



**PALM VALLEY POST #233
THE AMERICAN LEGION
PONTE VEDRA BEACH, FL 32082**



EMPLOYEE MANUAL

REVISED

OCTOBER 2021

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American Legion Palm Valley Post #233 Employee Manual

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1 INTRODUCTION / OVERVIEW

1.1 PURPOSE OF THIS MANUAL

The information furnished in this manual is distributed solely for assisting each employee in becoming more informed of the employment practices and procedures of Post #233. This manual is designed to acquaint you with Post #233 and give you a ready reference for answering some of the questions regarding your employment. We intend for this manual to offer two-way communication; what you can expect from the Post and what we expect from you. The contents of this manual constitute only a summary of the employee benefits, personal policies, and employment regulations in effect at the time of publication.

Under no circumstances are these materials considered to create any contractual or quasi-contractual relationship between any employee and Post #233. Furthermore, we hereby specifically disclaim any intent or purpose that these materials be considered or looked upon as contractual obligations or undertakings. They are informative materials only.

The contents of this manual are subject to revision from time to time. Palm Valley Post #233 Executive Committee reserves the right to add, change, or delete benefits and policies in this manual as they deem necessary and appropriate. Changes to this manual will be printed and distributed to all employees.

1.2 WHAT WE BELIEVE

- Every employee is an individual and shall be treated fairly and justly.
- Every applicant for employment will be afforded equal consideration and all employees will be given equal treatment in all personnel activities consistent with their capabilities, without regard to race, color, religion, gender, sexual orientation, national origin, age, marital status, or disability.
- Every employee shall be afforded the right to discuss openly with management matters concerning his/her welfare.
- The safety of employees is always a major priority.
- All employees have a mutual interest in the continued success of Post #233.

2. EMPLOYMENT

2.1 EMPLOYMENT CLASSIFICATION

2.1.1 FULL-TIME

Full-time employees are employees who are normally scheduled to work more than 32 hours or more per week.

2.1.2 PART-TIME

Part-time employees who are normally scheduled to work less than 30 hours per week.

2.1.3 REGULAR

Regular employees are employees who are continually employed in a position for an indefinite time.

Regular full-time employees are eligible for all benefits set forth in the following pages.

Regular part-time employees are eligible for limited benefits specified in the following pages or benefits mandated by law.

2.1.4 TEMPORARY

Temporary employees are employees who are employed in a position for an indefinite period of time for a specific job, whose period of employment is not expected to last beyond six (6) consecutive months. Under certain circumstances the period of employment of a temporary employee could be extended.

Temporary full-time employees are eligible for all benefits set forth in the following pages.

Temporary part-time employees are not eligible for benefits, except if mandated by law.

2.1.5 EXEMPT

An exempt employee is defined as working in an executive, administrative, or professional capacity which requires regular exercise of discretion and independent judgement. Such employees include but are not limited to manager, supervisor or administrator. Exempt employees are not covered by the Fair Labor Standards Act (Section 13(a)(2) 29 U.S.C. 201) and do not receive overtime pay.

2.1.6 NON-EXEMPT (Hourly)

As described by the Fair Labor Standards Act (Section 13(a)(2) 29 U.S.C. 201), a non-exempt employee is defined as being employed in a capacity other than executive, administrative, or professional. In most cases a non-exempt employee of Post #233 must receive compensation at a rate not less than one and one-half times the regular rate at which they are employed for any hours worked in excess of forty hours in each week.

2.1.7 MINORS

Minors are children under 18 years of age. Post #233 will abide by the Fair Labor Standards Act with regard to the health, education, and welfare of minors in the workplace, as outlined at: <https://www.fldoe.org/academics/career-adult-edu/career-tech-edu/additional-cte-programs-courses/ojt/childlabor.stml> .

2.2 HIRING PROCEDURE

The application for the hiring for a new employee or a change in job description shall be made through the club manager, then submitted to the Post Commander. Submission by the Post Commander shall be to the Executive Committee for final approval.

2.3 INTRODUCTORY PERIOD

Every new or rehired employee must serve an introductory period for ninety (90) day from the date of hire. During this period, dismissal may occur with or without cause, and without being governed by the employee disciplinary procedure.

