to employees' vehicles, bicycles, or their contents while parked on KEYS property, including the City of Key West section of the Park N' Ride.

EMPLOYMENT DISCRIMINATION PROHIBITED BY FEDERAL AND STATE LAW

KEYS will post all notices required by state, federal or local law relating to discrimination. Exceptions that apply to many federal and state discrimination laws include those for bona fide occupational qualifications, bona fide seniority systems, employee benefit plans, or merit systems (provided that these differences are not a result of an intention to unlawfully discriminate).

EMPLOYMENT AND RECRUITMENT PRACTICES (EQUAL EMPLOYMENT OPPORTUNITY)

It is the policy of KEYS to provide equal employment opportunity for all applicants and employees. KEYS does not unlawfully discriminate on the basis of race, color, creed, pregnancy, religion, sex, national origin, age, disability, veteran status, marital status, gender identity or expression, sexual orientation, or any other basis prohibited by federal, state, or local law. KEYS makes reasonable accommodations for disabled employees in accordance with the Americans with Disabilities Act, ADA Amendments Act, and other applicable federal, state, and local laws. KEYS prohibits the harassment of any individual on any of the protected categories listed above. This policy applies to all areas of employment, including recruitment, hiring, training, promotion, compensation, benefits, transfer, and social and recreational programs. For purposes of this policy, impermissible harassment includes verbal, physical, and visual harassment; solicitation of sexual favors; unwelcome sexual advances; and creating or maintaining an intimidating or hostile work environment. Any employee who violates this policy is subject to discipline up to and including termination.

Any incident of discrimination or harassment, including work-related harassment by KEYS personnel or any other person, should be reported to the employee's Supervisor, Department Director, or Human Resources. In most cases, the Director of Human Resources or equivalent will be the person to investigate the matter. In the case of KEYS employees, if harassment is established, the offender will be disciplined, up to and including termination.

It is the responsibility of every employee to conscientiously follow this policy. All employees should develop an awareness of any potential stereotypes or biases that they may have involving members of a protected class and ensure there are no adverse actions of a discriminatory, harassing, or disrespectful nature taken based on such stereotypes or biases.

KEYS is an Equal Employment Opportunity employer. It is against KEYS' policy for any employee to discriminate against an applicant for employment or another employee on the basis of age, color, marital status, national origin, race, religion, sex (including pregnancy), gender identity or expression, veteran status, or any other classification protected by applicable discrimination laws.

Furthermore, no employee of KEYS is to discriminate against any applicant or fellow employee on the basis of a disability or status as an eligible servicemember, veteran, and/or spouse or family member of a servicemember or veteran, in accordance with Chapter 295 of Florida Statutes.

KEYS will make reasonable accommodations, including modification of policies and procedures in appropriate cases for individuals with disabilities who are otherwise qualified to perform the essential duties associated with the positions, if it can do so without undue hardship to the organization.

This policy applies to all employment practices as they pertain to any position for which an applicant or an employee is qualified. KEYS aspires to promote existing employees whenever possible. Bargaining Unit positions will be filled utilizing the language written in the IBEW Contract under Article #20 – Filling Jobs.

All requests to fill vacant positions must be approved by the General Manager & CEO upon the recommendation of the appropriate Director.

All other personnel actions including (and without limitation to) transfers, promotions, compensation, benefits, education, training, recreation, and social programs will be administered within the objectives of this policy of non-discrimination.

It is the responsibility of an employee who believes that he/she has been the subject of discrimination or who has reason to believe someone else has been the subject of discrimination to notify his/her immediate supervisor promptly. If an employee is reluctant for any reason to report a potential policy violation to his/her direct supervisor, the employee should notify Human Resources or the General Manager & CEO.

All allegations of discrimination will be promptly investigated. All employees, whether complainant, witness, or accused, are required to be truthful, accurate, and cooperative during any such investigation. The General Manager & CEO shall make a determination at the conclusion of the investigation, which may include a determination to impose discipline

up to and including termination. Confidentiality will be maintained to the extent practical and permitted by applicable law.

The provisions of KEYS' Equal Employment Opportunity Policy may be revised or amended by the General Manager & CEO without approval of the Utility Board whenever necessary or desirable to conform to applicable state, federal, or local law, as it may be revised or amended.

EXPENSE REIMBURSEMENT

Employees incurring job-related expenses, which have been authorized by his or her Supervisor or Department Director, will be reimbursed by petty cash. All petty cash receipt forms must include the following information:

Date of Purchase
Amount of Purchase
Description of Purchase
Account Number
Employee Signature
Authorized Supervisor Signature
(Second Signature Required if Over \$100.00)

The petty cash receipt form must be accompanied by a receipt for the purchased item and should be turned in to the Finance Director's office for reimbursement. (See TRAVEL for specific details on reimbursement procedures.)

FAMILY AND MEDICAL LEAVE ACT POLICY

It is the policy of KEYS to grant up to 12 weeks of family and medical leave during any 12-month period to eligible employees, in accordance with the Family and Medical Leave Act of 1993 (FMLA) and amendments thereof, and up to 26 weeks of leave in any 12-month period in compliance with the expansion of FMLA under The Support for Injured Servicemembers Act of 2007. The FMLA leave may be paid, unpaid, or the combination of paid and unpaid leave, depending on the circumstances of the FMLA leave and the availability of the employee's existing paid accruals, as specified in this policy. In other words, FMLA leave shall be paid leave to the extent the employee has paid accrued leave available (i.e. accrued vacation, sick, miscellaneous, or workers comp [if applicable] leave) applicable to the circumstances of the employee's FMLA leave, as set forth in this policy. Once an employee has exhausted his/her paid leave accruals, the employee is then entitled to unpaid FMLA leave for the balance of the applicable FMLA period.

Eligibility – To qualify to take family or medical leave under this policy, the employee must meet all of the following conditions:

- The employee must have worked for the employer for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of the week or if the employee was on leave during the week;

- The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
- The employee must work in an office or work site where 50 or more employees are employed by the company within 75 miles of that office or work site. The distance is to be calculated by using available transportation by the most direct route.

Leave Period – An eligible employee is entitled to take up to twelve (12) weeks (480-hours) of FMLA leave in any twelve (12) month period. The twelve (12) month period shall be measured as twelve (12) months measured backward (i.e. KEYS uses a “rolling” 12-month period) from the first date, leave is used. Entitlement to FMLA leave for the birth or placement of a child for adoption or foster care will expire twelve (12) months from the date of birth or placement.

Paid Leave Substitution - If FMLA leave is requested for an employee’s own serious health condition, the employee must use all of his or her accrued and/or available leave, including leave from the Employee Sick Leave Bank (if eligible), before using LWOP concurrently with FMLA.

If FMLA leave is requested for any other reason listed below, an employee must use all of his or her accrued leave time including vacation, family illness (if applicable), or personal leave concurrently with FMLA. For example, an employee who requests a twelve (12) week leave but has only two (2) weeks of accrued leave on record must elect to use the two (2) weeks of accrued leave and then ten (10) weeks of unpaid leave in accordance with this policy.

Reasons for Leave – All employees who meet the applicable eligibility requirements will be granted a total of up to twelve (12) weeks of FMLA leave for the following reasons:

1. The birth of the employee’s child and in order to care for that child;
2. The placement of a child with the employee for adoption or foster care;
3. The care of the employee’s spouse or domestic partner (per Utility Board Resolution No. 656), child or parent who has a serious health condition; or
4. A serious health condition that renders the employee incapable of performing the functions of his or her job. A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care, or a condition that requires continuing care by a licensed health care provider.
5. A covered family member’s active duty or call to active duty in the Armed Forces.

An employee whose spouse, son, daughter, or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to 12 weeks of leave for reasons related to or affected by the member’s call-up or service. Reasons related to the call-up or service include helping the family

member prepare for the departure or caring for children of the servicemember. The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave, except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

Employees requesting this type of FMLA leave must provide proof of the qualifying family member's call-up or active military service before leave is granted.

6. To care for an injured or ill servicemember.

This leave may extend up to 26 weeks in a 12-month period for an employee whose spouse, son, daughter, parent, or next-of-kin is injured or recovering from an injury suffered while on active military duty and who is unable to perform the duties of the servicemember's office, grade, rank, or rating. Next-of-kin is defined as the closest blood relative of the injured or recovering servicemember. An employee is also eligible for this type of leave when the family servicemember is receiving medical treatment, recuperation, or therapy, even if the servicemember is on temporary disability retired list.

Employees requesting this type of FMLA leave must provide certification of the family member or next-of-kin's injury, recovery, or need for care. This certification is not tied to a serious health condition as for other types of FMLA leave. This is the only type of FMLA leave that may extend an employee's leave entitlement beyond 12 weeks to 26 weeks. Other types of FMLA leave are included with this type of leave totaling the 26 weeks.

An eligible employee can take up to 12 weeks (or up to 26 weeks of leave to care for an injured or ill servicemember) under this policy during any 12-month period. KEYS will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the company will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks (or 26 weeks for the care of an injured or ill servicemember) of available leave, with the balance remaining being the amount the employee is entitled to take at that time.

If a husband and wife (or domestic partners -- per Utility Board Resolution No. 656) both work for KEYS, KEYS will limit the aggregate leave taken by both employees to a total of twelve (12) weeks, if the FMLA leave is taken for the birth or placement of a child. However, if the leave is taken by either spouse to care for the other who is seriously ill, and unable to work, to care for a child with a serious health condition, or for his or her own serious illness, then each employee is eligible for twelve (12) weeks of FMLA leave. If a husband and wife (or domestic partners) both work for KEYS and each wishes to take leave to care for a covered injured or ill servicemember, the husband and wife (or domestic partners) may only take a combined total of 26 weeks of leave.

Example – John and Jane both work for KEYS and meet the eligibility requirements for FMLA protection. John and Jane have a baby in April. Both request FMLA-protected leave for time off associated with the birth of the child. John takes a total of four weeks off, while Jane takes a total of eight. This brings John and Jane to their limit of 12 weeks per rolling 12-month-period for the birth or placement of a child.

Upon their return from FMLA-protected leave for the birth of their child, John still has eight weeks of FMLA-protected leave available and Jane has four. Even though John and Jane are limited to a total of 12 weeks combined for the birth of their child, they are each entitled to 12 weeks of FMLA-protected leave in any rolling twelve-month period; therefore, when John fractures his leg in July, he still has eight weeks of FMLA protection available to him for his own injury. Jane also has four weeks of FMLA protection available, so if she needs to take time off to care for John during his recovery, she is able to do so.

Application for Leave – An employee requesting FMLA leave must complete an “Application for Family and Medical Leave Request Form” from the Human Resources office. The completed application must state the reason for the leave, the expected/requested duration of the leave, and the starting and expected ending dates of the leave. Following receipt of a leave request, KEYS will notify an employee about whether the requested leave has been approved and the terms for the leave on an “Employer Response to Employee Request for Family and Medical Leave” form.

Notice of Leave – An employee intending to take FMLA leave must submit an application for the leave at least thirty (30) days before the leave is to begin. If circumstances prevent an employee from giving thirty (30) days’ notice of the leave, the employee must give notice to his or her immediate Supervisor, Department Director and the Human Resources office, as soon as the necessity for the FMLA leave arises. If you know in advance that you will require medical treatment, consult with KEYS (Human Resources office) prior to scheduling your treatment so possible disruptions to KEYS’ operations can be minimized.

Intermittent/Reduced Leave – In the case of serious health conditions, FMLA leave may be taken intermittently or on a reduced FMLA leave schedule when medically necessary. Employees are expected to make a reasonable effort to schedule intermittent FMLA leave so as to not disrupt the operations of KEYS. Employees on intermittent FMLA leave will be required to inform the Human Resources office at the end of each week of any leave that was taken towards intermittent leave so that the records will be up to date. Employees may not take intermittent or reduced FMLA leave in case of birth or placement of a child, unless KEYS agrees in advance.

Medical Certification of Leave – The application for leave based on the “serious health condition” of the employee or the employee’s spouse or domestic partner (per Utility Board Resolution No. 656), child or parent must be accompanied by a “Medical Certification Statement” available from the Human Resources office completed by a health care provider. The certification form must state the date on which the serious health condition commenced, probable duration of the condition and the appropriate medical facts regarding the condition. If an employee is requesting leave to care for a spouse or domestic partner (per Utility Board Resolution No. 656), child or parent, with a serious health condition, the medical certification form must state an estimate of the amount of time that the employee will be needed. If the employee has a serious health condition, the medical certification form must state that the employee cannot perform the functions of his or her current job.

Medical certification must be submitted prior to or when an employee’s leave begins, if possible, or within fifteen (15) days after the leave starting date. In addition, re-certification of medical necessity may be required every thirty (30) days.

Documentation of the Covered Family Member's Active Duty or Call to Active Duty in the Armed Forces – Employees requesting this type of servicemember FMLA leave must provide proof of the qualifying family member's call-up or active military service. This documentation may be a copy of the military orders or other official Armed Forces communication.

Documentation of the Need for Servicemember FMLA to Care for an Injured or Ill Servicemember – Employees requesting this type of servicemember FMLA leave must provide documentation of the family member's or next-of-kin's injury, recovery, or need for care. This documentation may be a copy of the military medical information, orders for treatment, or other official Armed Forces communication pertaining to the servicemember's injury or illness incurred on active military duty that renders the member medically unfit to perform his or her military duties.

Benefits Coverage During Leave – While on FMLA covered leave, the employee will be retained on KEYS' health plan under the same conditions that applied before the FMLA leave began. To continue health coverage, the employee must continue to make any contributions that he or she made for group insurance including (dependent coverage) during the FMLA leave. Failure of the employee to pay his or her share of the health insurance premium (dependent coverage) during a leave may result in the loss of coverage.

Employees who take FMLA leave will not lose any previous accrued seniority or employment benefits (including the longevity bonus, safety incentive, and holiday pay), and those benefits will continue to accrue during the FMLA leave. Leave accruals will be based according to the Management Handbook and/or IBEW Contract. If an employee fails to return to work after the expiration of the leave, the employee may be required to reimburse KEYS for payment of health insurance premiums during the FMLA leave. Reimbursement will not be required if the employee does not return to work because of a serious health condition or other circumstances beyond the employee's control.

Restoration to Employment – An employee who completes FMLA leave will be returned to the same position held when the FMLA leave began or to a position equivalent in pay, benefits and other terms and conditions of employment. However, the highest paid ten (10%) percent of employees are not guaranteed reinstatement if reinstatement will cause KEYS economic injury. In such cases, KEYS will notify the employee as soon as its determination is made that reinstatement is not available and provide a defined time to return to work. If the employee fails to return by the specific date KEYS cannot guarantee that an employee will be returned to his or her former job.

