



Employee Handbook

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1. INTRODUCTION MATTERS

Introduction

Welcome to the City of Garden City, Kansas (City). We appreciate and thank you for your commitment to the City and the community.

This Employee Handbook (Handbook) has been developed to provide clarity to all employees of the City of Garden City and is meant to clearly communicate our mission, expectations, policies, and procedures. It is the responsibility of each employee to read and be familiar with the information contained in this Handbook. This Handbook should be your first resource when questions arise. Please do not hesitate to contact your direct supervisor if you have additional questions or concerns. In addition, the Human Resources Department is available to assist you, should you need further clarification.

Every employee is responsible for policy compliance, including any policy revision/update that has been distributed. This Handbook is subject to modification by the City Manager. Employees will be notified of any changes by appropriate means. This Handbook supersedes and replaces all previous personnel policies and procedures on issues that are addressed in this document.

This Handbook is not a contract of employment. All employees are considered "at-will" employees, and therefore, the employer may terminate the employment relationship at any time and for any reason. This includes termination with or without cause, and with or without advance notice. Likewise, the employee may terminate the employment relationship at any time with or without reason or advance notice. Nothing contained in this document is to be construed by any employee as establishing, creating, or constituting a written, oral, or implied contract of employment. Furthermore, nothing herein will be construed as a guarantee of continued employment or as a guarantee of any benefits or conditions of employment. Both the City Commission and City Manager have the authority to enter into an agreement for employment other than at-will, but the circumstances are limited. The City contracts employment with the Golf Professional, Municipal Judge, City Prosecutor, City Manager, and Legal Counsel. Any such agreement must be in writing with the appropriate signatures.

Any statement or promise made by any supervisor or other employee will not change this Handbook or create a legal agreement. Final interpretation and implementation of any of the policies or rules in this Handbook are vested solely with the Human Resources Department.

Mission Statement

The scope and purpose of the City's mission statement is to serve as a goal by which measurable performance-oriented objectives and criteria may be established by each department, with the sincere intention to achieve equality, effectiveness, and efficiency in providing facilities and services to the City.

Mission

The Mission of the City is to effectively, efficiently, and equitably provide services and facilities which meet the public needs of the people of the City and enhance the quality of life in the community.

Core Values: Service, Community, and Performance

The City, as an organization, places heavy emphasis on the core values of Service, Community, and Performance. As an employee of the City, please take a moment to review the City's Core Values.

➤ *Service*

As public servants, service to the public is our priority external value. We also value service within the organization, helping each other fulfill the organization's goals.

➤ *Community*

The City organization is one piece of a complex network of public and private entities working to make Garden City a better place to work, live, and play. We value being part of this progressive community and commit to recognizing those times when we are called upon to lead and those times when it is in the community's best interest to play a supporting role. As individual members of the City organization, we value the same character traits in each other and place no individual higher than another even though we are charged with performing varying tasks and responsibilities.

➤ *Performance*

Externally and internally, the City organization and its employees undergo regular performance measurement, expect to have honest and open discussions about the results, and be rewarded or corrected consistent with those results.

Open Door Policy

Communication is a joint responsibility shared by the Employer and Employee. If you have any questions about the information contained in this Handbook or about any other aspect of your job, the City welcomes your questions. Your opinions, suggestions, and questions are important to us. Feel free to talk with your direct supervisor about work issues that concern you. The City strives to provide transparent and straightforward responses to your questions and comments.

Generally, if you are having a problem with an individual, we encourage you to approach that person first and attempt to resolve the conflict. If that does not resolve the problem, go to your direct supervisor. In some cases, you and your direct supervisor may decide to refer the concern to the Human Resources Director. We encourage you to frequently communicate to prevent small conflicts from growing, instances of workplace violence or sexual harassment should be taken immediately to the Human Resources Department.

Definitions

For the purposes of this Handbook:

Senior Manager: This is the executive administration level and reports to the City Manager. Direct and routine contact with council/elected officials and City Manager; recommends strategic direction; recommends policies, including budget. Accountable for the department(s) in their scope with significant consequence of error.

- Assistant City Manager (Public Safety and Development)
- Assistant City Manager (Administration)
- Public Works and Utilities Director
- Parks and Recreation Director

Department Head: This is a position with responsibility over a department within the organization, and is a direct report to a Senior Manager. Develops programs and policies related to carrying out the strategic direction of the organization. Often provides input into the strategic planning of the organization. Has a high level of authority and autonomy. Has direct reports and has responsibility for the supervision and performance of subordinates, with or without the assistance of other management personnel. Responsible for monitoring and recommendations of budgetary matters.

- City Clerk
- Communications Manager
- Director of Aviation
- Electric Operations Manager
- Executive Information Officer
- Finance Director
- Fire Chief
- Golf Professional
- Golf Superintendent
- Human Resources Director
- Neighborhood Development Services (NDS) Director
- Parks Superintendent
- Police Chief
- Public Works Operations Manager
- Recreation Superintendent
- Water Resource Manager
- Zoo Director

Manager/Superintendent: This is a second level of management within a specialized area or for larger divisions/departments within the organization. This position may be responsible for a subsection or assist the director with the overall management of the division/department. This position has at least two (2) direct

reports and has supervisory responsibilities that include hiring, performance management, and a defined level of discipline. Has input into the budget and may have budget monitoring responsibilities. This position does not typically have substantial input into strategic planning.

- Assistant NDS Director
- Assistant Finance Director
- Airport Operations and Maintenance Director
- Airport Security Manager
- Court and Defendant Coordinator
- Electric Superintendent
- Fleet Manager
- Fire Divisions (Battalion Chiefs)
- PD Divisions (Captains)
- SCADA Generation VFD Manager
- Street Superintendent
- Solid Waste Superintendent
- Water Superintendent
- Wastewater Treatment Plant Superintendent
- Zoo Deputy Director

Direct supervisor: An individual with the authority to assign, direct, and review the work of one (1) or more subordinates. This may be a Senior Manager, Department Head, or Manager/Superintendent based on the organization structure.

Public Official: Elected and appointed officers of the City. The appointed officers in a governmental unit are appointed by the elected officers. Public Officials for the City are the City Commission and City Manager.

2. EMPLOYMENT

Equal Employment Opportunity

It is the policy of the City of Garden City to provide equal opportunity in employment to all qualified employees and applicants for employment. Positive action is required from all employees to help ensure the City complies with its obligations under state and federal law.

The City is an equal opportunity employer and complies with the principles and practices of equal opportunity employment applicable by federal, state, and local laws and regulations prohibiting employment discrimination based on race, color, age, religion, sex, sexual orientation, national origin, disability, marital status, veteran status, political affiliation, arrest, and conviction record, or any other discriminatory basis prohibited by state or federal law. All employees are required to have proof of identity and authorization to work. It is our policy to seek and employ the best qualified personnel in all positions, and to provide equal opportunity for advancement to all employees, including promotion and training.

Further, the City is committed to providing a work environment in which employees are treated with courtesy, respect, and dignity. As an employer, the City will not tolerate any form of harassment, verbal or physical, with regard to an individual's race, sex, national origin, or any other protected characteristics. All employees are encouraged to bring any concerns to the attention of the Human Resources Director or direct supervisor as set forth in the Harassment Policy, contained herein.

The City provides reasonable accommodations for qualified individuals with disabilities in accordance with the Americans with Disabilities Act (ADA). Employees requiring reasonable accommodation should discuss potential accommodations with the Human Resources Director. It is the employee's responsibility to notify the City of the need for reasonable accommodation and to provide medical documentation upon request.

Violations and/or complaints of this section will be referred to the Human Resources Director. It is the intent that issues be dealt with in a timely and appropriate manner. Employees found to be in violation of this policy will be subject to disciplinary action.