During the introductory period, the Club Manager will review the employee's quality and quantity of work, attendance, punctuality, and adherence to Post rules. The Club Manager will report the employee's performance and suitability for the job to the Post Commander. The Post Commander shall convey said report(s) to the Executive Committee for final hiring approval.

2.4 DISCLOSURE OF EMPLOYEE INFORMATION AND RECORDS

All requests for information about a current, retired or terminated employee, whether verbal or written must be referred to the Club Manager. The Club Manager shall be limited to releasing only the following information: 1/ dates of employment, 2/ job title while employed, 3/ pay rate if known. If the request is for more information than previously allowed, the request is to be forward to the Executive Committee. If the request is by court subpoena, the Executive Committee is to be notified immediately.

2.5 ACCESS TO EMPLOYEE RECORDS

Personnel files are maintained as personal and confidential. Access to employee records is restricted to the following:

- Club Manager
- Post Commander
- Post Executive Committee

Personnel files and records are not public information documents and therefore do not fall under the 'Freedom of Information Act' or 'Florida Records Laws'. Except for records and information legally requested for government agencies, no employee information will be released unless the request is in writing.

2.6 EMPLOYEE ACCESS TO EMPLOYEE RECORDS

An employee may contact the Club Manager to make an appointment to examine their personnel file. The employee may not remove the files from the Post's office. The Post Commander and Post Finance Officer must be present while the employee examines the file.

If an employee disagrees with any information found in their file, the employee may place a written disagreement into the file and be attached to the disputed document. An employee may not remove the disputed document from the file.

3. PAY

3.1 PAY PERIOD

Post #233 pays employees bi-weekly and the payroll runs from Monday, 11:00am through Sunday, 12:00 midnight. Direct deposit into an employees bank account is encouraged but not mandatory.

3.2 TIME SHEETS

Records of time worked are required by all paid employees. It is the employees responsibility to record their time worked in the manner prescribed by the Club Manager.

3.3 PAYROLL DEDUCTIONS

Your earnings and payroll deductions are shown on a form prescribed by law. Questions or changes in deductions should be directed to the Club Manager.

3.4 OVERTIME

Occasionally, overtime may be requested of employees. We are confident that all employees will cooperate to the fullest when overtime hours are required.

Only non-exempt employees are eligible for overtime pay. Non-exempt employees who work more than 40 hours in a week will be compensated at the rate of one-and-one-half (1and1/2) times their regular hourly rate of pay. All hours to be worked in excess of your regular schedule must be pre-authorized in advance.

3.5 YOUR SALARY RATE

The salary for your position has been determined in accordance with all applicable state and federal laws. The final rate paid is further governed and approved by the Executive Committee.

4 SOCIAL SECURITY RECORD

Employees are encouraged to check their own social security record periodically to ensure that your deductions have been correctly reported. The Social Security Administration provides an online process for this purpose.

4.1 WORKER'S COMPENSATION

When an on-the-job accident is determined to be in the course and scope of your employment, Worker's Compensation Insurance covers the cost for your medical expenses and prescriptions plus compensation for some of the lost wages. Your first seven (7) calendar days of disability are the waiting period. You are eligible for disability payments beginning with the eight (8th) day of medical disability, total or partial. You will be paid for the first seven (7) calendar days only if you are medically disabled for more than twenty-one (21) days. ALL injuries, no matter how superficial they may appear, must be reported immediately to the Club Manager and/or the Post Commander. A form may be prescribed for this purpose.

4.2 UNEMPLOYMENT INSURANCE

The Post pays the entire cost of unemployment compensation insurance to provide a benefit to you in the unlikely event of layoff. If it were necessary for an employee to be laid off, you would receive a weekly benefit for a specified period of

time while you search for other employment. This benefit is designed to help prevent the financial hardship of unemployment.

4.3 INSURANCE COVERAGE

The Post does not currently provide complete medical coverage for full-time employees.

4.4 VOTING IN GOVERNMENT ELECTIONS

The policy is to encourage our employees to participate in the election of government leaders. If an adjustment in a work schedule is needed for an employee to exercise their right to vote, prior authorization from the employee's Supervisor is required.

