Public Hearing 6 P.M. or as soon thereafter as the agenda permits. The City Commission will conduct these public hearings in its dual capacity as Local Planning Agency and City Commission.
05/20/2025

City of Boynton Beach
Agenda Item Request Form

Meeting Date: 05/20/2025

Proposed Ordinance No. 25-008- Second Reading, An Ordinance of the City of Boynton Beach, Florida, Repealing Chapter 2, Article I, Section 2-19 of the City Code of Ordinances entitled "Drug Free Work Place;" Renaming Chapter 2, Article X to be entitled "Employee Handbook," Renaming and Amending Section 2-151 entitled "Personnel Policy Manual Adopted by Reference" to rename the section "Employee Handbook and Drug Free Workplace Adopted by Reference;" Providing for Conflicts, Severability, Codification, and an Effective Date.

Requested Action: Staff recommends approval of Proposed Ordinance No. 25-008, at second reading.

Explanation of Request: City Administration, in conjunction with the City Attorney's Office, has conducted a comprehensive review of the City's employment policies, including the employee handbook, drug-free workplace ordinance, and other policies. After such review, it was determined that the currently codified drug-free workplace policy, which was last modified in 1993, no longer complies with current Florida law and Florida Administrative Code requirements. As part of this review, the City Manager is in the process of updating the employee handbook, which adopts state statute and the administrative code as the City's drug-free workplace policy. Additionally, in 2023, the City Commission adopted Ordinance No. 23-008, officially renaming the Personnel Policy Manual as the Employee Handbook, and updating same; however, this Ordinance was not subsequently codified.

This Ordinance repeals outdated code provisions, formally adopts the policies by reference, and rectifies the previous codification oversight.

The City Attorney's Office conducted a review of neighboring municipalities' Drug Free Workplace Policies and their method of adoption. Based on our research, these policies are overwhelmingly adopted by either a free-standing policy or incorporated into the employee handbook rather than being codified. The results of our review are below:

Palm Beach County: Policy in Personnel Policy Manual.
Delray Beach: Policy in Employee Handbook.
Royal Palm Beach: Policy in HR Manual.
Riviera Beach: HR Policy.
Town of Palm Beach: Policy in Employee Personnel Manual.

Solid Waste Authority of Palm Beach County : Policy in Employee Handbook.
West Palm Beach: HR Policy.
Greenacres: Policy in Employee Handbook.
Lake Worth Beach: Policy in Employee Personnel Policies Handbook.

How will this affect city programs or services? City Administration seeks to proactively ensure ongoing compliance with Florida law by transitioning workplace policies from fixed codified ordinances to more adaptable administrative policies and procedures.

Account Line Item and Description: N/A

Fiscal Impact: N/A

Attachments:
Ord. 25-008 Ordinance_No._25-XXX_Drug_Free_Workplace_Policy (1).docx
2-19 City Code.pdf
23-008 (Read-Only).pdf
Drug Free Workplace Policy (4.24.25).doc
59A-24 Florida Administrative Code.doc
440.101 Fla. Stat..pdf
440.102 Fla. Stat..pdf
business-impact-estimate-_Drug Free Workplace.docx