Statement of Diversity, Equity, and Inclusion

The City is committed to workforce diversity, creating equity, and fostering a culture of inclusion. A culture of inclusion is about ensuring that all employees of different backgrounds, beliefs, and experiences feel valued and work together to achieve greater outcomes. It guides engagement with one another and supports the employees and the community we serve. This Statement is applicable to the practices and policies on recruitment and selection, compensation and benefits, professional development and training, promotions, transfers, layoffs, terminations, and the ongoing development of a work environment built on the premise of diversity, equity and inclusion.

Diversity, equity, and inclusion (DEI) is everyone's responsibility. Every employee is responsible for:

1. Respecting the dignity and diversity of all people.
2. Creating an inclusive environment that is free from discrimination, harassment and bullying.
3. Enhancing their own awareness of potential unconscious bias and how that might hinder the City's.
4. Focusing on conscious inclusion to be more intentional with their actions to drive diversity, equity and belonging.

Managers are accountable for specific DEI responsibilities, including:

1. Ensuring that employment-related decisions are free from discrimination.
2. Mitigating potential unconscious bias in employment decisions and talent practices (including performance and development, compensation and hiring).
3. Providing reasonable accommodation for qualified individuals with a disability and for those with needs related to their religious observance or practices.
4. Ensuring a work environment that is free from discrimination, harassment, and bullying.
5. Consistently displaying leadership behaviors, valuing all perspectives, and listening to diverse points of view.
6. Contacting the Human Resources Department when aware of an employee who may be subject to discrimination, harassment, or bullying, either by receiving such a complaint or otherwise receiving information about such conduct.
7. Appropriately addressing any other behavior not consistent with this or other policies, or with applicable laws relating to equal opportunity, diversity, equity and inclusion.

Immigration Law Compliance

The Immigration Reform and Control Act (IRCA) requires employers to verify the identity of each employee hired to perform labor or services, in return for wages or other remunerations. All employees, citizens, and non-citizens are required, by law, to complete an Employment Eligibility Verification form (I-9 Form) as a condition of employment. This law applies to all individuals hired.

The City is an E-Verify employer. E-Verify is a web-based program administered by the U.S. Department of Homeland Security, USCIS Verification Division, and the Social Security Administration that supplements the current I-9 employment eligibility verification process. The program determines whether the information provided by the new hire matches government records and whether the new hire is authorized to work in the United States.

All employees, upon being hired, must complete Section 1 of the I-9 Form by their third day of employment. Appropriate documentation must be provided, and the Verification of Employment Eligibility (Section 2 of the I-9 Form) must be completed by the Human Resources Department within three (3) business days of the date employment begins. Any employee who fails to complete the I-9 Form with appropriate documentation within three (3) business days cannot continue to work for the City.

Employees may raise questions or complaints about Immigration Law Compliance to the Human Resources Director without fear of reprisal.

Employment Classifications

It is the intent of the City to clarify the definitions of employment classifications, so employees understand their employment status and benefit eligibility.

Each employee is designated as either NON-EXEMPT or EXEMPT from federal and state wage and hour laws. NON-EXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NON-EXEMPT classification may be changed only upon written notification by the Human Resources Director.

In addition to the above categories, each employee will belong to one (1) other employment category:

1. FULL-TIME employees are those who are not in a part-time or seasonal status and who are regularly scheduled to work a full-time schedule of 40 hours per week (or greater for sworn police, dispatch, and fire). Generally, they are eligible for the City's benefit package, subject to the terms, conditions, and limitations of each benefit program.
2. PART-TIME employees are those who are not assigned to a full-time or seasonal status and are regularly scheduled to work less than 40 hours per week. While they do receive all legally mandated benefits (such as Social Security and Workers' Compensation Insurance), eligibility for other City sponsored benefit programs and paid time benefits is dependent upon the following part-time categories:
 - Benefited Part-Time: Employees who will be regularly scheduled between 20-39 hours per week.
 - Non-Benefited Part-Time: Employees who will be regularly scheduled less than 20 hours per week. Non-benefited part-time will be eligible to work up to 1000 hours annually. If the non-benefited employee works over the allotted 1000 hours, annually KPERS will be applicable.
3. SEASONAL employees are those who are not employed for a pre-determined period of time, which. Seasonal employees generally work for up to six (6) months under this arrangement, at which time the employment relationship ceases. While they do receive all legally mandated benefits (such as Social Security and Workers' Compensation Insurance), they are not eligible for other City sponsored benefit programs. Should the need for continued employment exist, the Human Resources Director will review the status of the incumbent for a change in employment category and benefit program eligibility.

4. INTRODUCTORY employees are those whose performance is being evaluated to determine whether further employment in a specific position or with the City is appropriate. Employees who satisfactorily complete the Introductory Period will be notified of their new employment classification.

Introductory Period

The first six (6) months of employment is considered an Introductory Period for new employees. During this time the employee will receive orientation and on-the-job training, and supervisory personnel will monitor the performance of the employee. This is also a time for the employee to determine if they are satisfied with the position. If the employee's job performance is found to be unsatisfactory at any time during the trial period, employment may be terminated. The Introductory Period does not change the nature of the at-will employment status. The City reserves the right to terminate employment of any employee, both during and after the Introductory Period, as they deem appropriate. All employees, besides sworn Police Department (PD) employees, Police Department (PD) communicators, Police Service Aides (PSA), and Animal Control Officers (ACO), will receive a 6-month evaluation to evaluate their first six (6) months of employment.

City Employees will also serve a six-month Introductory Period in cases of promotions or transfers. Any employee who, in the sole judgment of the Department Head or Senior Manager, is not successful in their new position, can be removed from that position. If this occurs, the employee may be allowed to return to his or her former position or to a comparable position for which the employee is qualified, depending on the availability of such positions and the City's needs.

Upon satisfactory completion of the initial Introductory Period, employees enter the "Regular" employment classification.

Recruitment and Selection

The City observes all equal employment opportunity laws and regulations in all its recruitment and selection efforts. The selection process will include an evaluation of the applicant's education, abilities, skills, knowledge, and experience.

The Human Resources Department will develop and conduct an active recruitment and promotional program designed to meet current and projected City needs. Recruitment will be tailored to the position to be filled as determined by the Human Resources Director. It is the responsibility of the hiring managers to adhere to the City's administrative recruitment policies and procedures.

When the City determines that a vacancy or new position will be filled, the Human Resources Department will display a position announcement of such vacancy or new position on the City website and via internal email communications. Position announcements will be publicly displayed for the period of time that applications are accepted. The position announcement information may include (but is not limited to) minimum

qualifications required, the date the position is to be filled, rate of pay, benefit package, application process, and the current position description or position summary. The Human Resources Department may advertise publicly as needed to yield the most qualified candidates. A City application is required of all applicants, regardless of current employment status with the City. Applications are only accepted through the online application process found on the website.

Meeting the minimum qualifications does not automatically guarantee an interview.

The Human Resources Director with the help from the Department Head will determine the structure of the skills testing, pre-employment tests, and background screens for each position. The Human Resources Department will administer or make the decision to delegate this process.

Whenever an applicant is rejected for any reason, the applicant will be notified via the Human Resources Department that they are no longer being considered for the position for which they applied. All applications will remain on file with the Human Resources Department for a period of two (2) years.

To be eligible to apply for a posted job, current employees must have performed competently for the six (6) months in their current position. In addition, employees who have been given a written reprimand that was signed by the employee or a more severe form of discipline within the last year are not eligible to apply for posted jobs. The Human Resource Director will determine disqualification when the transfer application is received.