Return from Leave – Employees taking leave must report to the Human Resources office within two (2) days of returning to work requesting FMLA protection for their absence. The employee will be required to complete the "Request for FMLA" and have their physician complete the Medical Certification form which must be returned to the Human Resources office within fifteen (15) days. The employee will receive written notification indicating whether their request for FMLA is approved or denied. Employees taking FMLA on a long-term need may be required to report to Human Resources office every thirty (30) days on his or her status and intent to return to work upon completion of the FMLA leave. An employee returning from FMLA leave for the employee's "serious health condition" is required to provide certification from a health care provider indicating that the employee is able to resume work. Employees who do not return to work upon the expiration of FMLA leave will be treated as having voluntarily terminated their

employment, unless an extension of leave was requested by the employee and approved by KEYS as stated below. The employee will receive written notification indicating whether their request for FMLA is approved or denied.

Extension of Leave - An employee who requests an extension of FMLA leave must submit his or her written request for an extension which must include the reason for the requested extension and include a medical certification form completed by the health care provider. This request should be given to the Director of Human Resources or equivalent prior to expiration of the FMLA leave. The employee will receive written notification indicating whether their request for FMLA is approved or denied.

Unlawful Acts and Enforcement - KEYS will not interfere with, restrain, or deny the exercise of any right provided by this law. KEYS will not discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to FMLA. KEYS will investigate complaints of violations. The FMLA is enforced by the U.S. Labor Department's Employment Standards Administration. An eligible employee may bring a private civil action against an employer for violations. Any questions concerning the provisions of this policy or the forms associated with FMLA leave under this policy should be directed to Human Resources.

KEYS will post the notice approved by the Secretary of Labor explaining rights and responsibilities under FMLA.

FIGHTING

Fighting on KEYS premises or at any location while working is strictly prohibited. Further, no employee may engage in any conduct, whatsoever, which is designed to, is reasonably likely to, or has the anticipated effect of, provoking a fight on KEYS premises. If a fight occurs, the appropriate supervisor is responsible for preparing a written report and immediately forwarding it to Human Resources. The report should contain accounts of the fight from all participants and witnesses. Employees found violating this policy will be subject to discipline, up to and including termination, for causing or participating in a fight. (Also, refer to the "Violence in the Workplace Policy" in this handbook.)

GARNISHMENTS AND TAX LEVIES

When a garnishment or tax levy is served on KEYS, the employee shall be contacted by Human Resources or other individual to whom the responsibility has been delegated. The employee shall be asked to try to make an arrangement with the creditor or tax agency KEYS is to make direct payments to satisfy the indebtedness. If an agreement is reached, the employee must ask the creditor to issue a written release to KEYS.

If no release is received, or if, after receipt of a release the employee defaults on the agreement, KEYS must process the garnishment or tax levy.

HOLIDAYS

The following twelve (12^{1/2}) holidays shall be observed by KEYS' probationary and regular employees with pay each year:

➤ New Year's Day	January 1 st
➤ Martin Luther King, Jr. Birthday	January, 3 rd Monday
➤ President's Day	February, 3 rd Monday
➤ Memorial Day	May, Last Monday
➤ Independence Day	July 4 th
➤ Labor Day	September, 1 st Monday
➤ Columbus Day	October, 2 nd Monday
➤ Veteran's Day	November
➤ Thanksgiving Day	Fourth Thursday of November
➤ Day after Thanksgiving	Fourth Friday of November
➤ Christmas Eve	December 24 th
➤ Christmas	December 25 th
➤ New Year's Eve	December 31 st , half-day

Additional days may be designated as holidays at the discretion of the Utility Board.

When a holiday falls on a Sunday, the Monday following shall be considered the holiday. When a holiday falls on a Saturday, the Friday prior thereto shall be considered the holiday.

(For further details for bargaining unit employees, see Article XI of the Union Contract.)

Employees on annual or sick leave during periods when designated holidays occur shall not have the day of the holiday charged against their accrued leave.

HOURS OF OPERATION AND ALTERNATE WORK (FLEX) SCHEDULES

Hours of Operation - The regular business operating days and hours of KEYS' offices are Monday through Friday, except recognized holidays, 8:00 am to 5:00 pm, or as otherwise established by the General Manager & CEO.

Employees' working hours will be set to ensure that employees will be available to meet the business needs of KEYS customers.

All non-exempt full-time employees are expected to take an unpaid lunch break between the hours of 11:00am and 2:00pm during a normal eight (8) hour or more workday as scheduled by their Supervisor and/or Department Director.

Alternate Work (Flex) Schedules - Alternate work (Flex) schedules are considered on a case-by-case basis. Not all departments are able to allow an alternate work (flex) schedule for their employees. Full-time employees who have completed the six (6) month probationary period may request an alternate work schedule. The employee must first discuss possible alternate work schedule arrangements with his/her Supervisor. The Supervisor will recommend approval and/or denial to the Department Director who will then approve and/or deny the alternate work schedule request based on staffing needs, the employee's job duties, the employee's work record, the employee's ability to temporarily or permanently return to a standard work schedule when needed, or for other reasons. An alternate work schedule must have a start time no earlier than 7:00 a.m. and an end time no later than 6:00 p.m. Lunch breaks should last a minimum of 30 minutes and must not exceed 90 minutes.

Once approved, a consistent alternate work schedule must be maintained in order to ensure adequate staff. Management may require a temporary or permanent change in any alternate work schedule to meet the business needs of KEYS.

An alternate work schedule may be suspended or cancelled at any time by Management. Exempt employees must depart from an alternate work schedule as needed to perform their jobs. Non-exempt employees may be asked to work overtime regardless of an alternate work schedule.

- An Alternate Work (Flex) Schedule at KEYS is a work schedule with time of arrival and departure that differs from the standard operating hours by not more than one (1) hour. For example, a typical alternate work schedule arrangement is arrival at 7:00am and departure at 4:00pm or arrival at 9:00am and departure at 6:00pm.

Any employee found abusing an alternate work schedule will be subject to disciplinary action up to and including termination.

IDENTIFICATION CARDS

An identification card is issued to each employee at the time of employment.

If your ID card is lost or deteriorated, you must request a replacement card through the Human Resources office as soon as possible.

ID cards must be carried by all employees working for or representing KEYS during working hours or while performing duties on behalf of KEYS.

ID cards remain the property of KEYS. Employees are required to return them to the Human Resources office upon termination of employment.

Misuse of a KEYS ID card and/or the failure to comply with this rule will subject an employee to disciplinary action, up to and including termination.

KEYS PROPERTY

All employees are required to exercise care in the use of KEYS property and to use such property only for authorized purposes. Negligence in the care and/or use of KEYS property, unauthorized removal of KEYS property from the premises, or the conversion of KEYS property for personal use, including the use of KEYS vehicles for personal purposes without prior authorization, may lead to disciplinary action up to and including termination.

KEYS property issued to an employee must be returned at the time the employee terminates employment or when the employee's Supervisor or Director (or designated representative) requests its return. The value of any property issued, but not returned, may be deducted from an employee's paycheck. KEYS assumes no responsibility for loss or damage to the personal property of an employee, unless the employee can provide proof to his/her Director that his/her property was lost or damaged while performing his/her job duties. The final decision regarding the compensation for the damaged

personal property will be made at the sole and exclusive discretion of the General Manager & CEO or his/her designee.

LOST AND FOUND

Any item lost or found on KEYS premises should be reported immediately to the Human Resources office.

Human Resources will post a lost or found notice via KEYS email. If the lost or found item is not claimed within fifteen (15) days from such e-mail, the person who found the item may claim it.

LEAVE WITHOUT PAY (LWOP)

Leave Without Pay (LWOP) is an approved temporary absence from duty in a non-pay status. Any employee with no accrued leave who would like to take time off without pay must request LWOP in advance from their Supervisor. The request must be reported to the Director of Human Resources or equivalent who will forward the request to the General Manager & CEO for final approval/denial. The authorization of LWOP is a matter of administrative discretion and an employee is not entitled to LWOP, except that:

- Disabled veterans are entitled to LWOP, if requested, for medical treatment;
- Members of the armed forces reserves and National Guard are entitled to LWOP, if requested, when ordered to military training duties if the absence is not covered by military leave; and
- Eligible employees may be entitled to up to twelve (12) weeks of LWOP for qualifying reasons under the Family Medical Leave Act (FMLA). For additional information regarding eligibility and certification requirements, please see the FMLA Policy in this Handbook.

An employee must use all of his or her accrued leave before being considered for LWOP unless the requested LWOP is for authorized military training/service. Employees are not permitted to utilize LWOP to extend accrued leave by using accrued leave for part of the day and LWOP for the remainder of the day.

MAILING & RECEIVING OF PERSONAL MAIL/PACKAGES

KEYS' mail service is not equipped to handle the mailing and receipt of personal mail/packages. Employees must mail personal packages on their own time and have all personal mail/packages shipped to non-KEYS locations. Any employee found to be complicit in the mailing and receiving of personal mail/packages may be subject to disciplinary action up to and including termination.

MEDIA INQUIRIES

KEYS endeavors to ensure that the organization communicates accurate, appropriate, consistent, and timely information to the media. It is KEYS' policy that all media inquiries

should be handled by KEYS' designated spokesperson, the Director of Human Resources or equivalent.

If a member of the media contacts a KEYS employee other than the General Manager & CEO, the staff member should direct all inquiries to KEYS' spokesperson.

It is common practice in businesses of all types to have a procedure for handling media inquiries and a designated spokesperson; therefore, when members of the media contact KEYS employees, it is entirely appropriate to refer the reporter to KEYS' spokesperson.

Recommended response for a KEYS employee to a media inquiry:

"I am not the most appropriate person to speak with you about this. Please contact our company's spokesperson, who is [Director of Human Resources & Communications]."

If a media representative continues to ask questions, it is appropriate to repeat the recommended response noted above.

If possible, write down the name of the reporter, their media affiliation, and the reason for their inquiry. This information should be communicated immediately to the KEYS spokesperson.

Should a KEYS employee be approached by the media outside of KEYS premises, it is also appropriate to use the recommended response.

At no time should a KEYS employee offer an official response to a member of the media on behalf of KEYS, other than KEYS' spokesperson, General Manager & CEO, or an employee expressly designated by KEYS' spokesperson or General Manager & CEO.

Should a media representative begin shooting video or photographs of KEYS' facilities or work being performed by a KEYS employee/crew, an employee shall notify KEYS' spokesperson immediately.

In an emergency or urgent situation, if the spokesperson is unavailable, any media contact should be referred to the following people in this order: General Manager & CEO, Assistant General Manager.

In certain circumstances, KEYS employees may be authorized to speak with the media in specific situations. Any such authorization must be provided by KEYS' spokesperson or General Manager & CEO before the employee speaks with the media.

MEDICAL EXAMINATIONS

PRE-EMPLOYMENT PHYSICALS:

In order to maintain a vigorous and healthy work force KEYS shall require pre-employment medical examinations.

After a conditional offer of employment is made, applicants will be required to undergo a complete physical by KEYS' designated physician.

All job applicants who receive a conditional offer of employment for a “mandatory-testing position” will undergo drug testing pursuant to KEYS policy and applicable state and federal laws as a condition for employment.

MANDATORY PHYSICALS:

Mandatory physicals are required physicals for employees who have been exposed to certain chemicals at the power plant and must be tested for asbestos and mercury as required by OSHA.

EMPLOYMENT PHYSICALS – REASONABLE SUSPICION:

If a Supervisor, after consulting with the Department Director and Director of Human Resources or equivalent, has reasonable suspicion that an employee is under the influence of, or using alcoholic or illegal substances, that Supervisor may require that said employee, be examined by a KEYS-designated physician, which will include a drug and/or alcohol test. If the employee is in the bargaining unit, the IBEW President will be notified. Refusal to take a drug or alcohol test will result in automatic termination of the employee as stated in KEYS’ Drug-Free Workplace Policy.

EMPLOYMENT PHYSICALS – FITNESS FOR DUTY:

The Supervisor, after consulting with the Department Director and Director of Human Resources or equivalent, may also require that an employee submit to a physical and/or psychiatric examination by a KEYS designated physician to determine fitness for duty, which may include a drug and/or alcohol test. KEYS will pay for Fitness for Duty physicals. Refusal to take a drug and/or alcohol test will result in automatic termination of the employee as stated in KEYS’ Drug Free Workplace Policy. If the employee is in the bargaining unit, the IBEW President will be notified.

If an examination results in disclosure of the employee’s inability to meet the required minimum standards of the specific position, the results of the examination shall be reviewed by the Director of Human Resources or equivalent and the employee’s Supervisor and Department Director. Findings and recommendations shall be forwarded to the General Manager & CEO for final disposition. Payment of any expense incurred by the employee other than the initial examination required by KEYS will be the responsibility of the employee.

An employee determined to be physically or mentally unfit, with or without reasonable accommodation, to continue working in his/her present classification, may be reclassified to any available position for which the employee is determined to be physically or mentally fit, with or without reasonable accommodation, provided such a position is available, or the employee may be terminated.

Power Plant Employees: KEYS agrees to provide to any requesting employee who regularly works in or around generation facilities a chest x-ray and skin test at KEYS’ expense.

MILITARY LEAVE

Military leave shall be provided as required by and consistent with applicable state and federal laws.

NEPOTISM POLICY (Restriction of Employment of Relatives)

KEYS will not hire outside applicants into a department in which a relative is employed. However, KEYS will allow inside employees to be transferred or promoted into the same department as long as the relative is in a different section and as long as there is no conflict of interest between the affected sections as determined by the General Manager & CEO. Relatives are defined as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, domestic partner (per KEYS' Resolution), father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, step-father, step-mother, step-son, step-daughter, step-brother, step-sister, half-brother, and half-sister. (See Florida Statute 112.3135)

An employee may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement in or to a position, any individual who is a relative of the employee. An individual may not be appointed, employed, promoted, or advanced in or to a position if such appointment, employment, promotion, or advancement has been advocated by an employee who is a relative of the individual.

KEYS complies at all times with the provisions of Chapter 112, Florida Statutes, and other applicable laws related to employment restrictions.