4.5 SICK LEAVE / BEREAVEMENT LEAVE

Sick leave is granted for sickness and accident involving you or your immediate family. Immediate family is defined as but not limited to: father, mother, sister, brother, spouse, child, mother-in-law, father-in-law, grandparent, grandchild, sisters-and-brothers-in-law, domestic partners or legal guardians. If an employee is unable to report for work for a period in excess of three (3) days, then a note from a doctor stating the nature of the illness may be requested.

In the event of a death in the employee's immediate family, as defined above, up to three (3) days with pay will be granted to full-time employees in order to handle family affairs and attend the funeral.

4.6 MILITARY RESERVE TIME OFF

Full-time employees who are members of the military reserve will be granted leave without pay, not to exceed fifteen (15) calendar days per year, in order that they may fulfill their active duty obligation.

4.7 WITNESS OR JURY DUTY TIME OFF

When full-time or regular part-time employees are called for jury duty or to attend court as a witness to testify, they will be authorized a leave for the period in which they are actually serving or testifying.

4.8 LEAVE OF ABSENCE

An employees extended leave of absence from work must have prior written approval from the Club Manager

4.9 MILITARY LEAVE

When an employee is called to active duty, such leave will be handled in accordance with Federal and/or State laws. Military leave is without pay or benefits unless otherwise required by law.

5. POLICIES

5.1 OVERVIEW

Every organization has certain guidelines which were developed to reflect good business practices. In establishing any rules of conduct Post #233 has no intention of restricting the personal rights of any individual. We wish to define the guidelines that protect the rights of all employees and to ensue maximum understanding and cooperation. Therefore employees are expected to be:

- On time and alert when scheduled to work.
- Careful and conscientious in performance of their duties.
- Thoughtful and considerate of all members and guests.
- Courteous and helpful, in dealing with all members and guests.

5.2 EQUAL EMPLOYMENT OPPORTUNITY

Post #233 is committed to a policy of equal opportunity for all employees and applicants for employment. Employees are hired, trained, promoted and compensated on the basis of personal competence and potential, without regard for race, color, religion, gender, sexual orientation, national origin, age, marital status, or disability, as well as other classifications protected by applicable federal, state and local laws.

Our equal employment opportunity policy applies to all aspects of employment with Post #233 for recruiting, hiring, training, transfer, promotion, job benefits, pay, dismissal, educational assistance, and social and recreational activities.

5.3 AMERICANS WITH DISABILITIES POLICY

In compliance with the Americans with Disabilities Act (ADA), it is the policy of Post #233 to prohibit employment discrimination against individuals with disabilities and to make reasonable accommodation to persons with disabilities unless to do so would pose an undue hardship. It is the responsibility of all managers and entity leaders to ensure that individuals with disabilities who are employed with us, as well as persons applying for employment with us, are fairly treated and given opportunities equal to those provided to others working or seeking work here.

We are committed to complying with the ADA requirements and we encourage all employees to help us achieve this objective.

5.4 HARASSMENT / SEXUAL HARASSMENT

It is the policy of Post #233 that all employees should be able to work in an environment free from all forms of discrimination, including harassment. Harassment is a form of misconduct, which undermines the integrity of the employment relationship.

It is illegal to harass others on the basis of their gender, sexual orientation, age race, color, national origin, religion, marital status, citizenship, disability, or any other characteristics. Harassment includes making derogatory remarks, gestures, jokes or other verbal or physical and visual behavior about such characteristics.

Sexual harassment is also prohibited. No employee should be subjected to unsolicited and unwelcome sexual overtones or conduct either verbal or physical. Propositions, repeated requests for dates, dirty jokes, sexually provocative pictures, and other verbal, physical and visual harassment are prohibited.

Sexual harassment does not refer to casual conversation or compliments of a socially acceptable nature. It refers to behavior which is unwelcome, and which is personally offensive, and which interferes with the effectiveness of the job or creates an uncomfortable atmosphere on the job.