Background Checks

The City requires an inquiry into the background of each applicant that is recommended for employment. Candidates will be notified during the hiring process which checks will be performed. The required information may include but is not limited to, education, licenses, certifications and degrees, employment history, criminal history, and driving record, if applicable. Applicants are required to complete a conditional offer that provides authorization. Employment will be offered pending the return and disposition of such background checks and contingent upon the results of the checks.

Existing employees are required to immediately notify the Human Resources Department of an arrest, criminal charges, conviction, deferred adjudication, community supervision, or deferred disposition for any criminal offense. Failure to provide notification will result in termination.

Residency

To ensure proper staffing for operational readiness, the City has identified specific positions as essential responders or first responder positions. Individuals who hold Essential Responder and First Responder positions have a defined response time to the City Administrative Center.

These positions require a 45-minute response. These positions are defined as:

Department	Position
City Manager	Assistant City Manager
City Manager	City Clerk
City Manager	City Manager
Electric	Apprentice Lineman
Electric	Electric Foreman
Electric	Electric Superintendent
Electric	Electric Technician
Electric	Electrical Operations Manager
Electric	Engineering/Utility Technical Coordinator
Electric	Generation/VFD Specialist
Electric	Journeyman Lineman
Electric	Public Works and Utilities Director
Electric	Scada Generation VFD Foreman
Electric	Substation Technician
Finance	Finance Director
Fire	Firefighters I & II
Fire	Lieutenant
Fire	Battalion Chief
Fire	Fire Chief
Fleet	Mechanic (all levels)
HR	Human Resources Director
IT	Communications Manager
IT	Executive Information Officer
NDS	NDS Director
Parks	Cemetery Supervisor
Parks	Maintenance Technician (all levels)
Parks	Parks and Recreation Director
Parks	Parks Foreman
Parks	Parks Superintendent
Police	Police Officer
Police	Police Detective
Police	Police Corporal
Police	Police Sergeant
Police	Police Support Services Manager
Police	Police Lieutenant
Police	Police Captain
Police	Police Chief
Public Works & Utilities	Chemist
Public Works & Utilities	Equipment Operator

Public Works & Utilities	Fleet Manager
Public Works & Utilities	Infrastructure Inspector
Public Works & Utilities	Maintenance Technician (all Levels)
Public Works & Utilities	Public Works Operations Manager
Public Works & Utilities	Recycle Driver
Public Works & Utilities	Signal/Traffic Technician
Public Works & Utilities	Solid Waste Superintendent
Public Works & Utilities	Solid Waste Driver
Public Works & Utilities	Solid Waste Foreman
Public Works & Utilities	Street Foreman
Public Works & Utilities	Street Superintendent
Public Works & Utilities	Utility Maintenance Foreman
Public Works & Utilities	Utility Worker (All Levels)
Public Works & Utilities	Wastewater Superintendent
Public Works & Utilities	Water Operator (All Levels)
Public Works & Utilities	Water Quality Specialist
Public Works & Utilities	Water Resource Manager
Public Works & Utilities	Water Superintendent
Zoo	Animal Keeper (all levels)
Zoo	Animal Care Curator
Zoo	Conservation Awareness Manager
Zoo	Facilities Supervisor
Zoo	All Maintenance Positions
Zoo	Veterinarian
Zoo	Zoo Deputy Director
Zoo	Zoo Director

These positions require a 30-minute response. These positions are defined as:

Department	Position
Airport	Director of Aviation
Airport	Maintenance Technician (all levels)
Airport	Operations and Maintenance Director

Job Descriptions

The City recognizes that it is essential for each staff member to be fully aware of the duties and responsibilities of his or her position. Job descriptions document and describe the essential functions for each position and thereby promote organizational effectiveness and efficiency.

Job descriptions summarize the skills, qualifications, and responsibilities of each position. A job description cannot capture every nuance of the position and may be generically descriptive of similar jobs.

A new employee or an employee who is in a new position will receive a copy of the job description. The employee's direct supervisor and employee should meet to discuss the responsibilities and expectations of the position. Any recommended adjustments to the job description will be submitted to the Human Resources Director for review. The Human Resources Department will hold all current job description documents which are considered the official job descriptions for the City. In addition, the Human Resource Department will review all job descriptions annually for any updates or changes.

Licensing/Certification

Employees are responsible for acquiring and maintaining any license or certification that is federal, state, or city required to perform their job duties. Employees are responsible for submitting any renewed license or certification for placement in the personnel file via procedures outlined by the Human Resources Department.

Employees who achieve licenses or certifications required by Department Heads or law will be eligible for a two percent (2%) salary adjustment with the City Manager's approval. The certification could include but is not limited to, Water Operator II, III, IV; Wastewater Operator II, III, IV; ICOB Building Inspector in electric, mechanical, building, or plumbing; etc.

The City will train personnel for certification examinations as follows:

- a. First and second attempts, the City will pay all expenses.
- b. Third attempt or more – all expenses incurred will become the responsibility of the employee. When an examination is held in conjunction with a workshop, training session, or seminar for which the employee is scheduled, the City will pay for all expenses for the workshop, training, or seminar.

If an employee loses a required license or certification, they must inform their direct supervisor and the Human Resources Department within 24 hours. Failure to provide notification of the loss of a required license or certification may result in disciplinary action up to and including termination.

The loss of a license or certification (for any reason) includes but is not limited to suspension, revocation, cancellation, nonrenewal, failure by the employee to renew the license or certification in a timely manner, or never having been issued the required license or certification. Loss of a license or certification may result in termination from employment.

Nepotism/Relatives in the Workplace

Definitions

1. Immediate family member: For purposes of this policy, "immediate family member" will include, but is not limited to, an employee's spouse, parent, child, sibling, grandparent, grandchild, and the various combinations of half, step, in-law, and adopted relationships that can be derived from the family members named herein.

2. Superior-subordinate relationship: For purposes of this policy, “superior-subordinate relationship” will mean direct command or supervisory authority, or the capability to influence personnel or disciplinary actions, assignments or other benefits or privileges of employment.

It is the policy of the City to restrict employment of immediate family members. Compliance with this policy is intended to prevent potential or perceived favoritism, or perceived or actual conflict of interest among employees, and to promote a harassment-free working environment.

No two (2) members of an immediate family will be employed in, or promoted or transferred to, any department, division, shift and/or work unit that would result in a superior-subordinate relationship, unless prior written approval is received from the Human Resources Director. In the event an “immediate family” relationship develops between employees after employment, the Human Resources Director is authorized to take whatever action appears to be in the best interest of the organization, including, but not limited to, transfer or reassignment of either or both employees or dismissal of either or both employees.

In cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship in the workplace should refrain from public workplace displays of affection or excessive personal conversation.

Other Relationships

While the definition of Nepotism identifies relationships that are likely to be perceived as a conflict of interest in an immediate superior-subordinate relationship, employees should also refrain from other superior-subordinate relationships that could be perceived as creating a conflict of interest. To safeguard the interests of both employees and the City, the Human Resources Director should be alerted to any employee relationships that pose, or potentially pose, a conflict of interest.

Outside employment

Outside employment is acceptable provided the following conditions are met:

1. Does not conflict with your responsibilities for the City, including your ability to work overtime if required in your position.
2. Does not interfere with your performance for the City.
3. Does not prove detrimental to the interests of the City.
4. Does not involve a conflict of interest or the appearance of a conflict of interest (such as working for a competitor, vendor, or customer); and
5. Does not involve the use of confidential or proprietary information of the City or its customers.

Any issue regarding outside employment that may be contemplated should be resolved prior to your accepting such employment. Requests for secondary employment must be made to the Department Head

and approved by the Department Head, Human Resources Director, and City Manager prior to accepting such employment.