Notwithstanding the foregoing general rules, KEYS does not have a blanket ban on the employment of spouses or domestic partners (per KEYS' Resolution) in the same department. A spouse or domestic partner (per KEYS' Resolution) may not appoint, employ, promote, advance, or advocate for appointment, employment, promotion, or advancement, of his or her spouse or domestic partner (per KEYS' Resolution) in or to a position at KEYS over which the spouse or domestic partner (per KEYS' Resolution) exercises jurisdiction or control. Mere approval of budgets shall not be sufficient to constitute jurisdiction of control for the purpose of this section. This exception to the General Rule will also apply to current employees who become married while already employed by KEYS

The above-described parts of this Nepotism Policy will not apply to current employees who are currently working in the same department as a relative, as long as both employees continue to be employed in that department. However, this Policy will apply to a grandfathered-in employee who seeks a transfer or promotion to another department where another relative is employed.

NEWLY HIRED EMPLOYEES - TRANSFER POLICY

KEYS makes every effort to fully and effectively train newly hired employees. In furtherance of this policy, an employee shall be prohibited from voluntarily transferring positions during the employee's initial six (6) month probationary period, unless such transfer is prior approved by the Department Director, in consultation with the General Manager & CEO.

NON-FRATERNIZATION

In order to promote the efficient operation of KEYS business, and to avoid misunderstandings, complaints of favoritism, supervision, security, and morale issues, and possible claims of harassment, Supervisors, Directors and Managers are prohibited from dating or pursuing romantic or sexual relationships with employees they supervise, directly or indirectly. Employees who violate this guideline will be subject to discipline, up to and including termination of employment.

OPEN-DOOR ENVIRONMENT

The purpose of the Open-Door guideline is to encourage employees to address work-related concerns informally with their superiors and colleagues.

Employees are encouraged to raise work-related concerns with their immediate Supervisors and/or Department Directors immediately after the occurrence of the event that causes the concerns. An employee who believes that a specific concern is more appropriately addressed by someone other than his/her immediate Supervisor or Department Director may bring such concerns directly to the General Manager & CEO, Director of Human Resources or equivalent, or any other member of KEYS' senior management.

Employees are encouraged to pursue discussion of their work-related concerns with the appropriate parties until the matter is fully resolved. In the event the employee's desired result is not obtained, KEYS will provide a rationale for the decision. KEYS believes that employee concerns are best addressed through informal and open communication. No employee will be disciplined or otherwise penalized for raising a good-faith concern.

NOTE: Employees must request permission from their Supervisor prior to leaving their assigned work area.

OUTSIDE EMPLOYMENT AND BUSINESS INTERESTS

The loyalty of employees must remain with KEYS at all times. Any employee who engages in secondary employment must inform Human Resources in writing within fifteen (15) days of accepting such position. Any employee currently engaged in secondary employment must inform Human Resources in writing within thirty (30) days of the effective date of this revision. No employee may engage in any outside employment which may reasonably affect the objectivity and independence of their judgment or conduct in carrying out their duties and responsibilities to KEYS. KEYS employees may, with the prior approval of Human Resources, engage in outside employment, business or commercial activities or services; however, such participation shall not be during the employee's normal work schedule. Moreover, employees shall not engage in outside employment that might conflict with KEYS, present a conflict of interest under KEYS' Code of Ethics, or that conflicts with scheduled hours, overtime hours when required, or the proper performance of KEYS assignments or the meeting of established deadlines. The term "employment" means both self-employment and employment by others.

Directorships/Trusteeships – employees are required to obtain approval before agreeing to serve as a member of the governing body of any utility, governmental organization, trade organization, or not-for-profit corporation. Requests for such approval shall be

forwarded to the General Manager & CEO, with all relevant information. In acting upon such requests, the General Manager & CEO will consider whether the other organization does business or might do business with KEYS, and whether acceptance of the proposed position may reasonably constitute a conflict of interest or be contrary to the interests of KEYS. The decision of the General Manager & CEO is final. Should the General Manager & CEO desire to serve as a member of the governing body of a utility, governmental organization, trade organization, or not-for-profit corporation, the determination will be made by the Chair of the Utility Board.

Any employee who is absent utilizing Sick Leave (including FMLA), Bereavement, Jury Duty, or LWOP, and who is found performing duties from outside employment or business sources, will be subject to discipline, up to and including termination. Any employee whose outside employment relationship interferes with the proper performance of KEYS assignments and the meeting of established deadlines will be subject to discipline, up to and including termination.

PAY PROCEDURES

KEYS has adopted the following policies with regard to wages and salaries:

1. Except in cases of emergency, requests for advance payment of wages or salaries must be made at least two weeks in advance. Such requests must be initiated by the Supervisor.
2. Employees will be paid by direct deposit to the financial institution(s) of their choice. A paycheck will only be issued in cases of pending direct deposit pre-note, resulting from initial direct deposit set up or subsequent bank/deposit account change.
3. Paychecks that employees do not claim within two (2) weeks of the date of issue must be returned to the payroll section.
4. Employees should report checks lost or otherwise missing to the payroll section immediately so a stop-payment order may be initiated. The Accounting & Analysis Supervisor will determine when and if a new check should be issued to replace a lost or missing check.
5. Employees will cash paychecks on their personal time.
6. By law, KEYS is required to deduct, where applicable, federal withholding taxes and garnishments from an employee's pay or other amounts ordered by a court of competent jurisdiction. KEYS will make deductions including but not limited to: dependent insurance coverage, dental coverage, United Way, saving and/or checking accounts, union dues, and secondary insurance coverage, where authorized by the employee in writing.
7. All payroll deductions must be requested in writing, on a form provided by Human Resources, except deductions for union dues, which must be on the form found in Article V of the IBEW contract.

8. The final paycheck for voluntarily resignations or terminated employees will generally be made available on his or her regular payday that follows the last work day.
9. Payday is every other Friday (bi-weekly) unless otherwise specified by Management.
10. The workweek consists of a seven (7) consecutive day period beginning at 12:01am Sunday and ending 12:00-midnight the following Saturday. Therefore, the pay period will consist of two (2) "work weeks."

PERSONAL USE OF KEYS RESOURCES

KEYS' facilities, computers, tools, vehicles and equipment (resources) are intended to support the needs and administrative functions of KEYS. Employees shall not use KEYS' resources (including any person, money, or property) under their official control, direction, or in their custody for personal financial benefit or gain, or for the financial benefit or gain of any other individuals or outside organizations.

KEYS provides digital networking capacity to various locations within KEYS' offices for employee and guest access. However, there are limits on acceptable use of KEYS' network, and all users must comply with those limitations as otherwise stated in KEYS' policies and as mandated by Federal and State laws from time to time.

Employees and guests are prohibited from establishing private servers for personal use, performing local file sharing, or using network connections in any KEYS building that have not been prior approved in writing by Information Services. This section applies to services including, without limitation: HTTP (Web), telnet, FTP, IRC, and email. The setup of virtual private networks (VPN) or other like connections and networking devices including, without limitation, wireless access points, routers or unapproved dial-out access from any computer or system is prohibited, unless otherwise prior approved in writing by Information Services.

Employees and guests may not use applications that consume disproportionate bandwidth, attempt denial-of-service attack(s), probe and/or exploit security holes in other systems, access unauthorized IP addresses, or otherwise degrade or restrict network access for others (either in or out of the office).

Employees are prohibited from configuring any computer system to gain unauthorized internet or KEYS' network/system access. Employees may not download, copy or use any software, images, music, or other intellectual property (such as books or videos) unless he/she has the legal right to do so and prior written approval of Information Services. Unauthorized use of software, images, music, or files is regarded as a serious matter. Any such use is without the consent of KEYS and those responsible for such abuse shall be solely liable, in their individual capacities, for all consequences of such abuse.

KEYS has implemented technical methods designed to regulate the consumption of network resources. These technical methods include, but are not limited to:

- Blocking access to specific services normally used for servers
- Limiting total network bandwidth from any connection
- Limiting incoming and outgoing services to those expressly approved by Information Services

There are a limited numbers of “guest access” points for KEYS guests. Any KEYS employee or guest must use common sense and courtesy while using the network. Employees are prohibited from using guest access points to circumvent the controls placed on KEYS’ internal network and/or this policy.

The use of KEYS’ resources for the conduct of outside work is strictly prohibited. Using KEYS property for private financial gain is a misappropriation of funds and may result in disciplinary action, up to and including termination.

Furthermore, KEYS resources may not be used for supporting, promoting, or soliciting for an outside organization or group (unless otherwise permitted by KEYS’ policy), assisting with an election campaign, promoting or opposing a ballot proposition or initiative, or lobbying the state legislature (unless undertaken for the benefit of KEYS with prior authorization), or advertising and selling for commercial purposes.

KEYS’ resources may not be used in any manner that is in violation of any KEYS’ policies, state or federal laws, or that may reasonably violate the rights of any third party.

Occasional limited personal use of KEYS’ resources, including email and internet access, is permitted; however, the following conditions must be met:

1. There is no cost to KEYS
2. The use is brief in duration and occurs infrequently during work hours
3. The use does not interfere with the performance of the employee's official duties
4. The use does not disrupt or distract from the conduct of KEYS business due to volume or frequency
5. The use does not disrupt other KEYS employees and does not obligate them to make a personal use of KEYS’ resources
6. The use does not compromise the security or integrity of KEYS property, information, or software

In making any decision to use KEYS’ resources, employees are reminded that there should be no expectation of privacy with regard to such use. All information transmitted (e.g., email, facsimile transmissions, voicemail, and Web sites visited) can and will be monitored for troubleshooting, performance evaluation, and training purposes.

Employees must consult with and seek approval from their Supervisor when they are uncertain about the permissibility of a use of KEYS’ resources. Supervisors have discretion to restrict their employees’ use of KEYS’ resources, facilities, computers, and equipment in response to concerns regarding work performance, abuse of such KEYS’ resources, or other violation of this or other policies.

PERSONNEL RECORDS AND PRIVACY

Privacy

KEYS respects the privacy of its employees; however, as a public entity, KEYS is required to comply with applicable public records laws. If a request is made for information from an employee’s personnel file, KEYS must comply; however, if time permits, Human Resources will attempt to contact the employee to advise them of said request.

Information Updates

Maintaining a correct and up-to-date personnel record is important because it enables KEYS to reach each employee you in an emergency, properly maintain each employee's insurance and other benefits, and compute each employee's payroll deductions. Within thirty (30) days of any changes to the categories of information set forth below, an employee must notify Human Resources in writing of such change:

1. address and telephone number;
2. marital status (for insurance, pension, and tax purposes);
3. name;
4. beneficiary / dependents listed in your insurance policy;
5. emergency contact information.

An employee must use the BenTek online employee benefits enrollment system to make changes to life insurance beneficiary designations. The Bentek website can be accessed at <https://www.mybentek.com/keysenergy/>.

In addition, if an employee provides KEYS with documentation concerning the completion of any training or educational courses, those records will be included in an employee's training record.

All documents stored in the personnel record by KEYS will remain with the record indefinitely. Under no circumstances will KEYS remove documents from the record at any time, for any reason.

POLITICAL ACTIVITY

The term "political activity" shall include any and all efforts of individuals, individually or in concert with others, which are done for the purpose of supporting or opposing any candidate, party, or issue in an election or done to affect the outcome thereof.

No political events may be conducted at KEYS' facilities at any time.

The following forms of political activity shall be prohibited at all times on KEYS property:

- Distribution of campaign material, including cards, brochures, and other items defined by applicable law as political advertising, to fellow employees or KEYS customers.
- Political signs as used herein shall not include advertising on bumper stickers, sunshades, or other signs permanently affixed to a vehicle and which are legal for roadway traffic.
- Solicitation of fellow employees or KEYS customers by a candidate or any person acting on behalf of a candidate.
 - KEYS does not offer candidate walkthroughs, however, candidates are allowed to greet employees either prior to 8:00 a.m. or after 5:00 p.m. outside the employee entrance door at KEYS' Service Building, 1001 James Street, Key West. Candidates are asked to schedule a greeting day/time with Human Resources which will make every effort to notify employees when candidate greetings are scheduled.

- Nothing contained herein shall be interpreted to prohibit any candidate from being on KEYS property at any time if such candidate is:
 - Attending a function that is open to the general public;
 - Attending a function that is open to members of an organization and the candidate is a legitimate member;
 - Visiting KEYS to obtain information concerning their account and/or that of their business;
 - Visiting KEYS for pre-approved candidate greetings.
- Nothing contained herein shall be interpreted to prohibit the distribution or use of newspapers, magazines, or other printed materials which contain paid political advertising, where the distribution or use of such items is for purposes which are nonpolitical in nature.

KEYS employees shall have the right to actively participate in political activities on behalf of any candidate, party, or issue during the time they are not scheduled to be on duty.

Employee Public Office Candidacy

Any KEYS employee who declares as a candidate for public office shall notify the General Manager & CEO within five (5) working days of qualifying for such candidacy. Within fifteen (15) days of such qualification, the employee shall file with the General Manager & CEO a written summary of their plans to conduct a campaign that will not interfere with their obligation to KEYS.

Employees who are campaigning for or hold public office shall not use time, facilities, or personnel of KEYS to engage in such activities. Specifically, the use of copy reproduction equipment or other machinery or supplies, the use of clerical help, or the use of any other KEYS' facilities or personnel is strictly prohibited. Private telephone use for such political activities during working hours shall be confined to emergency only, and then only in such a manner as shall not conflict with the employee's related duties. Use of KEYS communications equipment for political activities is prohibited at all times. Such office holder, or other politically active employee, is expected to discourage constituents, or other persons with whom they are associated in their political capacities, from making telephone calls to them during working hours.

All candidates for public office may take personal leave without pay in accordance with personal leave policies.

Such candidates shall adhere strictly to Florida statutes governing political activity on the part of public officials and public employees.

A successful candidate for an office requiring a part-time responsibility shall report immediately to the General Manager & CEO after the election and thereafter, when deemed necessary by the General Manager & CEO, to evaluate the compatibility of the dual responsibility and the need for personal leave without pay.

PROBATIONARY PERIOD

KEYS recruits diligently and makes every effort to hire the best, most qualified employee for each position. It is to both KEYS' and the employee's advantage to have an initial period of employment during which the employee has time to appraise KEYS and job content, and KEYS has a similar opportunity to appraise the new employee's job performance and suitability. Thus, each new employee must satisfactorily complete a

probationary period of six (6) months measured from his or her initial date of employment. Prior to the end of the probationary period, the Supervisor, with the consent of the Department Director will recommend, in writing, retention of the employee. At any time during the probationary period, or at the end of the probationary period if a positive recommendation is not made, the employee may be terminated from employment with KEYS with no rights of appeal, including the grievance procedure, petition to the Career Service Council, or any other recourse, or may have their probation extended for an additional six (6) month period.

All newly hired employees shall be considered probationary for the first six (6) months in their position. Any employee who has been promoted or transferred will be considered probationary for six (6) months in their new position and, if applicable, will be subject to Union Contract policies on probationary status. In addition, any employee signing an agreement to be placed on probation due to job performance deficiencies or other discipline will be subject to this policy.