The harassment of an employee by another employee may lead to disciplinary action, up to and including immediate termination in cases of gross misconduct. File an Incident Report form. Harassment of an employee by any member or guest of the Post needs to be reported on the Incident Report form provided at the club bar. All incident reports filed with respect to harassment are handled by the Post Disciplinary Committee.

5.5 DRUG FREE WORKPLACE

In compliance with the Anti-Drug Abuse Act of 1988, Post #233 prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on our premises. We will not tolerate alcohol abuse or the use of other intoxicants and mind-altering substances or illegal drugs on our premises. Employees may be required to submit to drug screening, blood alcohol testing, breathalyzer testing or other medical examinations under the following conditions:

- When an employee is suspected of working or reporting to work with intoxicants or mind-altering substances in his/her system.
- When an employee suffers an on-the-job injury or accident while at work.
- On a periodic or random basis.

The presence of alcohol at a level established by the Worker's Compensation Act or the presence of any illegal substance in the body is a violation of this policy. Refusal of an employee to undergo testing or to cooperate fully with any of these tests is also a violation of this policy. Additionally, pre-employment chemical screening may be required for applicants considered for employment.

This policy does not prohibit the proper use of medication under the direction of a physician. Misuse or abuse of such medication is prohibited. Employees who are taking prescription and/or nonprescription medications take may affect their ability to perform their job in an efficient and safe manner, must notify the Club Manager of such use.

Any employee who violates this policy will be subject to disciplinary action which could include termination of employment or the satisfactory participation in an approved drug abuse or rehabilitation program.

Off premise possession, use, sale, or purchase of illegal drugs, or off premise alcohol abuse that may reflect unfavorably on the Post's reputation, is also prohibited.

5.6 WORKPLACE SAFETY

It is our policy to promote safety on the job. The health and well being of our staff and visitors is foremost among our concerns. For this reason, you are urged to follow common sense safety practices and correct or report any unsafe condition, defective tool, or equipment to your supervisor. Each employee is expected to assist in maintaining safe working conditions, in observing any safety rules posted in various work areas, and in following all OSHA and state safety regulations.

5.7 ATTENDANCE AND PROMPTNESS

Your contribution to the success of Post #233 is important to us. Employees are asked to give advance notice whenever possible of any anticipated tardiness or absence to their supervisor or the Club Manager. A bonafide emergency would be the exception. Notice should be given as soon as reasonably possible so that alternatives can be implemented where possible.

Excessive absences and/or tardiness may lead to disciplinary action which could include termination. Any employee who is absent for three (3) consecutive workdays without notice to their supervisor or Club Manager will be presumed to have voluntarily resigned their position without notice.

5.8 DRESS CODE

The image of Post #233 is influenced by the appearance of our employees. You are expected to keep a clean, neat, professional appearance, dressed in appropriate attire suitable for your respective job duties. A basic guidelines for appropriate attire is:

- Clothing should be neat, clean, and in good repair.
- Clothing must not constitute a safety hazard.
- Provocative clothing is prohibited.
- Remember, we are a family oriented Post.

In all cases regarding what is considered acceptable, the final decision rest with the Post Commander. If the attire worn does not meet the standards considered acceptable, by the Club Manager or the Post Commander, the employee will be given the opportunity to change their attire. If said change requires leaving the premise, such time will be granted without pay for the time needed to make the change and return to work.

5.9 PERSONAL PROPERTY LOSS

Post #233 does not assume any liability for any loss of personal items due to carelessness or theft. Employees should exercise precautions in placement and/or storage of personal items while in the workplace.

5.10 TELEPHONE USE

Personal use of the Post #233 telephone should be limited. This is a business telephone and should be open for all incoming calls. Employees are allowed to use their personal cell or mobile telephones during work hours, but are reminded that customer service is a priority over personal telephone use. Excessive personal telephone use may be grounds for disciplinary action.

5.11 POLITICAL ACTIVITIES

The American Legion is an apolitical organization. Post #233 respects and encourages employee participation in political activities but not on behalf nor as a representative of Palm Valley Post #233.

5.12 SOLICITATIONS

There will be NO solicitation or distribution of literature NOT related to the goals or objectives of The American Legion, or scheduled Legion, Auxiliary, Sons, or Legion Riders events. Literature unrelated to The American Legion must first be approved by the Post Commander before posting.