Separation from Employment

When an employee resigns or retires from employment, the City requires at least two (2) weeks' working notice. When an employee separates employment, a written notice must be provided to the Department Head indicating their last day. The separation notice must then be forwarded by the Department Head to the Human Resources Department within one (1) business day. If an employee fails to give the required notice, the employee will forfeit any eligibility for vacation payout along with any ability to be rehired by the City.

Layoffs

The City retains the right to lay off employees, in whole or in part, and to retain those employees who are most qualified to perform the available work regardless of their previous length of employment. The needs of the City will be the primary consideration used in the employer's determination of which employees will be laid off. Employees to be laid off will be given as much notice as practical prior to the effective date of the layoff.

Separation Procedures

Upon notice of separation from employment, the Human Resources Director will reach out to the employee to make an appointment to go over payout provisions, benefit termination, continuous options, and an exit interview.

Sick time may not be used during the notice period. The employee is prohibited from extending their last day of employment with available sick time.

Prior to separation from employment, all City equipment that was assigned to the employee must be returned. Such equipment includes but is not limited to, ID Badge Access Cards, keys, laptop computers and other electronics and/or cellular devices, uniforms, and other department-issued equipment. If an employee has participated in the Computer Purchase Program or Wellness Equipment Purchase Program the full balance should be paid prior to the last day of employment with the City. Where permitted by applicable laws, the City may withhold from the employee's check or final payout the cost of any items that are not returned when required or to cover any unpaid balances. The City may also take all actions deemed appropriate to recover or protect its property.

3. TIME AT WORK & TIME AWAY FROM WORK

Hours of Work

Work schedules for employees will vary due to the position they hold. Direct supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. The City reserves the right to schedule and/or change all hours and schedules of work as deemed necessary and nothing contained herein will be construed as a guaranteed work week.

Work Week

The normal work week consists of seven (7) consecutive calendar days, starting at 12:00 a.m. on Sunday and ending at 11:59 p.m. on the following Saturday of each calendar week.

Work Period for Public Safety

Section 207(k) of the Fair Labor Standards Act (FLSA) allows employees engaged in active law enforcement or fire suppression to be paid overtime on a work period basis. The City has defined the work period to be a 14-day work period which requires overtime over 106 hours worked in the 14-day work period for fire protection classifications; and overtime over 85 hours worked in the 14-day work period for sworn law enforcement personnel.

Work Schedules

The core hours of operation for City offices are generally 8:00 a.m. to 5:00 p.m. Monday through Friday. However, this does not guarantee a work schedule of such, and scheduling may be adjusted according to the operational needs of a department.

Certain departments may work varied hours based on 24/7 operations and customer needs including:

- Patrol Division and Communications Division personnel may be assigned to work rotating 12-hour shifts which results in 84 hours every 14 days. Other rotations may be 8-hour and 10-hour shifts.
- Fire protection personnel may be assigned to work rotating 24-hour shifts which results in 96-136 hours every 14 days.

Altered work schedules may be considered for entire divisions or departments with the approval of the City Manager.

Work Performed Outside the Typical Workplace

Generally, non-exempt employees will perform their duties only at the designated worksite. Non-exempt employees must receive advanced approval from their direct supervisor for any work performed outside the typical workplace. Non-exempt employees approved for work outside the workplace must document and submit their hours, including, but not limited to, any and all time spent accessing work related emails and other programs and files, according to payroll policy. If a non-exempt employee works outside of the

workplace without approval, they must document their hours and submit them; however, a non-exempt employee working outside of the workplace without approval could face disciplinary action.

Maximum Hours Worked

Employees may be required to work additional hours in a day to meet operational demands for a department. Employees are required to have at least eight (8) hours off after sixteen (16) consecutive hours worked, with the exception of the Fire Department operations personnel, who are required to have at least twenty-four (24) hours off after a maximum of forty-eight (48) consecutive hours worked.

Emergency Operations Exceptions

Emergency operations may require employees to work longer consecutive hours. During emergency operations, employees may request rest time from their Department Head. Each Department Head is then required to make arrangements for such rest time on an individual basis, giving consideration to the needs of the employee as well as continued coverage for emergency services. The Department Head has the authority to require employees to take rest time and remove them from work at any point while providing emergency operations. Rest time does not count as hours worked.

Daylight Savings Time

Employees who are required to work during the change of Daylight Savings Time will be paid for the hours actually worked.

Annual Hours

1. Full-Time

The scheduled work week for regular full-time employees is generally forty (40) hours per week and two thousand eighty (2080) annually as designated by the City. The annual hours for law enforcement and fire protection classifications will differ.

2. Part-Time

The work week for any regular part-time employee will be designated by the City and normally is scheduled between 20-28 hours/week. The annual hours for any regular part-time employee range between 1,000-1,500 hours. This can vary depending on whether the part-time employee is benefited or non-benefited.

3. Seasonal

The work week for any seasonal employee will be designated by the City and may range up to 40 hours/week. The annual hours will be less than 1000 hours.

Flexible Working Arrangements

[Flexible Work Request.docx](#)

Flexible work arrangements are for eligible positions where it has been determined that work at an alternative location or at alternative times best achieves the City's goals and objectives. Flexible work arrangements include remote work, flexible scheduling, or both.

Full-time employees with benefits may be eligible to participate in flexible work. A direct supervisor may request a position be assigned a flexible work arrangement without an employee request. Flexible work is not appropriate for all employees. No employee is entitled to a flexible work arrangement. When creating a flexible work agreement, the direct supervisor and employee will work together to come up with the appropriate time that the employee must be able to return to their primary work site. Having a flexible work schedule will outweigh the 45-minute response time for essential employees.

Flexible work arrangements must be reviewed and approved by the Department Head, Senior Manager, Human Resources Director, and City Manager via a Flexible Work Request before implementation. The total work hours required each week cannot be altered by a flexible work arrangement.

All flexible work arrangements must meet the criteria in this policy and may be terminated at the City's discretion. When a Department Head terminates a flexible work arrangement, a two-week notice of the termination will be given to the employee.

Employees who wish to terminate their flexible work arrangements are required to speak to their direct supervisor to ensure that the termination is in the best interest of the City. Employees must provide a two (2) week notice for proposed changes or termination.

Flexible work arrangements are not intended to extend the required hours each week. Both direct supervisors and employees must be aware of the separation between "work time" and "downtime" so as not to create an employment relationship where either party is expected to be always on call.

This policy does not apply to flexible work offered as a reasonable accommodation for qualified individuals with a disability under the Americans with Disabilities Act, as determined by the Human Resources Director.

Definitions

1. Centrally Located Worksite: The City worksite where the employee would normally work if they did not work remotely.
2. Compressed Work week: Condensing a full-time work week (40 hours) into fewer than 5 (five) days per week. This is the only flexible work arrangement that may extend a typical workday.

3. Core Hours: Employees with flexible arrangements should be readily available between 8:00 a.m. and 5:00 p.m. unless otherwise directed by their department head.
4. Flexible Scheduling: Regularly completing work outside of the standard workday (Monday through Friday, 8:00 a.m.– 5:00 p.m.).
5. Periodic Remote Work: The employee occasionally works remotely due to specific circumstances. No formal agreement is required for periods of less than two (2) weeks, but each instance must be approved by the employee's direct supervisor in advance.
6. Full-Time Remote Work: A work agreement in which an employee's workplace is located at an alternate location, such as the employee's residence.

Procedure

1. Flexible Work Options

Employees and direct supervisors will work together to determine a position's suitability for flexible work. The following options may be combined within a flexible work agreement:

- A. Fully Remote: The employee works remotely every day. The employee may not have a fixed location onsite.
- B. Partial Remote: The employee works a set number of days or hours remotely and works onsite the remainder of those hours/days.
- C. Compressed work week: The employee condenses their work week into fewer days with more hours worked each day but continues to work full-time and is working during core business hours.
- D. Flexible scheduling: The employee modifies their start and finish time each day but continues to work full-time and is working during core business hours.