It is KEYS' policy to conduct performance evaluations of employees on a monthly basis for the length of the probation as a means of fostering employee development and motivating employees to reach their potential.

Objectives: The objectives of the evaluation plan are:

- To motivate and guide employees toward greater self-development and improve performance by discussing significant strengths and areas needing improvement in a positive, constructive manner.
- To provide a uniform means for the Supervisor to assess the employee's performance in relation to performance requirements.
- To provide a means for evaluating employee suitability for continuation of employment beyond the probationary period.
- To identify training resource needs and to provide a record of employee progress.

Application: The performance of all employees is reviewed on a monthly basis during the six (6) months of probation. The program described herein applies to all employees.

At the successful completion of the probationary period, if recommended by the Supervisor and approved by the Department Director and Director of Human Resources or equivalent, the employee is made a regular employee and receives all applicable benefits of a regular employee. The successful completion of the probationary period does not mean that the employee is guaranteed employment for any specific duration.

During the course of an employee's probationary period, said employee is free to leave KEYS at any time for any reason, and KEYS reserves a right to terminate the employment relationship for any reason.

A Probationary employee is expected to be at work every day during the probationary period. Leave may be granted when KEYS and the employee agree to time off as a pre-employment condition or if prior approved by the General Manager & CEO. Extended absences during the probationary period may lead to the extension of the probationary period in the sole discretion of the General Manager & CEO.

PUBLIC RELATIONS

KEYS employees must always maintain a clear distinction in public expression, whether written or oral, between an individual viewpoint and that of KEYS.

Calls from members of the media should be directed to Human Resources, who will be responsible for answering questions or setting up interviews with appropriate personnel.

An employee may not use KEYS letterhead for correspondence outside of KEYS, expressing a personal conclusion or point of view.

PUBLICATIONS - INTERNAL

Internal communications are published by Human Resources. KEYS publishes a weekly electronic employee newsletter for all employees' information. It contains items of general interest to employees as well as any changes in KEYS policies. Employees are invited to send their contributions to Human Resources, which may publish or decline to publish such contributions.

PUBLICATIONS - EXTERNAL

All orders of trade magazines or external publications must be made through the Purchasing Department in order to avoid unnecessary duplication company-wide.

PUBLIC RECORDS REQUESTS

Recognizing there are several legal and other considerations involved in responding to a request for public records, all public records requests should be forwarded to the Human Resources/Records Coordinator immediately upon receipt.

The role of the Human Resources/Records Coordinator will be to direct staff on how to timely and accurately respond to public records requests, while ensuring that the legal obligations of KEYS are met.

If the Human Resources/Records Coordinator is unavailable, the KEYS staff member should coordinate with the first available person, in order, from the following list of KEYS staff positions: Director of Human Resources or equivalent, Assistant General Manager or General Manager & CEO.

Most sizeable governmental entities in Florida have a person who is designated to handle public records requests. Therefore, it is not uncommon for a staff person who receives a public records request to consult with another staff person to appropriately comply with the request.

KEYS is obligated by applicable public records laws to provide any member of the public access to KEYS' non-exempt and/or non-confidential records and also to safeguard those public records. It is also the legal responsibility of KEYS to protect certain exempt and/or confidential information contained in its public records.

Public records include but are not limited to documents, papers, letters, maps, books, tapes, photographs, sound recordings, emails, texts, or other material that is made or received in connection with the official business of KEYS. Most records of KEYS are public records.

Some records require review in order to determine whether KEYS may disclose such records of information, or there may be questions on how to safeguard those public records while they are being reviewed. In such cases, the Records Coordinator and Director of Legal & Regulatory Services, in consultation with the Utility Board Attorney, will make the required determinations.

PURCHASING CARDS (P-CARDS)

Employees may be issued a P-Card, to be used for KEYS' purchases which are low value and non-recurring. Each P-Card holder agrees to comply with the following terms and conditions regarding use of the KEYS' P-Card by signing a KEYS' P-Card Use Agreement Packet upon receipt that states: (1) The employee is responsible for the security of their P-Card; (2) The employee understands KEYS is liable to the issuing bank for all charges made on the KEYS P-Card; (3) The employee agrees to use their P-Card for approved purchases only and understands that any personal use of the KEYS P-Card is strictly prohibited. Management review and approval of the employee's use of the KEYS' P-Card is accomplished when a monthly detailed expense report is submitted, which contains an accounting of such KEYS expenses, accompanied by the submittal of the employees P-card charge receipt(s). Each employee agrees to follow the procedures as stated above for the use of KEYS' P-Card. (See Purchasing Card Policies and Procedures.)

REFERENCES AND EMPLOYMENT VERIFICATION

All requests for references and employment verification must be referred to Human Resources. No one other than authorized Human Resources employees may provide documented employment history as referenced. Any employee who fails to comply with this policy is subject to discipline up to and including termination.

RESIGNATION POLICY

In order for an employee to leave employment of KEYS in good standing, at least two weeks advanced notice of resignation must be provided. The final paycheck for a voluntarily resigned or terminated employee will generally be made available on the employee's next regular payday after their last day. This policy in no way constitutes a contract or guarantee for advanced notice of termination by KEYS.

RESPONSIBILITY, CONDUCT, AND EMPLOYMENT STANDARDS

KEYS employees are required to maintain high standards of performance, and conduct themselves and their duties responsibly and in compliance with the following Responsibility and Conduct Regulations and other applicable regulations as set forth by KEYS from time to time. Violation of these regulations may result in discipline up to and including termination.

The Responsibility, Conduct, and Employment Standards set forth in this section cannot identify each type of unacceptable conduct or performance deficiency. Employees are advised that conduct not specifically listed below but which adversely affects or is otherwise detrimental or damaging to the interests of KEYS, other employees, customers, or other persons, may result in discipline, up to and including termination.

KEYS may provide an employee who violates these regulations an opportunity to correct deficiencies prior to taking disciplinary action.

Responsibility and Conduct offenses are classified according to the following general categories for disciplinary purposes: (1) Interpersonal Offenses; (2) Improper Conduct / Neglect of Duty Offenses.

INTERPERSONAL OFFENSES

Employees shall not work in a manner, or cause work to be performed in a manner, that willfully obstructs, hinders, or distracts another employee from completing his or her assigned duties.

Employees shall not pursue or address any personal, non-duty related problems with another employee while performing official duties or while on KEYS property.

Employees shall at all times display respect for other employees and superiors, and shall refrain from using, publishing (whether electronically or in print form), or repeating any language which a reasonable employee would find abusive or demeaning.

Employees shall refrain from gossiping or making false statements which are detrimental to another employee or KEYS.

Employees shall not use profanity or vulgarity in speech or gestures while performing their duties.

Employees shall not harass, sexually harass, demean, bully, or discriminate against fellow employees or others.

Employees shall not threaten other employees or members of the public with violence, or engage in violent or threatening conduct.

Employees shall at all times display respect for the public, and shall be polite and courteous in all interactions with members of the public.

IMPROPER CONDUCT / NEGLIGENCE OF DUTY OFFENSES

Employees shall follow all established safety regulations, and conduct themselves at all times so that their safety and the safety of fellow workers is paramount and preserved.

Employees shall not ignore or violate lawful, regulation-compliant instructions or directions from superior employees, or knowingly fail to properly perform the duties and responsibilities of their positions in accordance with established procedures.

Employees shall be attentive to the duties of their positions, maintain an awareness of position responsibilities and expectations, and faithfully execute all duties to KEYS' communicated and written standards. Employees shall not sleep on the job or otherwise neglect their duties.

Employees shall not make false or dishonest statements to supervisory personnel, other employees, customers, or members of the public in connection with their duties.

Employees shall not falsify or alter any KEYS' records, including but not limited to time sheets, vehicle location records, travel expense reports, reimbursement claims.

No employee shall direct another employee to perform any act which is in violation of KEYS policies or other applicable regulations. Any employee who reasonably believes that a directive to perform an action would result in commission of a violation of KEYS policies or other applicable regulations must, before performing such action, confer with his/her direct Supervisor. If such a directive is given by the employee's direct Supervisor, the employee must confer with the applicable Director or the Director of Human Resources or equivalent prior to performing the action.

Employees shall utilize all KEYS property, including without limitation vehicles, tools, and electronic equipment, for their intended purposes and shall not subject such equipment to damage or loss through careless handling or intentional mishandling. Employees may not utilize KEYS property for personal or outside work purposes.

Employees shall not destroy property belonging to any third party while on KEYS' premises.

Employees shall not violate KEYS' conflict of interest regulations or policies, or engage in conduct which may reasonably be perceived to affect the objectivity or integrity of their position within KEYS.

Employees shall not disclose or utilize KEYS' proprietary information without prior authorization.

Employees shall adhere to the chain of command in the course of regular duties, except as necessary to address emergency situations or to preserve the morale or integrity of KEYS' workforce.

Employees shall conduct themselves at all times, whether on or off duty, in a manner which reflects favorably upon KEYS, and refrain from any conduct which adversely affects the morale, efficiency, or operations of KEYS or which would adversely affect or lower public respect and confidence for KEYS' operations and personnel.

Employees shall not, while performing official duties or while utilizing KEYS' property, commit any act defined by State, Federal, or other applicable law as a criminal offense, whether chargeable or not.

Employees shall not violate KEYS' Drug Free Workplace Policy.

Employees shall not gamble while on KEYS' premises or while conducting any business on behalf of KEYS.

Employees shall promptly report any driver license suspensions, arrests, prosecutions, convictions, or indictments to Human Resources.

Employees shall not possess a firearm or other dangerous weapon on KEYS' property, or while performing KEYS' business.

Employees shall not exhibit excessive absenteeism, tardiness, or abuse the break and lunch privileges provided to them.

Employees shall comply with and shall not violate any KEYS' rules, policies and/or procedures.

An employee must receive permission to leave his/her assigned work area (other than for lunch). The employee shall notify his/her Supervisor of the reason for and duration of the absence from the work station. Employees who work in the office area shall also provide the duration of the absence to the Staff Assistant. Returning employees shall check in with the Staff Assistant and their Supervisor. Should a Supervisor leave the work area for any extended period of time, he or she shall tell subordinates who to contact in case of emergency.

An employee unable to report for work shall notify his/her Supervisor and/or Department Director as soon as possible, not later than fifteen (15) minutes after the beginning of the scheduled workday. If the employee is on shift work, the Supervisor should be notified at least one (1) hour before the shift begins. The employee must actually speak to his/her Supervisor and/or Department Director. If unable to reach his/her Supervisor and/or Department Director the employee must leave a detailed voice-mail message to both the Supervisor and Department Director and provide a telephone number to be reached. In addition to discipline, an employee's failure to notify his/her Supervisor and/or Department Director will result in the employee being charged leave without pay for the absence. The employee shall further advise his/her Supervisor and/or Department Director as to the probable duration of his/her absence and promptly provide notice of any changes to the previously-advised duration. Employees shall notify their Supervisor and/or Department Director when they are able to return to work. (Bargaining Unit employees can also refer to Article VI, 6.4 of the IBEW Contract.)

Any employee who does not report to work due to a reported illness (including leave under FMLA) shall not perform duties from outside employment or business sources.

KEYS' phones shall not be used for personal telephone calls, except for emergencies, and employees shall not receive personal visitors at work without permission from a Supervisor. Cell phone use (including calls, texting, and internet use) shall be kept to a minimum and should not interfere with an employee's responsibilities.

Employees are responsible for checking the bulletin boards and their KEYS email account for important employee information.

An employee who changes his or her address, telephone number, family status, etc., shall immediately report the changes to Human Resources.

If at any time an employee has doubts about his/her assigned tasks, the appropriateness of planned conduct, or the expectations of his/her position, he/she shall promptly contact the Supervisor for clarification.

SAFETY

To provide for the safety and security of employees and the facilities of KEYS, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

All KEYS employees are expected to comply with the current edition of the American Public Power Association Safety Manual. Copies can be obtained from KEYS' Safety & Risk Coordinator. All employees are expected to be safety-conscious and to assist KEYS report any observed conditions existing on KEYS' property or in KEYS' equipment that may interfere with safe operation/performance. Unsafe conditions observed or injuries received while at work, regardless of severity, are required to be reported to the appropriate Supervisor, and by that person to the Department Director.

Horseplay and practical joking can result in serious injuries or death, therefore, anyone engaging in horseplay or practical joking will be subject to disciplinary action, up to and including termination.

A clean work area makes for a more pleasant and safe place to work. Employees in all departments are asked to help keep the surroundings as neat and orderly as possible. Trash receptacles that are easily accessible are to be located throughout the building, and all litter from lunches, scrap materials, and so forth is to be placed in these receptacles. Employees are encouraged to be conscious of health, safety, and fire prevention.

The following rules of safety should be observed:

- Keep area in and around work areas free from debris.
- Do not engage in pranks, "horseplay," practical jokes, or running.
- Keep designated aisles clear.
- Report all injuries, however minor, to the Supervisor concerned.
- Do not attempt to lift or push excessive weights or loads. Ask for help.
- Do not clean or repair any machine while it is in motion.
- Do not use any machinery that you are not properly trained to operate..
- Report all unsafe practices and conditions to your Supervisor.
- Be safety-conscious at all times.

An unsafe employee is a liability to him/herself and to fellow employees.

Additional information is available in KEYS' Best Practice Office Protocols for Service Building.

SECURITY

For security reasons, (with the exception of rights provided by s. 790.251, F.S., which allows a legally-owned firearm on the premises as long as said firearm is lawfully

possessed and locked inside or locked to a private motor vehicle in the parking lot), employees are not to bring firearms, weapons of any kind (whether the firearms or weapons are loaded or not), explosives, alcohol, any intoxicant, any narcotic, any barbiturate, any amphetamine, any hallucinogen, or any other stimulating or depressing drug onto KEYS premises at any time, unless the drugs are prescribed as medication by a physician, and the employee's Supervisor and the Director of Human Resources or equivalent has been notified of the prescription per the Drug Free Workplace Policy – Exceptions for Prescription Medications.

Note: Keys Energy Services' facilities located at 6900 Front Street, Extended are exempt from s. 790.251, F.S., as provided in subsection (7)(a), and therefore, no firearms or weapons of any kind are permitted anywhere on that property.

Identification cards are provided to each employee upon hire. Every employee must carry their I.D. card while representing KEYS during working hours off of KEYS property and within KEYS' service area.

Passcodes, and gate remotes to KEYS facilities may not be shared with anyone beyond the employee needing access to them (also, refer to the "Safety" section in this handbook).