5.13 DISCIPLINARY PROCEDURES – OVERVIEW

In order to provide efficient and harmonious working conditions for employees, and to promote safety, certain minimum rules of conduct have been established. Post #233 House Rules are available via our website <https://al233fl.org>. It is the policy of Post #233 to view discipline in a positive manner, being fair and consistent to support effective and efficient operations for our staff and visitors.

5.14 DISCIPLINARY CORRECTIVE ACTION

Disciplinary verbal communication and/or written warning(s) may be used in response to an employees misconduct or unsatisfactory performance.

5.14.1 VERBAL COUNSEL OR WARNING

For minor offenses or unsatisfactory employee performance the employee may receive verbal counseling from his/her supervisor, Club Manager or the Post Commander. An employee will be allowed to have another person of choice present to witness counseling. The supervisor, Club Manager or Post Commander shall document the counseling or warning and place same into the employee's personnel file.

5.14.2 WRITTEN WARNINGS

When a written warning is issued for misconduct or unsatisfactory performance, a copy of that warning is to be placed into the employee's personnel file, along with any document by the employee that disputes the warning.

6 TERMINATION OF EMPLOYMENT

The end of an employment relationship with Post #233 will fall into one of the following categories, with indicated policies applicable to each:

- **RESIGNATION:** A voluntary termination freely made by the employee for any reason he/she chooses. An exempt employee is expected to give a minimum two (2) week notice. A non-exempt employee should give a two (2) week notice.
- **RELEASE:** A termination recommended by the Club Manager and the Post Commander, in which the Executive Committee thinks that it would be mutually beneficial to end the employment relationship. A departure date may be set under these circumstances.
- **UNSATISFACTORY PERFORMANCE or CONDUCT:** A termination which results from the failure of an employee to meet performance standards. Disciplinary procedures should be documented prior to termination.
- **IMMEDIATE DISCHARGE:** An immediate termination may result from gross employee misconduct, refusal to perform job duties assigned, or other instances listed below. Immediate discharge requires NO notice. Examples of misconduct include, but are not limited to:

- An action which causes an immediate danger or threat to the safety or life of another person.
- Unlawful possession of firearm(s) or other weapon(s) while on the premise or while engaged as a representative of Post #233.
- An action that causes an immediate danger or threat to Post #233 property.
- Engaging in unlawful activities.
- Intentional violation(s) of Post #233 policies or rules.
- An action that causes harm to members, guests or to Post #233s reputation or operations.
- Chronic insubordination or disruptive behavior.
- Theft.

6.1 COMPLAINT RESOLUTION PROCEDURE

Employees may be disciplined either verbally or in writing, by a supervisor, Club Manager or Post Commander. The disciplined employee has the right to counter in writing said complaint, which will then be placed into the employees personnel file for future reference. Unresolved written complaints and/or written grievances should follow the proper chain of custody and should be resolved within ten (10) working days. If not resolved within the specified time period, it will be forwarded to the Executive Committee for appropriate action.

- Supervisor
- Club Manager
- Post Commander
- Executive Committee

7 EMPLOYEE ACKNOWLEDGMENT

RECEIPT OF EMPLOYEE MANUAL

Post #233 Employee Manual is intended to give a general overview of the Post’s information regarding policies and procedures. Post #233s leadership may at any time, add, change, or rescind any policy or practice at its sole discretion, without prior notice. Employees will be notified of any changes that may take place after receiving this manual. I understand that I may terminate my employment at any time, with or without cause, and that Post #233 has the similar right.

I have received a copy of Post #233s Employee Manual and acknowledge my obligation to read its contents. I understand that the policies are intended to provide an overview of Post #233s personnel policies and does not necessarily represent all such policies in force.

Employee must sign below and return this page to the Club Manager

<hr/>	<hr/>	<hr/>
Date	Employee name (printed)	Employee (<i>signature</i>)
<hr/>	<hr/>	<hr/>
Date	Club Manager (printed)	Club Manager (<i>signature</i>)
<hr/>	<hr/>	<hr/>
Date	Post Commander (printed)	Post Commander (<i>signature</i>)