2. Initiating a Request

- A. An employee wishing to request a flexible work arrangement will submit a request to their direct supervisor.
- B. If approved, a flexible work agreement must be mutually agreed upon by the employee, the employee's direct supervisor, and the Department Head. The agreement will address work hours, assignments, and equipment the employee will need.
- C. Flexible work arrangements must be reviewed and approved by the Human Resources Director before implementation.
- D. Finalized agreements will be maintained by the Human Resources Department.

3. Employee Responsibilities While Working Flexibly

- A. The duties, obligations, and work responsibilities of an employee with a flexible work arrangement are the same as employees who do not have an agreement.
- B. Employees working flexibly are subject to all City policies regardless of the location of their work.
- C. Employees interested in remote work must be able to work in a safe and ergonomic location and be able to obtain and maintain the primary materials and equipment needed.

4. Managing Flexible Work

- A. To utilize sick leave on remote workdays, employees must contact their direct supervisor at least one (1) hour before their original start time.
- B. Employees will not conduct any unauthorized external (non-City) work during their flexible work schedule, including paid secondary employment.
- C. Employees will be notified by the end of the workday prior to the day they may be called to work at their centrally located worksite. Travel time between home and the central worksite is treated as regular commuting time and is not counted as hours worked and compensated.
- D. If an employee becomes unable to work remotely due to technology issues, the employee should notify their direct supervisor to receive alternate assignments.
- E. Should the employee become unable to work due to factors not related to the City, the employee should notify their direct supervisor and if non-exempt, take vacation for the remainder of the workday or until the issue is fixed.

5. Evaluating Flexible Work Arrangements

- A. Employees who receive approval for flexible work arrangements will be subject to a three-day trial period during which their direct supervisor can assess the suitability of the arrangement. The City reserves the right to discontinue the arrangement at any point during the trial period.
- B. Flexible work arrangements will be reviewed by the direct supervisor and employee during the employee's annual evaluation to ensure they support the achievement of the City's goals.

6. Other

- A. Participation in a flexible work arrangement will not alter an employee's benefits coverage, compensation, conditions of employment, Workers' Compensation coverage, status and/or work responsibilities.
- B. Violations of this policy will be treated like other allegations of wrongdoing in the City. Sanctions for violations of this policy may result in discipline up to and including termination.

Breaks/Lunches

Lunch Periods

Lunch periods are 30-60 minutes in length and are unpaid so they will not be included in hours worked, except when the job requires that the employee remain on-site and on-duty. Except with advance approval of their direct supervisor, non-exempt employees are not allowed to work through the lunch period to make up lost work time or in order to leave work early.

Exceptions

Due to the nature of the work, 911 Dispatchers, sworn law enforcement, and fire suppression operation positions are granted an exception to the lunch period requirement.

Break Periods

Employees may leave their workstation for a break period of no more than fifteen (15) minutes' duration for every four (4) hours consecutively worked, except when the job requires that the employee remain on duty. Unused break periods cannot be accumulated for use at a later date. Employees who miss a break period may not take an extended lunch period, arrive at work later than the normal starting time, or leave work before the normal quitting time. Unauthorized extensions of break periods will not be counted as hours worked and may be subject to disciplinary action. Employees are not permitted to leave the work premises during 15-minute break periods. Any employee who needs to leave the premises for personal reasons must clock out. Employees who clock out for a 15-minute break period so that they can leave the premises must have prior approval from their direct supervisor to do so.

Scheduling

Break periods/lunch periods may not be taken in the first or last hour of the employee's workday. Break periods and lunch periods may be combined only with advanced approval by the direct supervisor. Direct supervisors are responsible for scheduling lunch periods and break periods to ensure that adequate staff coverage is provided.

Eating and Drinking at Workstations

Meals are not to be consumed at any open workstation or in front of the public. Food items brought into the workplace should not create strong or lingering odors that may disrupt the work environment or disturb colleagues. Employees are expected to clean up after themselves and use appropriate receptacles for waste. No employee will be allowed to consume food or beverage in an area with hazardous or toxic chemicals.

Breastfeeding/Lactation

The City supports the decision for mothers to breastfeed and is committed to enabling employees to maintain the breastfeeding relationship. In keeping with this philosophy and in compliance with certain provisions of Section 7 of the Fair Labor Standards Act (FLSA), the City will take the following appropriate measures to facilitate breastfeeding and expression of milk by mothers of newborns less than one (1) year of age.

The City will provide reasonable break periods for an employee to express breast milk for a nursing child for one (1) year after the child's birth each time such employee has a need to express milk. Mothers may use their paid break periods and/or unpaid lunch periods for breastfeeding or expression of milk. If the designated break periods are not adequate, or the scheduled break periods do not meet the needs of the mother, the mother should discuss scheduling options with the direct supervisor. If the normal break period provided to the employee is not enough adequate time, the mother may seek an accommodation until the child is one (1) year of age to breastfeed her child.

The City will provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk. When requested by the employee or direct supervisor, the Human Resources Department will work with the employee and direct supervisor to determine individual space options, which may be the employee's office, or another space temporarily created or converted into a space for expressing milk.

Employees are expected to provide their own equipment used to express milk and provide storage.

Attendance

For the City to run effectively, employees are expected to make every effort to be present for work. While at work, the City expects employees to perform their assigned duties and work all scheduled hours, unless the employee has received approved leave or prior approval from their direct supervisor. In addition, the City expects all employees to assume diligent responsibility for their attendance and promptness. Recognizing, however, that time off is necessary, the City has established various paid time options for employees for certain absences.

All scheduled time not spent working needs to be accounted for. The City will monitor attendance and absence patterns. Habitual lateness or excessive absenteeism will not be tolerated by the City and will be subject to disciplinary action.

Any employee absent from work for two (2) consecutive days of scheduled work without notifying the direct supervisor will be considered to have abandoned their job and will automatically be terminated.

On-Call

Any requests for a formal On-Call system for individual departments or programs will be approved in advance by the City Manager and kept on file with the Human Resources Department.

"On-Call Time" is defined as the time outside of regularly scheduled working hours when an employee is assigned to be available to report to work for unscheduled or emergency events if called upon. The employee is free to pursue personal activities during On-Call Time but must respond to the summons within 45 minutes,

except for the Police Department and Essential Airport employees who must respond to the summons within 30 minutes. The employee is not able to consume alcohol during scheduled On-Call times. On-call time is not used for shift holdovers or to cover minimum staffing requirements.

When an employee is assigned to On-Call, they will receive compensation as follows:

- \$40.00/day – Weekdays (Monday-Friday) outside regular office hours
- \$60.00/day – Saturdays and Sundays
- \$100.00/day – Observed Holidays and Holidays

When an employee is on an “On-Call” status and is called to work, compensation will be given to the On-Call Employee in accordance with the guidelines outlined below:

Return to the On-Call Employee’s Place of Work

Hours worked while On-Call will be calculated toward the standard hours in the work week.

Accessing a Telephone or Computer

Any time spent working telephonically, electronically, or remotely will be paid for the actual time spent working in this capacity with a minimum of fifteen (15) minute increments.

Response Times

Response times to an On-Call situation is 45 minutes, except for the Police Department and Essential Responder Airport employees which is 30 minutes.

Restrictions

Employees assigned to On-Call are prohibited from consuming alcohol or other substances that render them unable to work. Responding to any On-Call situation while under the influence of alcohol or other substances which renders them unable to work is prohibited. It is the employee’s responsibility to ensure they are able to respond during an On-Call situation. Individual department procedures may outline how an employee may request prior arrangements to switch On-Call with another employee if necessary.