KEYS has installed remotely-operated electric gates or arms at the Ralph Garcia Steam Plant, William Arnold Service Building, and at the T&D complex for the purpose of maintaining security of these premises. Substations are fitted with manual gates which may be updated to electrical gates from time-to-time. All gates shall remain closed at ALL TIMES unless stated otherwise herein.

OPERATIONS:

1. Gates are designed to open with a vehicular transmitter or by calling the control stations at each location on the telephone located outside the gates. Each KEYS assigned vehicle will have a transmitter assigned. Transmitters should be initiated at least twenty-five (25) feet before approaching the entrance of gate, and the driver must proceed with caution.
2. When vehicles are exiting the premises, the gates will automatically open by an inductive loop, which is located approximately six (6) feet from the gate.
3. Entering or exiting through KEYS property without the use of a transmitter may be achieved by the use of telephones located on each side of the gate. However, at the Service Building all pedestrian traffic will use the employee entrance.
4. At the T&D complex, where personnel presently park their private vehicles on KEYS property; these vehicle owners will be assigned transmitters.
5. At the Stock Island Generation Site (including Fleets & Facilities and the Purchasing and Warehouse sections) where personnel presently park their private vehicles on KEYS property; these vehicle owners will be assigned transmitters.
6. Each Section Supervisor shall issue and establish responsibilities for gate transmitters for each vehicle in their section.

7. Access codes for gates and building doors shall not be shared with non-KEYS' employees. In accordance with KEYS' visitor policy, no visitor will be allowed to possess access codes or be unescorted in any of KEYS' properties or facilities.

SEVERE WEATHER, HIGHWAY AND/OR SYSTEM EMERGENCY CLOSING

Your safety is KEYS' concern. In the event that disabling weather occurs during nonworking hours, the General Manager & CEO will determine if the office should be closed and in turn, KEYS will attempt to notify employees by voice or text message. Every effort will be made to alert employees prior to 6:45am of schedule changes. If you do not hear anything, you should assume that the office will open as usual and report to work for a normal day or you should contact your Supervisor and/or Department Director for clarification. It is the employee's responsibility to ensure that they actually speak to their Supervisor and/or Department Director during any emergency. If unable to reach his/her Supervisor and/or Department Director the employee must leave a detailed voicemail message, to both the Supervisor and Department Director with a telephone number to be reached. Employees found violating this policy or not reporting to duty when required, will lose the compensation for the emergency, and be subject to possible disciplinary actions, up to and including termination.

The following are guidelines regarding compensation for an emergency situation and/or closing:

- When employees are instructed to not report to work due to a system emergency by the General Manager & CEO, employees will receive their regular pay for the hours they would have normally worked that day assuming the employee has followed all rules regarding contact with Supervisor and/or Department Director.
- When a day is not officially declared a system emergency (weather, highway closing, etc.), the employee who does not arrive at work will not be paid. However, in some circumstances (depending on the number of employees affected), the General Manager & CEO may allow lost time to be made up within the same workweek, allow the employee to utilize vacation hours, or the employee will receive LWOP, as long as it does not create overtime. In any case, you must contact your immediate Supervisor and/or Department Director to report such absence before the start of your work shift.
- In the event of a hurricane, please also refer to the section below relating to Hurricane/Storm Procedures and essential personnel.

SOCIAL MEDIA

At KEYS, we understand that social media can be a fun and rewarding way to share your life and opinions with family and friends around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist employees in making responsible decisions about the use of social media, KEYS has established these guidelines for appropriate use of social media. This policy applies to all KEYS employees.

Guidelines

In the rapidly expanding world of electronic communication, *social media* can mean many things. Social media includes all means of communicating or posting information or content of any sort on the internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or chat room, whether or not associated or affiliated with KEYS, as well as any other form of electronic communication.

The same principles and guidelines found in KEYS policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider the risks and rewards involved. Any conduct that adversely affects your job performance, the performance of fellow employees, or otherwise adversely affects customers, suppliers, people who work on behalf of KEYS or KEYS' legitimate business interests may result in disciplinary action up to and including termination.

Know and Follow the Rules

Carefully read these guidelines, KEYS' Code of Ethics and Anti-Harassment Policy, and ensure your postings are consistent with these policies. Inappropriate postings, including without limitation discriminatory remarks, harassment, threats of violence, or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Be Respectful

Always be fair and courteous to fellow employees, customers, suppliers, or people who work on behalf of KEYS. You are more likely to resolve work-related complaints by speaking directly with your coworkers through KEYS' open-door policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, employees, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or KEYS policy.

Be Honest and Accurate

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about previous posts you have altered. Remember that the internet archives almost everything; therefore, even deleted postings can be searched. Never post any unsubstantiated information about KEYS, fellow employees, customers, suppliers, or people working on behalf of KEYS.

Post Only Appropriate and Respectful Content

- Maintain the confidentiality of KEYS' private or confidential information.
- Do not create a link from your blog, website, or other social networking site to KEYS' website without identifying yourself as a KEYS employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for KEYS. If KEYS is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of KEYS, customers, or suppliers.
- If you publish a blog or post online related to the work you do or subjects associated with KEYS, make it clear that you are not speaking on behalf of KEYS. Such content

must include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of KEYS."

Using Social Media at Work

Refrain from using social media while on work time or on equipment KEYS provides, unless it is work-related as authorized by your supervisor or director and consistent with company equipment use policies. Do not use a KEYS email address to register on social networks, blogs, or other online tools utilized for personal use.

Retaliation is Prohibited

KEYS prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliated against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

SMOKING

KEYS is a non-smoking, nicotine/tobacco-free campus. No smoking or nicotine/tobacco products are allowed on KEYS' properties, or in its buildings or vehicles. Nicotine/tobacco products include cigarettes, cigars, e-cigarettes, vaporizers, chewing tobacco, snuff, and any other similar products.

Any employee found smoking in an unauthorized area may be subject to disciplinary action, up to and including termination.

SOLICITATION/DISTRIBUTION

You may engage in solicitation on KEYS premises, subject to the limitations herein, only during your nonworking time and the nonworking time of the person being solicited. "Nonworking time" includes, with limitation, time during meals or breaks and before or after work.

You may distribute or circulate written materials unrelated to official KEYS business to other employees only during nonworking time.

Solicitation or distribution in any way connected with the sale of any goods or services for profit is strictly prohibited anywhere on KEYS property at any time. Acceptable non-profit solicitations include solicitations for events such as children's school fundraisers, Girl Scout Cookie sales, Band or Camp fund raising or sponsorship in events where money or goods are pledged to legitimate non-profit entities or charities. Similarly, solicitation or distribution of literature for any purpose by non-employees is strictly prohibited on KEYS property at any time.

Non-employees are prohibited from engaging in solicitation, or distribution of literature at any time on KEYS property, except as set forth herein. Any such solicitation or distribution should be promptly reported to your Supervisor.

STANDARDS & RULES VIOLATION DISCIPLINE

DISCIPLINARY PROCEDURES: Proactive Performance Coaching steps will typically be utilized when an employee demonstrates a performance issue. However, KEYS reserves the right to proceed directly to serious discipline, up to and including termination, for job performance deficiencies, misconduct or attendance deficiencies, even in the absence of prior disciplinary action, when KEYS deems such action is appropriate based on the seriousness of the matter. In certain circumstances, depending on the seriousness of the allegations, KEYS reserves the right to place an employee on Administrative Leave (as an interim non-disciplinary step) with or without pay until the Administrative Review Hearing is held and the outcome is determined.

ADMINISTRATIVE REVIEW HEARINGS: Any employee facing disciplinary action with the possibility of suspension, termination, or demotion will be subject to an Administrative Review Hearing (48-hour notice) prior to the action being taken, except when extenuating circumstances exist as determined by KEYS (i.e. emergency declarations). The purpose of this procedure is to ensure that employees are given a chance to submit any and all facts relative to the alleged infraction for which disciplinary action being considered.

The Administrative Review Hearing will be conducted by a panel of management staff selected by the General Manager & CEO. The panel will utilize information provided to them by employee witnesses, supervisory personnel, and the subject employee (whether such information is provided prior to or at the hearing), in order to: (1) determine whether an infraction or violation was committed, utilizing a preponderance of the evidence standard based upon all information gathered; (2) weigh the severity of any infraction or violation determined to have occurred, in light of the circumstances of the situation and any prior employee infractions or violations; and (3) present a written report of findings and recommendation of disciplinary action to the General Manager & CEO.

Following an Administrative Review Hearing and upon receipt of the Administrative Review Hearing panel's written recommendation, the General Manager & CEO will determine whether and to what extent discipline will be imposed, taking into consideration any recommendations made by Supervisors, Directors and/or the Director of Human Resources or equivalent as well as taking into consideration the employee's personnel records, including past disciplinary actions.

The General Manager & CEO will issue a written hearing outcome memorandum, which will state the reason for the recommended discipline or termination. Depending on the seriousness of the reasons, an employee may be suspended with or without pay until the Administrative Review Hearing is held and the outcome is determined. If the employee is a bargaining unit member, the Union will be notified of the hearing and be given an opportunity to attend the Administrative Review Hearing. All employees subject to an Administrative Review Hearing are entitled to have an attorney or other representative present.

REPRESENTATIVE DISCIPLINARY ACTION:

KEYS relies on its employees to perform their duties in accordance with the highest standards of public service. KEYS reserves the right to proceed directly to serious discipline, up to and including termination, for misconduct, job performance or attendance deficiencies, even in the absence of prior disciplinary action, when KEYS deems such

action is appropriate based on the seriousness of the matter. The following non-exhaustive list summarizes the most commonly used disciplinary measures utilized by KEYS.

WRITTEN WARNING:

A written warning is given to an employee to memorialize a violation of KEYS' policies, rules, regulations, or standards which if repeated or continued will subject the employee to a more severe disciplinary action. The warning will specify the nature of the conduct and the date and will be provided to the employee as well as placed in the employee's personnel file. If the employee is a bargaining unit member, the Union will receive a copy. An Administrative Review Hearing is not necessary for a written warning to be issued, but a written warning may result from an Administrative Review Hearing in cases where the alleged infraction or violation may have reasonably resulted in more serious disciplinary action.

WRITTEN REPRIMAND:

A written reprimand constitutes formal action against an employee for more serious types of violations of KEYS' rules or standards and rules of conduct, or where less stringent actions have not been successful in correcting a deficiency. The written reprimand will identify the offense or deficiency and the correction required.

A written reprimand can be used to impose restrictions on an employee, such as attendance requirements or special procedures to be followed. Restrictions imposed will be reviewed periodically and may be removed, modified, or continued with a follow-up letter. A copy of the written reprimand will be placed in the employee's personnel file. If the employee is a member of the bargaining unit, the Union will receive a copy. An Administrative Review Hearing is not necessary for a written reprimand to be issued, but a written reprimand may result from an Administrative Review Hearing in cases where the alleged infraction or violation may reasonably have resulted in more serious disciplinary action.

DEMOTION

When an employee's performance demonstrates a lack of necessary ability to perform the duties of a position, or where disciplinary action is repeatedly taken and the employee fails to rectify the conduct, the employee may be demoted. Following an Administrative Review Hearing, the General Manager & CEO will take into consideration any recommendations made by Supervisors, Directors and/or the Director of Human Resources or equivalent as well as the employee's personnel records, including past disciplinary actions.

The General Manager & CEO must approve any demotion. A demoted employee will receive written notice of the action, including the rationale for the action and any specific future performance requirements, and a copy will be placed in the employee's personnel file. If the employee is a member of the bargaining unit, the Union will receive a copy of the demotion notice.

SUSPENSION:

An employee may be suspended with or without pay as a disciplinary action. Following an Administrative Review Hearing and upon receipt of the Administrative Review Hearing panel's written recommendations, the General Manager & CEO will take into consideration recommendations made by Supervisors, Directors and/or the Director of Human Resources or equivalent as well as the employee's personnel records, including past disciplinary actions. At the discretion of the General Manager & CEO, an employee may

be placed on Administrative Leave with or without pay until the Administrative Review Hearing is conducted and the outcome is determined.

TERMINATION:

Voluntary Termination - KEYS may consider an employee to have voluntarily terminated his or her employment if an employee does any of the following, without necessity of an Administrative Review Hearing:

- Elects to formally resign from KEYS;
- Fails to return from an approved leave of absence on the date specified by KEYS, without notice and approval; or
- Fails to report for work without notice to KEYS for three consecutive days ("AWOL").

As soon as practical after an employee knows that it will be necessary for him/her to be relieved from duty, the employee shall notify his/her Supervisor and/or Department Director.

Involuntary Termination - An employee may be terminated involuntarily upon completion of the Administrative Review Hearing process. Following an Administrative Review Hearing and upon receipt of the Administrative Review Hearing panel's written recommendation, the General Manager & CEO will take into consideration recommendations made by Supervisors, Directors and/or the Director of Human Resources or equivalent as well as the employee's personnel records, including past disciplinary actions.

Employees who refuse to take a required drug and/or alcohol test or test positive for a drug and/or alcohol test will be automatically terminated without necessity of an Administrative Review Hearing, as stated in KEYS' Drug Free Workplace Policy.

Termination Due to Reorganizations, Economics, or Lack of Work - From time to time, KEYS may be required to terminate an employee as a consequence of reorganizations, job eliminations, economic constraints, or lack of available work for the employee's position. In such event, KEYS will attempt to provide all affected employees with advance notice, and will provide notice as required by law. Layoff benefits associated with such terminations, if any, will be as specified in any such notice. (Bargaining Unit employees should refer to the Union Contract Article XXI.)

INDICTMENTS, PROSECUTIONS, ARRESTS:

It is the responsibility of KEYS to maintain a proper work force. Employees who are arrested, indicted by a Grand Jury, or against whom an information, complaint or petition has been filed by a prosecuting official, may be subject to an Administrative Review Hearing to determine the effect said action has on his or her employment with KEYS. In the event the action affects the employee's ability to perform his/her assigned duties or constitutes an infraction or violation of KEYS' policies or regulations, the employee may be subject to disciplinary action, up to and including termination. If an employee is temporarily suspended or receives additional employment conditions pending adjudication of the charges, KEYS will convene a second Administrative Review Hearing after adjudication of the charges to determine further action, including the granting of full

reinstatement without condition or the imposition of discipline up to and including termination. Such action will be based on the General Manager & CEO's review of the underlying facts after the subsequent Administrative Review Hearing and receipt of the Administrative Review Hearing panel's written recommendations, and will not be determined solely by the outcome of the criminal proceeding. If an employee is temporarily suspended pending adjudication, KEYS shall not be precluded from conducting an interim Administrative Review Hearing prior to adjudication, and taking additional disciplinary actions up to and including termination.