Call-Back

When a non-exempt employee is called back to unscheduled regular duty requiring the employee to report to a City facility or worksite, the employee may be eligible for call-back pay.

Employees not scheduled for on-call duty but are called back into work will be paid regular wages for a minimum of two (2) hours.

Hours worked during call-back will be calculated toward the standard hours in the work week.

Holidays

All benefited full-time and benefited part-time employees are immediately eligible to receive compensation for the paid holiday benefit. In order to receive holiday pay, employees must work the day before and the day after each observed holiday with the exception of normal days off, scheduled paid absences, or sick leave. Employees receiving Worker's Compensation benefits are not eligible for compensation for holidays that fall during their period of disability. Holiday pay is not considered time worked for the purposes of overtime. Holidays falling during a paid period of absence will be counted as holidays, not the paid time off benefit.

Legal Holidays

The following are ten (10) paid holidays for eligible employees:

Holiday	Description
New Year's Day	January 1
Martin Luther King Jr. Day	3 rd Monday of January
President's Day	3 rd Monday of February
Memorial Day	Last Monday of May
Independence Day	July 4
Labor Day	First Monday of September
Thanksgiving Day	4 th Thursday of November
Day after Thanksgiving	Day following Thanksgiving
Christmas Eve	December 24
Christmas Day	December 25

Annually, the City will identify the dates of closure for each of the observed days. Whenever any of the observed holidays falls on a Saturday, the preceding Friday will be observed as the holiday, and when falling on a Sunday, the following Monday will be observed as the holiday, although the City Commission may amend the observed dates to accommodate operations.

Public Safety

With the nature of 24/7 operations, nonexempt public safety shift workers, zoo workers, airport security and custodial staff and police department communication workers who are scheduled on an observed holiday will work their regular schedule rotation at their straight time hourly rate and will be provided a floating holiday for use at a later date.

Non-Shift Public Safety

Holiday pay is calculated at the straight time hourly rate of pay of the employee on that day. Full-time employees will receive a full day of holiday pay on the observed holidays. Part-time will earn one-half of a day in holiday pay.

In cases where an employee is required to work on a holiday due to unforeseeable circumstances or required to work on a holiday as part of their normal work schedule, will receive holiday pay for the holiday in addition

to the actual hours worked or be given the opportunity to float that particular holiday to another day as determined by their direct supervisor.

Personal Days

Each full-time employee is provided the following personal leave days per calendar year, equivalent to a full workday for that employee.

Personal Days	Days Awarded*
Base Annual Personal Days	2 days
Completion of 5 years	+1 day
Completion of 10 years	+1 day
Completion of 20 years	+2 days
Completion of 30 years	+3 days
Completion of 40 years	+4 days
Insurance, Wellness, and Health Risk Assessment Participation	+1 day

Benefited part-time employees will receive one-half (1/2) personal leave day per year.

Earned Additional Days and Restrictions

All employees who participate in the City's Health Insurance and complete eight (8) wellness challenges in a year and complete their Health Risk Assessment annually will receive one (1) additional personal day for the following year. All personal days granted for longevity milestones are valid only for the calendar year in which the anniversary falls and have no payout value.

Any Personal Days not used by December 31 will be forfeited and not eligible for payout.

Each department will establish procedures to ensure personal day requests are processed within Time and Attendance in a fair and equitable manner, with first consideration to be given to the efficient operation of the department.

Employees who wish to schedule their personal day should use the departmental procedures provided, subject to department approval.

Restrictions

An employee will not be paid for time at work and receive personal day pay for the same time.

Vacation

The purpose of the Vacation plan is to provide employees with time off from work to relax and enjoy personal pursuits without loss of income.

Vacation Accrual and Usage

All benefit-eligible employees will accrue vacation leave at time of hire but may not be taken in the first six (6) months of benefit eligible employment with the City.

Vacation is accrued according to years of service with the City, accumulated by the month. Benefited part-time employees will accrue vacation time at half the time of the full-time rate. Accrual rates are as follows:

Vacation Accrual	Monthly Accrual	Annual Accrual	Fire* Monthly Accrual	Fire* Annual Accrual
Hire – completion of 5 yrs.	1 day	12 days	.5 day	6 days
6 - completion of 10 yrs.	1.33 days	16 days	.67 days	8 days
11 – completion of 15 yrs.	1.5 days	18 days	.75 days	9 days
16+ yrs.	1.83 days	22 days	.92 days	11 days

*A day for Fire Protection is a 24-hour shift

There is no maximum limit on the amount of vacation time an employee may accrue. Vacation leave will be paid at regular straight time pay for the workday the vacation leave is taken.

When the employee's length of service reaches the next higher rate of accrual, accrual at the new rate will begin on the first day of the pay period of the effective date of eligibility.

Each department will establish procedures to ensure that vacation requests are processed within Time and Attendance in a fair and equitable manner, with the first consideration to be given to the efficient operation of the department.

Employees who wish to schedule their vacation should use the departmental procedures provided, subject to department approval.

Coordination with the Federal Family Medical Leave Act (FMLA)

The City reserves the right to require substitution of paid leave, subject to applicable federal law. Therefore, an employee must use available and unused sick leave and vacation for any federal FMLA qualifying leave including, but not limited to, intermittent leaves.

Coordination with Worker's Compensation

The City reserves the right to require use of vacation while an employee is on worker's compensation. Therefore, an employee must use enough vacation hours, if available, while on worker's compensation to recover the employee share of benefits and mandatory deductions, after sick time is exhausted.

Part-Time Employee Utilization of Vacation

The number of hours that a part-time employee may record when taking a “day off” from work is what they would normally have been scheduled to work. Part-time employees may only take vacation on days that they would have normally been scheduled to work.

Restrictions

An employee will not be paid for time at work and receive vacation pay for the same time.

Unpaid Time

With the exception of qualified Federal FMLA leave, an employee may not take unpaid leave until such time that the employee’s sick and vacation time has been exhausted. At no time will an employee be authorized to carry a negative vacation balance. In the event an employee has an insufficient vacation balance to cover an absence for any reason, the employee will immediately revert to unpaid time. In the event an employee unilaterally uses unpaid time without prior authorization, the employee may be subject to disciplinary action up to and including termination. Unpaid leave must be approved by the City Manager.

Employees on unpaid status, for any reason, will not accrue vacation on the unpaid time and all other benefits will be prorated.

Separation

Upon separation from employment, employees will be paid out vacation days under the following conditions:

1. Resignation from employment with City having fulfilled one (1) consecutive year of full-time service with the City and having provided a two (2) week advanced written notice.
2. Resignation from employment with the City having completed twenty (20) consecutive years of full-time service with the City and having provided a two (2) week advanced written notice.
3. Permanent layoff from employment.

The maximum vacation payout based on earned and unused vacation is as follows:

Employee	Resignation under 20 Years Payout	Resignation over 20 Years Payout
General	50 days	60 days
Fire*	25 days	30 days

*A day for Fire protection is a 24-hour shift

Employees with less than one (1) year full-time service, employees who do not provide required notice, employees who do not fulfill the two (2) week advanced written notice, or employees who are terminated from employment for involuntary reasons, will forfeit all vacation payouts.

Separation of Benefited Part-time

Benefited part-time employees will be eligible for half the vacation payouts listed for full-time under the same qualifications.

Death

Upon the death of an employee, the City will pay to the estate of the deceased employee all earned and unused vacation for which the deceased employee may have otherwise been eligible for payout at the time of his/her death. The employee may designate who their vacation payout and benefits go to.

Sick Leave

The purpose of sick leave is to provide employees with time off from work for periods of temporary absence due to illnesses or injuries or medical appointments that cannot be scheduled outside the employees work schedule. Sick leave benefits are intended solely to provide income protection in the event of illness or injury to themselves or identified family members or qualifying events under the Family Medical Leave Act. Employees who have an appointment with the Grow Well Clinic during work hours are not required to use sick leave but may be credited with Wellness Leave.

Family Members defined for qualification of sick time include employee's spouse, domestic partner, children, parents, stepparents and stepchildren.

Domestic Partners are defined as two individuals of the same or opposite sex:

1. Who are both 18 years of age or older and have the capacity to enter into a contract; and
2. Who is involved in an exclusive, long-term, and committed relationship; and
3. Who have resided together in a common household continuously for at least six (6) consecutive months; and
4. Who intend to reside together indefinitely; and
5. Who are not related by blood to a degree of closeness that would prohibit legal marriage in the State in which the partners legally reside and
6. Who have agreed to be jointly responsible for each other's welfare, financial obligations, and basic living expenses, including food, shelter, and health care expenses; and
7. Who are not married, who are not currently involved in any other domestic partnership, and who have not been involved in any other domestic partnership or marriage for the last twelve (12) months, unless that partnership or marriage ended because of death.

In order to utilize sick leave for a domestic partner, employees must complete an affidavit with the Human Resources Department.

Sick Accrual and Usage

All benefit-eligible employees will accrue sick leave each pay period immediately upon hire. Employees may use earned sick leave immediately after being hired. Additionally, for hourly employees, sick leave usage will

be adjusted based on the hours worked during the week in which sick leave was used. For example, if an hourly employee takes three hours of sick leave during the week but ends up working three additional hours that week they will adjust their time to reflect no sick time was needed. Benefited part-time employees will accrue sick time at half the time of the full-time rate. Accrual rates and Maximum Caps are as follows:

Employee	Monthly Accrual	Annual Accrual	Maximum Cap
General	1 day	12 days	72 days
Fire*	.5 day	6 days	36 days

*A day for Fire protection is a 24-hour shift

An employee's total accrued sick leave will not exceed the indicated Maximum Cap. Upon reaching the maximum number of days, the employee will no longer continue to accrue hours until sick leave hours are used. Employees with sick leave exceeding 240 hours may annually donate hours to the sick bank for other employees to utilize, as long as their balance does not go under 200.

Employees may request to use sick leave following the month in which it was accrued. Sick leave will be paid at regular straight-time pay for the workday it is taken.

Verification

The employee may be requested to provide a physician's verification statement for use of sick time for absences spanning less than three (3) consecutive workdays when no prior approval has been given, or for absences reflective of a pattern of time off.

A physician's verification statement is required for the employee to return to work following a medical absence of three (3) or more consecutive workdays. The physician's verification statement must substantiate the need for time off and indicate the employee is fit to return to duty.

Coordination with the Federal Family Medical Leave Act (FMLA)

The City reserves the right to require substitution of paid leave, subject to applicable federal law. Therefore, an employee must use available and unused sick leave and vacation for any federal FMLA qualifying leave including, but not limited to, intermittent leaves, if available.

Coordination with Workers' Compensation

The employee may use accrued sick leave to compensate for time lost that is not reimbursed by Workers' Compensation. The combination of any such payments and sick leave cannot exceed the employee's normal weekly earnings. The employee must use sick leave prior to vacation.

Unpaid Time

Except for qualified Federal FMLA leave, an employee may not take unpaid leave until such time that the employee's vacation and sick bank has been exhausted. At no time will an employee be authorized to carry a negative sick balance. In the event an employee has insufficient sick leave to cover a qualified absence, the

employee will immediately revert to unpaid time. In the event an employee unilaterally uses unpaid time without prior authorization, the employee may be subject to disciplinary action.

Employees on unpaid status, for any reason, will not accrue sick leave on the unpaid time and all other benefits will be prorated.

Increments of Time

Exempt employees will be required to use a full day.

Restrictions

An employee will not be paid for time at work and receive sick pay for the same time.

Separation/Death

Unused sick leave benefits will not be paid out at the time of separation or death.

Sick Leave Donation

Sick Leave donation allows employees to donate accrued and unused sick leave to a bank for other employees to utilize if they need additional leave because of an extended illness. The donation requirements are as follows:

Employees may donate accrued and unused sick time. Vacation time is not eligible for donation. The requirements are as follows:

1. Employees are qualified when they have more than 240 hours of accumulated sick leave. The contribution should not reduce their sick leave below 200 hours.
2. There is no limit on how many hours a qualified employee donates, as long as the contribution does not reduce their sick leave balance below 200 hours.
3. The minimum donation is eight (8) hours.
4. Fire personnel do not have a limit on the number of hours they can donate as long as the contribution does not reduce their sick leave below 600 hours.
5. All other employees may contribute an annual donation anytime throughout the year.
6. All donor employees should complete a sick leave application/donation form.

Wellness Leave

To promote workforce wellness, the City will provide City-sponsored paid time off for each of the following wellness appointments per year. Any appointment that extends beyond the hours below will require the employee to use sick or vacation time.

1. Annual Physical Examination – One Hour
2. Annual Dental Cleaning Examination – One Hour
3. Annual Dental X-ray and Cleaning Examination - One Hour
4. Annual Eye Examination – One Hour

5. Annual Hearing Examination – One Hour

To promote the use of the Grow Well Clinic and the overall wellness of the workforce, the City will compensate the employee for the following, anytime they have a note stating they utilized the Grow Well Clinic for the following Grow Well Leave:

1. Grow Well Appointments
2. Health Risk Appointments

To receive this benefit, the employee must submit their time through the Time and Attendance site for their direct supervisor to approve and ensure it is coded correctly during payroll. Their time will not be adjusted down as it is with sick time.

If a minor dependent requires attendance from their parent (City employee) for the above annual examinations, approval will be granted upon the employee submitting their time through the Time and Attendance site for their direct supervisor to approve and ensure it is coded correctly during payroll.

Education Conference Leave

The City encourages its employees to be involved in their children's education. Each employee is encouraged to attend conferences regarding their child or children. The City will pay for up to two (2) hours each semester for education conference meetings that cannot be scheduled outside the normal work schedule. The request for this time off should be made to the Department Head and documented on the employee's timesheet.

Bereavement Leave

All benefit-eligible employees are entitled to paid bereavement leave for Immediate Family. For purposes of this policy, "Immediate Family" is defined as the employee's spouse, domestic partner, children, parents, stepparents and stepchildren, grandparents, spouse's grandparents, grandchildren, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, and any other person living in the employee's household.

In the event of a qualified death, employees will be granted time off on scheduled workdays as follows:

Employee	Immediate Family
General	5 days
Fire*	3 days

*A day for Fire protection is a 24- hour shift

Bereavement time provided by the City may be taken intermittently for scheduled workdays, as needed, up to six (6) months following the death. This benefit is pro-rated for benefited part-time.

An additional ten (10) scheduled workdays, five (5) days for Fire, may be requested by the employee, subject to approval by the Department Head. This time can be taken as sick or vacation leave time, if available. If the employee does not have accrued leave, they may take this as unpaid leave.

All time taken under the Bereavement leave Policy will be paid at regular straight time pay for the workday the leave is taken.

Federal Family Medical Leave (FMLA)

Under the FMLA, an employee may be entitled to time off for child rearing, family illness, employee medical leave, and military call to duty and military caregiver leave as defined by federal law. It is the intent of the City to comply with the FMLA. Should this policy conflict in any way with the applicable federal regulations, the regulations will control.