GRIEVANCE PROCEDURES:

KEYS goal is to ensure that regular employee complaints and grievances are quickly resolved to the mutual satisfaction of KEYS and the employee.

Bargaining unit employees may use the grievance procedures set forth in the Collective Bargaining Agreement between KEYS and the IBEW (See Article XXI of the IBEW Contract).

Management employees, and other employees who are not in a Bargaining Unit position, may use the grievance procedures set forth in the most recent version of KEYS' Management Employee Handbook.

Probationary employees are not entitled to utilize the grievance procedures.

Forms for filing a grievance can be obtained from the Human Resources Office (except forms with the IBEW).

All grievances, both Collective Bargaining Unit and KEYS grievances must be filed with the Director of Human Resources or equivalent.

CAREER SERVICE APPEALS:

A Career Service employee who has been suspended without pay, terminated, given a reduction in pay, or a demotion shall have the right to appeal said action to the Career Service Council by filing a petition with said Council within thirty (30) days following such suspension, termination, reduction in pay, or demotion. Employees are required to first file a timely grievance under the applicable internal grievance procedures prior to filing an appeal to the Career Service Council. In no case shall appeal to the Utility Board be available.

STORM/HURRICANE PROCEDURES

Because KEYS provides an essential service, KEYS and its employees are critical to the Lower Florida Keys. All employees are expected to perform duties associated with preparing for, and recovering from, a tropical weather event such as a hurricane. Please refer to the KEYS' System Disaster Plan Preparation and Recovery Manual for detailed information on this policy.

All employees are considered essential personnel for purposes of this policy. KEYS is committed to maintaining safety and providing electricity to whatever extent possible before, during, and after a hurricane/storm. The employee designations have been established to achieve that commitment. In the event that a tropical weather event occurs

during non-working hours, the General Manager & CEO will determine if the office should be closed and in turn, KEYS will attempt to notify employees by voice or text message. Every effort will be made to alert employees prior to 6:45 am of schedule changes. If an employee does not receive the automated phone message, the employee should assume that the office will open as usual and report to work for a normal day or contact their Supervisor and/or Department Director for clarification. It is the employee's responsibility to ensure that he/she actually speaks to his/her Supervisor and/or Department Director during any emergency. If unable to reach his/her Supervisor and/or Department Director the employee must leave a detailed voice-mail message, to both the Supervisor and Department Director with a telephone number to be reached. Employees found violating this policy or not reporting to duty when required, will lose the compensation for the emergency, and be subject to possible disciplinary actions, up to and including termination. An Administrative Review Hearing will not be conducted during any declared system emergency. The General Manager & CEO will notify the Union President if an Emergency is declared as per Article XXXV of the IBEW Contract.

Employees are designated into two classifications:

➤ **First Responders (FR)**

❖ **Definition:** These are employees that are required to be available locally before, during, and immediately after a disaster. Their main responsibilities are to maintain the integrity of KEYS' electrical network, assist the community in life-safety needs, and immediately commence restoration of the community's "essential" electrical infrastructure.

❖ **Detail Procedure/Policy:**

Each First Responder (**FR**) employee must contact his/her immediate Supervisor when a Hurricane/Storm Warning is issued for any portion of KEYS' service area. If the employee reaches the Supervisor's voice mail, the employee must leave a detailed message, including a telephone number, so the Supervisor can return the call. If the immediate Supervisor cannot be reached, the employee must follow the chain of command and contact his/her Department Director. Each **FR** employee must report to work and be available, as needed, throughout and after the storm. Vacation Leave is subject to cancellation during hurricane season. Each **FR** employee is subject to 48-hour recall from scheduled vacation time in the event that a hurricane/storm warning is issued. It is the employee's responsibility to keep apprised of weather affecting KEYS' service area. Each **FR** employee who is on vacation leave at the time a hurricane/storm warning is issued. KEYS will pay for the telephone call. Each **FR** employee must provide his/her immediate Supervisor with a telephone number at which he/she can be reached within eight hours. This information is required to be updated immediately if any changes to contact information occur.

➤ **Second Responders (SR)**

❖ **Definition:** These are employees that are vital to the utility and community after a disaster has occurred. They assist the utility in all aspects of restoration in order to return the utility and system to normal operational status.

❖Detail Procedures/Policy:

Each Second Responder (**SR**) employee must contact his/her immediate supervisor when a Hurricane/Storm Watch is issued for any portion of KEYS' service area. If the employee reaches the Supervisor's voice mail, the employee must leave a detailed message, including a telephone number, so the Supervisor can return the call. If the immediate Supervisor cannot be reached, the employee must follow the chain of command and contact the Department Supervisor or Director. **SR** employees will be required to report to work to make all necessary preparations, as determined by KEYS. SR employees who are not needed for preparations or who have completed their preparation assignments and are not required to further assist will be released. Regardless of whether a **SR** employee has been released, he/she is required to contact his/her immediate Supervisor (or, if the immediate Supervisor cannot be reached, the employee must contact the Department Director) at least once every seventy-two (72) hours during the recovery. **SR** employees will be needed to provide immediate recovery support functions as directed.

KEYS is committed to maintaining safety and providing service to the extent possible before, during, and after a tropical weather event, and the above employee designations have been established to achieve that commitment. At the General Manager & CEO's discretion, KEYS will make accommodations for employees with special needs as of the date of the tropical weather event (for example, employees with custodial duties of minor children or elderly persons or significant hardship as determined by the General Manager & CEO). Any special needs must be brought to the attention of the employee's Supervisor prior to the issuance of any tropical weather watch/warning. The Supervisor will then relay your request for accommodation to the General Manager & CEO, who will grant or deny the accommodation.

SURPLUS POLICY

All KEYS property will be disposed of through the surplus process in accordance with KEYS' Surplus Policy as detailed by Utility Board Resolution from time to time. Under no circumstances will any property that has not gone through the Surplus Policy Procedures be disposed of or given away.

TELEPHONE POLICY

Telephone courtesy is essential. When answering a KEYS' phone, state the name of your department and/or your name.

As a general policy, use of office telephones and KEYS-issued cellular devices for personal business should be limited. Local, personal calls which are brief in duration may be made so long as the privilege is not abused, as determined by the applicable Supervisor and Human Resources.

Any employee using KEYS' telephone extensions may have their calls recorded for training purposes and for quality assurance. Employees are expressly advised that no expectation

of privacy exists when KEYS' communications equipment, including telephone extensions and KEYS-issued cellular devices are used.

Use of office telephones and KEYS-issued mobile devices (including calls, texting, social media and applications) should be kept to a minimum and should not interfere with an employee's responsibilities.

THREATS (BOMB, FIRE & ARSON)

In the event an employee receives a communication which could reasonably be construed as a bomb or fire threat, the following actions must be taken: (1) The fire alarm must be sounded and the building evacuated immediately pursuant to the procedure for a fire evacuation; (2) The police must be notified in the case of a bomb threat or the fire department in the case of a fire threat; (3) No one can re-enter the building until authorized by the appropriate police and/or fire authorities.

No communication indicating that a bomb or fire threat may imminently occur may be construed as a joke or disregarded. All such calls must be treated as real threats to safety.

The power plants, control room, and data processing/server rooms each have their own procedures in case of any emergency.

The employee receiving such a communication should attempt to obtain as much information as possible during the communication to assist law enforcement to address the issue. Helpful information includes:

- Where is the potential bomb or arsonist located?
- What time will the event occur?
- What number is the person is calling from (Caller ID)?
- Is there any context (i.e.: background noises) which may provide additional information?
- Does the caller have an accent or use a speech pattern that might help identify the caller?

(Also, refer to the "Violence in the Workplace Policy" in this handbook.)

TIME & ATTENDANCE POLICY

Each employee in a bargaining unit position is subject to the time and attendance policy. The time clock is to be used to document the beginning of a shift, the beginning of lunch break, the end of lunch break and the end of a shift. Failure to clock in or out may result in the loss of pay or possible disciplinary actions. If an error occurs in clocking in or out, the employee should immediately bring this to the attention of his or her Supervisor who will confer with Human Resources to review the issue and correct the problem.

The Department of Labor requires employers (including KEYS) to maintain records of hours worked by employees. In order to help maintain record accuracy, employees may not clock in more than seven minutes prior to the beginning of their shift and are required clock out within seven minutes from the time their shift ends.

It is necessary to maintain complete records of the hours worked by each hourly employee. Any violation of the below rules pertaining to time clock usage may be cause for disciplinary action up to and including termination.

1. No employee, under any circumstances, shall clock in for another employee.
2. No employee shall falsify or assist, or participate with another, in falsifying time records.
3. No employee who clocks in before his/her regular shift or clocks out after his/her regular shift will be entitled to overtime pay unless authorized by the appropriate department representative, as designated by the applicable Director.
4. Any employee failing to clock in or out should report to his or her Supervisor or designated representative immediately after discovery of the infraction.
5. Any overtime must be authorized, and the appropriate department representative authorizing overtime must approve each day's overtime on the official Overtime Approval Form. An employee found to have worked unauthorized overtime may be subject to disciplinary actions.
6. No employee may clock in earlier than seven (7) minutes before the beginning of the work period. An employee who clocks in after the beginning of the work period will be considered tardy.
7. No employee may clock out before the end of the work period or more than seven (7) minutes after the end of the work period unless overtime has been authorized by the appropriate department representative and the official Overtime Approval Form has been approved by the Supervisor.
8. Above rules 6 and 7 apply to lunch period also.
9. Any employee failing to clock in/out during the time allowed will be charged "LWOP" at the following rates, per occurrence. Disciplinary procedures up to and including termination may be imposed if a pattern of tardiness arises:
 - 0-7 minutes= 0 minutes
 - 8-15 minutes= 15 minutes
 - 16-22 minutes= 15 minutes
 - 23-30 minutes= 30 minutes
 - 31-37 minutes= 30 minutes
 - 38-45 minutes= 45 minutes
 - 46-52 minutes= 45 minutes
 - 53-60 minutes= 1.00 hour
10. All overtime must be approved by the Supervisor on the Official Overtime Approval Form. Overtime will be calculated at the following rates:
 - 0-7 minutes= 0 minutes
 - 8-15 minutes= 15 minutes
 - 16-22 minutes= 15 minutes
 - 23-30 minutes= 30 minutes
 - 31-37 minutes= 30 minutes
 - 38-45 minutes= 45 minutes
 - 46-52 minutes= 45 minutes
 - 53-60 minutes= 1.00 hour
11. Employees will be paid according to their documented hours worked.
12. No employee shall tamper with or destroy time clocks or fixtures.
13. Where circumstances such as emergency call outs make it impractical for the employee to clock in at the start or end of his/her work shift, the Department Director or his/her representative may enter "time worked" on the employee's E-

Time and authorize with his/her signature. Under no circumstances may the Department Director or his/her representative clock in for an employee. Overtime and standby time will be noted on the official Overtime Approval Form and authorized by the appropriate department representative.

14. Each Department Director will document the appropriate representatives by memorandum to the General Manager & CEO, with a copy to the CFO and the Director of Human Resources or equivalent.

TRAINING - ON THE JOB

An employee will be given thorough training for the job he/she will be performing. Training will be administered by the Supervisor, another designated and qualified employee, and/or a third-party provider.

The purpose of this instruction is to help the employee develop the information and skills necessary to enable the employee to perform the work to which he/she assigned. Each employee is required to notify his/her Supervisor in the event the employee believes administered training has been inadequate or additional training is required in order for them to safely and competently perform their duties as outlined in their applicable job description. Employees are encouraged to request from his/her Supervisor or Human Resources, more instruction if he/she feels it will benefit his/her job performance or the overall performance of KEYS' staff.

It is each employee's responsibility to openly communicate with his/her Supervisor and/or Human Resources regarding their perceptions of training adequacy. Under no circumstances will an employee avoid disciplinary action for performance deficiencies or accidents on the basis of "inadequate training" or similar unless: (1) the employee was assigned a task for which no training was received; or (2) the employee previously requested to his/her Supervisor in writing additional training related to an assigned duty, the training was determined by the Supervisor to be necessary, and such training was not provided.

TRAVEL POLICY

Each Department Staff Assistant maintains a copy of the most recent and up-to-date travel policy, which is available to all employees by request. Any employee traveling on KEYS business must follow KEYS' Travel Policy.

TUITION/VOLUNTARY TRAINING ASSISTANCE

KEYS encourages and supports efforts by its employees to improve their skills and participate in education programs for advancement within KEYS by studying job-related subjects at an accredited educational institution, and via online training programs (including webinars), correspondence programs, and through other available local and distance-learning opportunities. KEYS prepays costs for certain *pre-approved* education-related expenses in accordance with the following standards and criteria.

Through its Tuition/Voluntary Training Assistance Program, KEYS will prepay:

- Tuition expenses to Florida Keys Community College and/or St. Leo's College (local

community college and university) for full-time employees who have successfully completed the six-month probationary period, provided the course(s) are related to the employee's job, or determined to be of benefit to KEYS as determined by the General Manager & CEO. If the course and/or degree is not available at the local community college or university, the General Manager & CEO will determine whether KEYS will bear financial responsibility in an amount equivalent to local schools' costs, the full cost of the course and/or degree at the providing community college or university, or some other amount. All courses and course work must be accomplished outside the employee's normal working hours. Textbooks are eligible expenses under this program, and the cost of required texts can be included in the prepayment or will be processed for reimbursement to the employee upon proof of purchase. Travel and incidental expenses are not eligible under KEYS' Tuition/Voluntary Training Assistance program.

- Training expenses for job-related voluntary training programs through a variety of pre-approved sources, including correspondence/web-based training programs, webinars, local seminars and continuing-education classes may be considered eligible expenses under this program.

Employees who voluntarily separate from KEYS must pay back to KEYS a prorated amount (calculated utilizing the course completion date), up to the full cost paid on their behalf by KEYS for education and training expenses, based on the following guidelines:

- AA degree or equivalent – 12 months preceding the employee's separation
- BA or BS degree or equivalent – 24 months preceding the employee's separation
- MA or MS degree or equivalent – 36 months preceding the employee's separation

Repayment is due upon separation. If full repayment is not received, it may be deducted from the employee's final paycheck (including vacation and/or sick leave payouts).

Eligibility:

1. Prepaid course(s) must relate to the employee's current position or be of benefit to KEYS as determined by the General Manager & CEO.
2. College course(s) must be taken for credit—not audited—from an approved institution (local community college and university are the schools of choice). If the course and/or degree is not available at the local community college or university, KEYS will determine the amount of reimbursement in its sole discretion.
3. Course of study and eligibility for reimbursement must be approved prior to enrolling or registering in the course.

Note – Under no circumstances will KEYS pay for college credits exceeding the requisite 60 credit hours for an associate's degree, 120 credit hours for a bachelor's degree, or 36 credit hours for a master's degree.

Payment/Reimbursement:

KEYS will prepay the institution for actual tuition and registration fees for up to two (2) approved courses per term (meaning a semester, a quarter or other designation for one grading period). The employee may submit receipts for reimbursement of books to Human Resources.

Taxability:

Internal Revenue Code (IRC) Section 127(b) 2 through 6 provides an exclusion from an employee's gross income up to \$5,250 per calendar year for amounts paid by an employer through a sponsored education assistance program. Qualified expenses include: tuition, fees, books, and supplies for both undergraduate and graduate education. Any amounts more than \$5,250 will be processed as gross income, taxed, and reported on the employee's W-2 form. KEYS will adhere to revisions to the IRC as they occur from time to time.

Procedure:

1. No later than **June 1st** of each fiscal year, employees seeking tuition assistance for the future fiscal year (October 1 – September 30) must email the Director of Human Resources or equivalent and Human Resources applicable Supervisor so that KEYS can account for the employee's expenses during budget planning. Depending on the number of employees seeking to use this benefit, management will review the total costs and, during normal budget sessions, determine how much will be allocated per employee. Each request must include:
 - a. Employee name
 - b. Degree sought
 - c. Number of credit hours earned to date
 - d. Institution
 - e. Number of classes per semester for which the employee is requesting funding (maximum of 2) and cost per credit hour
2. Before enrolling in a college course or training program, the employee must complete the KEYS Tuition/Training Assistance form, have his/her Department Director approve the request, and submit it to Human Resources.
3. Before enrollment or registration, the employee must receive written approval from the General Manager & CEO, who has sole discretion to determine whether the course(s) and the employee satisfy all the eligibility requirements listed above.
4. If taking a college course, the employee must provide the educational institution with a fully-executed copy of their Tuition/Training Assistance form upon registering.
5. The employee must present all receipts (tuition, registration, books, lab fees, etc.) indicating the amount(s) paid. Employees must also submit copies of any and all award letters for financial aid and/or tuition assistance. Employees will be reimbursed only to the extent they are not reimbursed through other programs, including, but not limited to, grants, scholarships, Veterans Administration programs, fellowships, other tuition reimbursement or assistance programs, financial aid programs, etc., but excluding student loans.
6. The employee must present an official grade report indicating a grade of at least "C" or its equivalent in the course within two weeks of completion of the course. If the course, including books, was prepaid and the employee did not achieve a grade of at least "C," the cost of the course will be deducted in two payments from the employee's next two paychecks.

If an employee is in a degree-seeking program, all electives will be evaluated and monitored by the employee and their immediate supervisor to determine that they are related to the employee's job duties, if possible. In evaluating electives, priority shall be given to the immediate needs of KEYS. An employee cannot be reimbursed for a physical

education course unless it is needed for a specific job. For example, golfing would never be approved, but scuba diving could be approved if diving is needed for a specific job.

At times, tuition/training assistance requests may be limited or denied due to budget constraints.

In the event that an employee is required by KEYS to participate in any of the aforementioned or other training programs, the pro-rated repayment policy will not apply.

VEHICLE ACCIDENT POLICY

The following procedures and disciplinary actions shall be taken when an employee is involved in any vehicle accident while driving/operating a KEYS vehicle or associated equipment, including leased, rented, and personal vehicles when used for KEYS business purposes.

Nothing in this vehicle accident policy shall prohibit KEYS from imposing discipline stricter than outlined herein, up to and including termination, where extenuating circumstances are deemed to exist. Extenuating circumstances may include but are not limited to a high volume of accidents over the course of the employee's employment, beyond the described 36-month period.

An accident is defined as any incident involving collision with another vehicle or object whether stationary or moving, regardless of the amount of damage to either of the vehicles, equipment, or stationary object.

I. **ACCIDENTS INVOLVING THIRD PARTIES** must be reported immediately to the KEYS Control Center. The Control Center will notify the Safety & Risk Coordinator, the employee's Supervisor, and the Fleets/Facilities Supervisor. If the accident involves a third party, the dispatcher must call the police immediately. The KEYS driver/operator must move the KEYS vehicle, if operable, to a safe position and wait at the scene for the police. The KEYS driver/operator should make no statement concerning who is at fault and should not discuss or argue with the other party about the accident. If the investigating agency does not make a determination of fault, then the Management Investigating Committee (consisting of two management employees) will make a determination as to whether the driver/operator has caused or contributed to the accident. In any case, KEYS' vehicle must not be moved from the accident site unless law enforcement directs that the vehicle/equipment be moved. The vehicle must remain at the accident site until the Management Investigating Committee determines if a representative of KEYS' Fleets Section needs to inspect the vehicle/equipment.

ACCIDENTS INVOLVING ONLY DAMAGE TO KEYS VEHICLES WITH NO THIRD PARTY INVOLVEMENT must be reported immediately to the KEYS Control Center. The Control Center will notify the Safety & Risk Coordinator, section Supervisor, and the Fleets/Facilities Supervisor. The Management Investigating Committee will make a determination as to whether the driver/operator has caused the accident. Disciplinary action will be applied as provided in the policy. Failure to report such accidents will result in discipline up to and including termination. In any case, the KEYS vehicle/equipment must not

be moved from the accident site unless law enforcement directs that the vehicle/equipment be moved. The vehicle/equipment must remain at the accident site until the Management Investigating Committee determines if a representative of KEYS' Fleets Section needs to inspect the vehicle.

III. THE FOLLOWING DISCIPLINARY MEASURES WILL BE APPLIED AS INDICATED:

FIRST ACCIDENT IN ANY 36 MONTH PERIOD

1. If the KEYS employee is judged to have caused or contributed to an accident by the investigating agency or the KEYS Management Investigating Committee (consisting of two management employees), as a general guideline:
 - a. An employee's first at-fault accident will result in a written reprimand being issued by the Supervisor and approved by the Department Director. A copy will be placed in the employee's personnel file.
 - b. The driver/operator will be required by KEYS to submit to an alcohol test, which may be administered by the police at the scene of the accident. In addition, the driver/operator will be required to take a drug test and/or alcohol test to be administered by KEYS' designated physician, in accordance with the KEYS' Drug-Free Workplace Policy. If it cannot be determined who was driving/operating KEYS' vehicle/equipment at the time of the accident, then anyone who was present in the vehicle/equipment at the time of the accident will be required to take a drug and/or alcohol test.
 - c. Employees who test positive will be disciplined in accordance with KEYS' Drug-Free Workplace Policy and KEYS' Standards and Rules of Conduct Policy.
 - d. Employees who refuse to take the test will be automatically terminated in accordance with KEYS' Drug-Free Workplace Policy and KEYS' Standards and Rules of Conduct Policy.
2. If the employee driver/operator has not caused the accident, a copy of the vehicle accident report will be placed in the employee's personnel file for documentation purposes only. It will be clearly marked "Non Chargeable" and will not count against the employee's driving record.

SECOND ACCIDENT IN ANY 36 MONTH PERIOD

1. If the KEYS employee is judged to have caused an accident by the investigating police authority or the KEYS Management Investigating Committee (consisting of at least two management employees):
 - a. A second written reprimand will be issued by the Supervisor and approved by the Department Director if the employee caused the accident. This letter will stipulate that the employee will be subject to disciplinary action, up to and including termination, if a third chargeable accident occurs within the thirty-six (36) month period.

- b. The driver/operator will be required to submit to an alcohol test, which may be administered by the investigating police at the scene of the accident. The driver/operator will be required to take a drug test and/or alcohol test to be administered by KEYS' designated physician following the accident in accordance with the KEYS' Drug-Free Workplace Policy. If it cannot be determined who was driving/operating KEYS' vehicle/equipment at the time of the accident, then anyone who was present in the vehicle/equipment at the time of the accident will be required to take a drug and/or alcohol test.
 - c. Employees who test positive will be disciplined in accordance with KEYS' Drug-Free Workplace Policy and KEYS' Standards and Rules of Conduct Policy.
 - d. Employees who refuse to take the test will be automatically terminated in accordance with KEYS' Drug-Free Workplace Policy and KEYS' Standards and Rules of Conduct Policy.
2. If the employee driver/operator has not caused the accident, a copy of the vehicle accident report will be placed in his/her personnel file. In addition, the Safety & Risk Coordinator along with the Director of Human Resources or equivalent will review the employee's driving record, if applicable, to determine if there may be additional contributing factors, which might help the employee to avoid exposure to vehicle accidents.
3. Whether or not the employee is judged to have caused the vehicle accident, the employee will be required to attend a "Defensive Driving Course" which may occur on the employee's own time. Depending on the seriousness of the accidents, the employee may be prohibited from driving a KEYS vehicle until completion of a Defensive Driving Course.

THIRD ACCIDENT IN ANY 36 MONTH PERIOD

1. If the employee is judged to have caused an accident by the investigating police authority or the KEYS Management Investigating Committee (consisting of two management employees):
 - a. The employee will be required to submit to an alcohol level test, which may be administered by the investigating police at the scene of the accident. Also, following KEYS' knowledge of the accident, the employee will be required to take a drug test or alcohol test to be administered by KEYS' designated doctor in accordance with the Drug-Free Workplace Policy. If it cannot be determined who was driving/operating the KEYS vehicle/equipment at the time of the accident, then anyone who was present in the vehicle/equipment at the time of the accident will be required to take a drug and/or alcohol test.
 - b. Employees who test positive will be disciplined in accordance with KEYS' Drug-Free Workplace Policy and KEYS' Standards and Rules of Conduct Policy.
 - c. Employees who refuse to take the test will be automatically terminated in accordance with KEYS' Drug-Free Workplace Policy and KEYS' Standards and Rules of Conduct Policy.

- d. The KEYS driver/operator will be subject to an Administrative Review Hearing to determine appropriate disciplinary action, up to and including termination.

VEHICLE BACKING POLICY

KEYS has conducted safety meetings, warnings, and hearings regarding the serious safety problems related to driving vehicles backwards. Any employee (driver and passengers) observed violating this policy, or an employee (including a non-driver who is engaged in spotting activities, where negligent spotting is determined to have caused or contributed to the accident) who is involved in an accident involving a vehicle driving in reverse, may be subject to an Administrative Review Hearing. A review of the employee's personnel records will be used to determine if more stringent disciplinary action is needed, up to and including written reprimand (employees engaged in spotting activities), and up to and including termination (drivers and passengers). Below is the policy for vehicle backing.

- a. Whenever possible, the vehicle shall be positioned to avoid the necessity of backing-up later.
- b. Extreme caution shall be exercised when backing a vehicle, to avoid injury to persons and to prevent property damage.
- c. Mirrors should be adjusted to provide the greatest visibility possible.
- d. Another employee, if present, shall be stationed at the rear of the vehicle to assist the driver in backing-up the vehicle safely.
- e. When backing-up a vehicle, which has an obstructed view to the rear, the following precautions must be followed:
 - 1. A reverse signal (back-up alarm) audible above the surrounding noise level should be used.
 - 2. If two or more employees are present at the time of the backing maneuver, one non-driving passenger or other employee must act as a spotter outside the vehicle to ensure safety during the maneuver.
 - 3. The spotter shall position himself/herself to the rear of the vehicle, within view of the driver and signal that it is safe to back-up. The driver shall ensure the driver's window is in the down position and that the driver can see the spotter at all times.
 - 4. If the driver is unable to see the spotter at any time, the driver must stop the vehicle immediately and not proceed until the spotter confirms that backing may safely continue;
 - 5. If no other employee is available to perform spotting duties, the driver of the vehicle may undertake the backing maneuver without the assistance of a spotter, provided reasonable precautions are taken to ensure the safety of the maneuver.
 - 6. Any driver undertaking a backing maneuver without the assistance of a spotter shall, prior to undertaking the maneuver, exit the vehicle and check conditions 360-degrees around the vehicle.

7. Any driver undertaking a backing maneuver shall watch both sides of the vehicle, but shall not depend entirely on rear-view and/or side-view mirrors for vision. If it does not appear that a backing maneuver can be performed safely, the employee should not perform the backing maneuver.
- f. All employees who observe a driver undertaking, or who believe a driver is about to undertake, a backing maneuver, shall offer to provide spotting assistance to the driver. However, a failure to offer spotting assistance shall not subject an employee to discipline.
 1. The spotter and driver should discuss the maneuver and agree upon hand signals prior to the driver's initiation of the backing maneuver.
 2. The spotter should position himself/herself to the rear of the vehicle, within view of the driver through the driver's side window and/or rearview mirror.
 3. The spotter should use highly visible and obvious hand signals at all times (even when the driver's maneuver is proceeding normally, not just when directing the driver to change course or stop).

If a driver is alone in the vehicle/equipment, the driver shall get out and check conditions, by walking and observing 360-degrees around the vehicle, before reversing.

Employees who operate vehicles with outriggers are required, prior to reversing, to perform a walk-around first before lowering or retracting the outriggers to determine that no obstructions are in the way. Violation of this policy will not be tolerated and may also lead to disciplinary action.

VEHICLE IDLING REDUCTION POLICY

Employees operating KEYS vehicles, whether diesel or gasoline propelled and regardless of gross vehicle weight, should minimize the amount of time that the vehicle idles. Generally, no KEYS vehicle should idle for a period longer than five minutes. However, the idling restriction shall not apply under the following conditions:

- a. While stopped for traffic conditions which the driver has no control; including being stopped by an official traffic control device or signal, in a line of traffic, at a construction zone, or at the direction of law enforcement.
- b. If the vehicle is being used in an emergency or training session.
- c. If idling is necessary for the safe operating condition as required by law and that all equipment is in good working order, either as part of the daily inspection or otherwise needed, provided that engine idling is mandatory for such verification.
- d. If idling is necessary to accomplish work for which the vehicle was designed, other than movement, for example: operating a lift, crane, hoist or other auxiliary equipment other than a heater or air conditioner.
- e. If idling is necessary to operate the air conditioner to prevent a safety or health emergency, but not solely for the comfort of the driver.

VEHICLE USE POLICY

KEYS'-supplied vehicles shall be used only for KEYS-related business. Each Department Director is responsible for those vehicles assigned to his or her specific department.

Employees should utilize KEYS vehicles when conducting KEYS business. In the event a KEYS vehicle is unavailable and an employee elects to use their personal vehicle, the employee is eligible for mileage reimbursement. KEYS encourages employees to understand how using a personal vehicle for business could impact their car insurance. KEYS shall have no liability for increases in personal insurance premiums or for accidents occurring when an employee utilizes a personal vehicle while conducting KEYS business.

Employees are advised that all KEYS vehicles are equipped with GPS-enabled vehicle location tracking devices. KEYS shall be entitled to monitor vehicle activities and take appropriate disciplinary action for misuse, up to and including termination.

Tampering with or attempting to disable or tamper with a vehicle location tracking device is punishable by discipline up to and including termination.

The following is a list of rules from the KEYS Vehicle Policy:

1. All operators of KEYS vehicles must be in possession of all licenses and permits as required by law.
2. All traffic laws must be obeyed at all times.
3. The emergency brake must be applied every time a KEYS vehicle is parked.
4. Unless assigned by a Director, an employee may not use a KEYS vehicle for personal, non-business use.
5. No KEYS vehicle may be operated outside KEYS' service area, except for authorized KEYS business.
6. Individuals not employed by KEYS are not permitted to operate a KEYS vehicle, except in the case of an emergency.
7. Driver and passengers are required to use seat belts properly while in KEYS' vehicles which includes both shoulder and lap belts.
8. No smoking is allowed in any KEYS vehicles.
9. No hitchhikers may be picked up in a KEYS vehicle.
10. In case of an accident involving a KEYS vehicle, please refer to KEYS' Vehicle Accident Policy.
11. The KEYS radio must be in the "on" position whenever a vehicle is in operation and in KEYS' service area.
12. Vehicle maintenance shall be performed by KEYS personnel whenever possible and weekly inspection logs are to be completed by the operator and forwarded to the Fleets Leader.
13. The person operating a KEYS vehicle assumes full responsibility for its proper use. Any damage found on the vehicle must be reported the employees immediate supervisor.
14. Assigned vehicles shall be considered a pooled vehicle for the use of other KEYS personnel on KEYS business. The employee assigned a KEYS vehicle is required to make that vehicle available during normal working hours to the pool so KEYS personnel have ready access to the vehicle.

15. During the extended absence of an employee normally assigned a KEYS vehicle; arrangements shall be made to have that vehicle returned to KEYS for use in the pool.
16. An employee normally assigned a KEYS vehicle is required to respond to KEYS emergencies if notified.
17. Any time a pole trailer is carrying a pole, a rear escort must accompany the pole trailer to its destination. The escort driver must continue radio communications with the pole truck driver and advise of potential pole clearance problems.
18. Operators of KEYS vehicles are responsible for keeping their vehicle clean (washing exterior and cleaning interior), in order to present a professional image to the public.
19. All vehicles will be locked, including storage bins, when employees are away from the worksite. In addition, all vehicles are to be locked, including storage bins, at the end of each business day.
20. Sending, reading, or responding to text messages while driving a KEYS vehicle is expressly prohibited.
21. When fueling KEYS vehicles, employees shall refrain from smoking and/or cell phone use.
22. KEYS vehicles are equipped with GPS locators/devices. Tampering with the locators/devices is expressly prohibited.
23. Any exception to this policy must be approved in advance by the General Manager & CEO.

VEHICLE USE – AFTER HOURS POLICY

Employees who are on call or who are designated as a Duty Supervisor, must use a KEYS vehicle when responding to calls. The KEYS vehicle must be readily accessible to the employee (located within four miles of the employee's location) in order to allow for timely response.

Bucket trucks and specific utility work vehicles are exempt from taxation as fringe benefits regardless of distance from work site.

Employees who live within four miles of their work site may choose:

- 1) to report to work and pick up a KEYS vehicle prior to responding to the call. Employees who choose this option will not have a Fringe Benefit Valuation implication. Bargaining Unit employees who choose this option clock in at the worksite and proceed to work.
- 2) to take a KEYS vehicle home and respond to the call directly from wherever they are. Employees who choose this option will have a Fringe Benefit Valuation implication. Bargaining Unit employees who choose this option would start their work time when they notify the Control Center that they are in service.

Employees who live farther than four miles from their work site must take a KEYS vehicle home to be able respond to the call directly from their location. Employees who choose this option will have a Fringe Benefit Valuation implication. Bargaining Unit employees who choose this option would start their work time when they notify the Control Center that they are in service.

If an employee takes a KEYS vehicle home, one of the following Fringe Benefit Valuation Rules must be applied and followed. Salaried management employees have the option

to select one of the following and may not change options until the start of the next calendar year.

Due to specific conditions outlined in IRS regulations, Bargaining Unit and non-exempt management employees must abide by the cents-per-mile rule:

Cents-Per-Mile Rule: Under this rule, the value of a vehicle provided to an employee for personal use is determined by multiplying the standard mileage rate [determined annually by the IRS] by the total miles the employee drives the vehicle for personal purposes. Personal use for this purpose is defined as one round trip daily [from home to work and from work to home]. This amount must be included in the employee's wages as a fringe benefit for taxable purposes.

Under this option, the employee is allowed to use the vehicle for personal purposes, but only in accordance with KEYS' policies related to personal use of KEYS' vehicles.

Commuting Rule: Under this rule, the value of a vehicle provided to an employee for commuting use is determined by multiplying each one-way commute (that is, from home to work or from work to home) by \$1.50 [hence, \$3.00 per day] (or as updated by the IRS). If more than one employee commutes in the vehicle, this value applies to each employee. This amount must be included in the employee's wages as a fringe benefit for taxable purposes.

Under this option, the employee is not allowed to use the vehicle for personal purposes other than for commuting or de minimis personal use such as a stop for a personal errand on the way between a business call and the employee's home.

VISITORS

No non-employees or vendors (including but not limited to family members and former employees) are allowed on KEYS property or within KEYS vehicles/equipment without permission from management. It is the responsibility of each Supervisor to refer unauthorized visitors or vendors to the Department Director.

Visits by personal friends or family of employees are discouraged, unless permitted by the Supervisor.

No visitor is allowed to be present upon KEYS property unescorted. No visitor is allowed to break KEYS' rules affecting safety; and any employee seeing such an infraction should inform his or her Supervisor.

All vendors must report to the Buyers, located at KEYS' Stock Island address on Front Street or the prearranged, individual department.

Groups of visitors, such as schoolchildren or senior citizens, who wish to make a guided tour of KEYS, are welcome. Arrangements for this must be made well in advance with Human Resources .

A "visitor" is not to be confused with a "customer." All customer-related business will be conducted on the first floor of the Service Building so that no customer should have to "wander" throughout the building.

WORKERS' COMPENSATION

All employees of KEYS are covered by Workers' Compensation Insurance in the event of injuries or accidents while at work. This insurance provides for compensation for medical expenses and for a percentage of wages lost due to accidents or illnesses occurring while you are on the job.

Employees are required to report injuries, no matter how minor, immediately after occurrence to KEYS' Control Center who will notify the employee's immediate Supervisor, Safety & Risk Coordinator and Human Resources so that the necessary forms can be completed and a determination for medical treatment be made by the employee and/or management. Chapter 440, Florida Statutes governs KEYS' liability in this area.

If an employee incurs a work-related injury and the injury requires surgery and/or on-going medical treatments, the employee must stay in contact with his/her immediate Supervisor, Safety & Risk Coordinator and Human Resources to keep them apprised of their recovery and status. Employees are required to obtain a Medical Authorization "Pass to the Physician" before each visit and have this form completed by the attending physician and returned to Human Resources at the conclusion of each visit. An employee incurring a lost time injury from KEYS will have his/her time charged against FMLA and workers compensation concurrently.

Any employee who fails to report an injury during the shift in which the injury occurred is subject to disciplinary action.

WORKPLACE VIOLENCE

KEYS strives to maintain a work environment free from intimidation, threats, or violent acts, including without limitation intimidating, threatening or hostile behaviors, physical abuse, vandalism, arson, sabotage, use of weapons, carrying weapons onto KEYS property, or any other act, which, in Management's opinion, is inappropriate to the workplace.

Employees who feel subjected to any of the behaviors listed should immediately report the incident to any Supervisor, Director, Safety & Risk Coordinator, or Human Resources Representative. Complaints will receive immediate attention and KEYS will investigate the situation. Based upon the results of the inquiry, disciplinary action up to and including termination may be taken against the alleged offender, at the discretion of Management.

Employees who observe or have knowledge of any violation of this policy should immediately report it to KEYS' Management. KEYS will act when unforeseen events occur and look to employees for support of this policy. Employees should directly contact proper law enforcement authorities if they believe there is a serious threat to the safety or health of others.

SUMMARY:

Set forth the Utility Board's policy on workplace violence and its procedures for crisis intervention.

POLICY:

It is the policy of KEYS to expressly prohibit any acts or threats of violence by any employee, or former employee, against any other employee, in or about KEYS' facilities or elsewhere at any time. Also, KEYS will not condone any acts or threats of violence against its employees, customers, or visitors by any individual on KEYS premises at any time, or while they are engaged in business with, or on behalf of KEYS, on or off KEYS premises.

KEYS' objective is to provide a safe work environment, and KEYS is committed to the following:

1. Take prompt remedial action, up to and including termination, against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive, or threatening language or gestures or otherwise violates this policy.
2. Take appropriate action against customers, former employees, or visitors to KEYS' facilities who engage in such behavior. Such action may include notifying the police or other law enforcement personnel and/or prosecuting violators of this policy to the maximum extent of the law.
3. Prohibit employees, former employees, customers, and visitors from bringing unauthorized firearms (with the exception of rights provided by s. 790.251, F.S., which allows a legally-owned firearm on the premises as long as said firearm is lawfully possessed and locked inside or locked to a private motor vehicle in the parking lot), or other weapons, onto KEYS premises.
4. Establish practical security measures to ensure that KEYS' facilities are safe and secure, and to deal properly with access to KEYS' facilities by the public, off-duty employees, and former employees.

DUTY TO WARN:

In furtherance of this policy, employees have a duty to warn their Supervisors, Risk Manager, or Human Resources if they are aware of, or reasonably suspect any problematic or potentially violent workplace activities, situations, or incidents, that involve other employees or third parties. Problematic or potentially violent activities include threatening or offensive acts or comments, acts of violence, or acts of aggressive behavior. Employee reports made pursuant to this policy will be held in confidence to the maximum possible extent. KEYS will not condone any form of retaliation against any employee for making a report under this policy.

PROCEDURE:

Crisis Assessment: Crisis assessment is a response to serious or potentially serious actions or threats against individuals or KEYS. In the event of such actions or threats, a crisis-assessment team will be convened. Whenever possible, the committee will be composed of a representative from Human Resources, Safety & Risk Coordinator, Supervisor and the Department Director of the employee involved.

Physical Hostile Actions: Physical hostile actions that may be considered endangering or life threatening, by or against any employee, or individual, on KEYS property, or while an employee is off-premises engaged in KEYS business, should be responded to by calling the Police or Sheriff's Department and to Human Resources. Upon such notification to Human Resources, the following procedures will be observed:

1. The Human Resources representative or designee will notify and coordinate its efforts with the Police or Sheriff's Department.
2. A representative from Human Resources will respond to the scene of the incident, and immediately convene the crisis-assessment team to decide the appropriate action to take.
3. Physical hostile actions or threats by an employee require immediate attention. In certain circumstances, depending on the seriousness of the reason, an employee can be placed on Administrative Leave with or without pay until an Administrative Review Hearing is held. (The General Manager & CEO will make this decision.) Disciplinary actions may be recommended following an Administrative Review Hearing, (written warning, written reprimand, suspension "without pay," or termination). Law enforcement action may also be taken by the Police or Sheriff's Department.

PERSONAL THREATS AGAINST INDIVIDUALS OR KEYS:

Confrontational threats while at work or while engaging in KEYS business should be dealt with in the following manner:

1. The Supervisor, Safety & Risk Coordinator, and a representative from Human Resources will immediately meet with the individual or individuals involved.
2. In certain circumstances, depending on the seriousness of the threat, an employee can be placed on Administrative Leave with or without pay until an Administrative Review Hearing is held. (The General Manager & CEO will make this decision). Disciplinary actions may be recommended following an Administrative Review Hearing, (written warning, written reprimand, suspension without pay, or termination).
3. Use of the Police or Sheriff's department should be considered at any time depending on the circumstances.
4. Further follow-up through a crisis-assessment may be invoked if warranted.
5. In support of this Policy, KEYS has continued the Employee Assistance Program. An employee who displays (actual or perceived) violent, abusive, or threatening behavior, or who otherwise engages in behavior that KEYS, in its sole discretion, deems offensive or inappropriate, may be referred to the Employee Assistance Program for counseling or other appropriate treatment.

OTHER THREATS:

Threats against individuals or KEYS, regardless of how transmitted, (written, verbal, or electronically), should be immediately reported to Human Resources.

1. Human Resources will immediately notify the crisis-assessment team and management, at the Director level, of the individual making the threat, if known, and employed by KEYS.
2. The crisis-assessment team will immediately convene to consider the threat, including the nature of the threat, the nature of on-going communications with the individual, and the circumstances preceding the threat. It will also consider the need for immediate action, including denial of facility access, notification of law enforcement authorities, and possible legal action against the individual making the threat.

FIELD LOCATIONS:

Hostile actions or in-person, written, or electronic threats occurring at KEYS' off-site locations should follow these procedures:

1. Hostile actions and threats must be made known to the senior, on-site Supervisor and/or Director immediately. This Supervisor and/or Director should contact Human Resources to determine the next steps to be taken in concert with the crisis-assessment team and to determine the appropriateness of contacting local law enforcement agencies.
2. The Safety & Risk Coordinator will record details of the incident for analysis and review by Human Resources and local law enforcement officials if necessary.

DOCUMENTATION:

It is critical that any material relevant to the incident be maintained until Human Resources decides on its proper disposition.

In all circumstances, Human Resources will maintain and complete a detailed log of events that will be reviewed regularly, and as needed.

COMMUNICATIONS WITH NEWS MEDIA:

All communications with the press and other news media about a violent workplace incident will be handled by Human Resources, in coordination with KEYS' legal counsel.

**EMPLOYEE RULES & REGULATIONS HANDBOOK – NOVEMBER 18, 2020
ACKNOWLEDGMENT FORM**

This handbook describes important information about this organization, and I understand that I should consult my immediate Department Director, Supervisor and/or Human Resources regarding any questions not answered in the handbook.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Utility Board and, where designated herein the General Manager & CEO, has the authority to adopt any revisions to the policies, as may be noted, in this handbook outside of the regular adoption by the Utility Board.

I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE'S SIGNATURE

DATE

EMPLOYEE'S NAME PRINTED