Any employee who has worked for more than 12 months (for a minimum of 1,250 hours worked) is eligible for unpaid leave under the FMLA. An employee will be required to substitute definite and certain paid leave benefits for unpaid leave including sick leave and vacation.

The FMLA provides a combined total of twelve (12) weeks of family and medical leave for various purposes described below during any 12-month period. The City will use a rolling 12-month period measured backward from the date an employee uses any leave under this policy to determine whether an employee has exhausted their 12 weeks of leave. Each time an employee takes leave, the City will compute the amount of leave the employee has taken under this policy for any form of FMLA leave in the last 12 months and subtract that amount from the employee's 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.

Federal and other City leaves provided for the same purposes run concurrently; that is, they do not "stack." If the leave is an employer-provided leave, including Workers' Compensation Leave, plus federal FMLA leave as well, the leaves run concurrently.

Workweek Equivalent for Police and Fire Personnel

Given the unique schedules of police and fire department personnel, the calculation of workweeks for FMLA leave will be adjusted to reflect the typical work schedule.

Please contact the Human Resources Department for more information or if you have any questions about this benefit.

Personal Leave

The City may provide a personal leave of absence, without pay, to employees who wish to take time off from work for personal obligations.

An unpaid leave of absence for personal reasons may be requested for a period of up to four (4) weeks. The employee requesting a personal leave of absence will submit a written request to their department head. If the leave of absence is considered, the direct supervisor will submit the written request to the Human Resources Director for review and approval by the Human Resources Director and City Manager. Requests not being considered by the Department Head will be denied in writing and returned to the employee.

The approvals of personal leave of absence is discretionary, with consideration given to the staffing needs and determining the best interests of City operations.

Personal leave is without pay and benefits and may be used only after all vacation and sick time have been exhausted.

During unpaid leave, all benefits will be suspended. There will be no paid time accrual or holiday benefits while on unpaid leave. These benefits will resume upon the employee's return to active employment.

Military Leave

The City is committed to providing unpaid leave for purposes of fulfilling service in the uniformed services and ensuring compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) for any employee performing duty on a voluntary or involuntary basis in a uniformed service under competent authority and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, an examination to determine the fitness of the person to any such duty, or performing funeral honors duty as authorized by Section 12503 of Title 10 or Section 115 of Title 32. Upon return from such service, the employee will be entitled to all provisions of USERRA. Employees called to perform such duties in a uniformed service as described above must provide advanced written notice whenever possible of the obligation/intention and submit any applicable copies of their military orders to the Human Resources Department. When immediate duty is required and no advanced notice can be provided, the employee will communicate their obligations to their Department Head and the Human Resources Department as soon as possible.

Employees will be granted a military leave of absence without pay for the period of military service outlined in the orders, in accordance with applicable laws. Any employee who takes military leave will be permitted to use accrued and unused vacation time for military duty obligations upon written request. Alternatively, a full-time regular employee who is required to be absent from employment for the purpose of military service may elect to supplement the military pay by receiving the difference between that military pay and the employee's regular compensation with the City. The supplement is capped at a maximum amount equal to ten (10) workdays, or four (4) regular 24-hour shifts for shift fire operation personnel in anyone (1) calendar year while fulfilling such obligation.

Eligibility for reinstatement after military duty is completed is also determined in accordance with applicable laws.

Under USERRA, federal law requires that health plans must offer continued coverage for employees who are absent due to service in the uniformed services and/or their dependents. The period of coverage available under USERRA will run concurrently with the COBRA period available to an employee and/or eligible dependents. Employees entering military service will be allowed the opportunity to continue to participate in the City's group health insurance plan by utilizing their Federal COBRA rights. All other benefits will be determined based on plan requirements.

Paid Time and Holiday benefits will continue to accrue during unpaid military leave.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for the purpose of determining benefits based on length of service.

Contact the Human Resources Director for more information or questions about military leave.

Jury/Witness Duty

Employees are encouraged to appear before a court, public body, or commission for witness duty when subpoenaed to do so. Employees are excused from work to fulfill their civic responsibilities when required.

Jury Duty

The employee who is summoned for jury duty is required to provide a copy of the jury duty summons to the employee's direct supervisor as soon as reasonably possible. Employees are expected to report for work whenever the court schedule permits them to finish out their scheduled shift.

An employee who is excused for jury duty on a scheduled workday will be granted a maximum of eight (8) hours of paid Jury Duty Pay to serve for jury duty per summons, less any jury fees provided by the Courts. Jury Duty Pay will be calculated on the employee's base pay rate. If jury duty falls on a scheduled workday, the employee is to report to duty immediately following release from jury duty (unless paid leave is taken for the balance of the shift).

Court Appearance/Witness Duty

In the event an employee is subpoenaed to provide deposition testimony, or to testify as a witness in court proceedings or before an administrative body, commission or hearing officer in a matter that is not connected with City business, said employee will be excused and will be granted up to eight (8) hours of paid time off, less any witness fees provided by the Courts. The employee is to report to duty immediately following release from Court/Appearence/Witness Duty (unless paid leave is taken for the balance of the shift).

In the event an employee is subpoenaed to provide deposition testimony, or to testify as a witness in court proceedings or before an administrative body, commission or hearing officer in a matter that is connected to City business, said employee will be considered working to appear in any such proceeding.

The subpoena should be shown to the employee's direct supervisor immediately after it is received so operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report for work whenever the court schedule permits.

Voting Leave

The City encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their nonworking hours due to their work schedule, the City will grant up to two (2) hours of paid time off to vote. The City may specify the time during the day the employee may vote which will not include any time during the regular lunch period.

Employees should request time off to vote from their direct supervisor at least two (2) working days prior to the election day. Advance notice is required so the necessary time off can be scheduled at the beginning or end of the work shift, or whichever provides the least disruption to the normal work schedule.

Domestic Violence/Sexual Assault Leave

The City will provide up to eight (8) unpaid days per calendar year of job-protected time off to employees who are victims of domestic violence or sexual assault to:

1. Obtain or attempt to obtain relief, such as restraining orders to help ensure the health, safety, or welfare of the employee or the employee's child(ren).
2. Seek medical attention for resulting injuries.
3. Obtain services from a domestic violence shelter, domestic violence program, or rape crisis center; or
4. Appear in court in the aftermath of domestic violence or sexual assault.

The employee should give the direct supervisor reasonable notice of the need to take such leave, if possible. Within 48 hours of returning from requested time off, the employee must provide supporting documentation to the direct supervisor. If the employee has been unable to give adequate notice, appropriate documentation should be provided to the direct supervisor within forty-eight (48) hours after the beginning of the unscheduled absence. Documentation may include a police report, a court order or other evidence from the court, or documentation from a health professional or victim advocate.

The City will maintain the confidentiality of any employee requesting leave under this policy, as well as the confidentiality of any supporting documentation provided.

An employee may substitute the use of vacation or sick leave for this purpose.

Workers' Compensation Leave

The City provides a comprehensive Workers' Compensation Insurance program for employees. This program covers any injury or illness sustained in the course of employment that requires medical treatment. To be considered work-related, the injury or illness must arise out of and occur in the course of employment. All injuries, regardless of the extent of the injury, should be reported immediately to the direct supervisor. All incidents must be reported to the Human Resources Department within 24 hours of the incident occurring.

When authorized by applicable Workers' Compensation laws, medical expenses related to the treatment of a work-related injury or illness are covered by the Workers' Compensation Insurance in response to properly submitted claims under the program. Examples of covered expenses are doctor visits, hospital visits, physical therapy visits, surgical procedures, prescription medication, and medical equipment.

Workers' Compensation Insurance may also pay for lost income because of an employee's inability to work due to a work-related injury or illness, provided that the injury or illness is compensable under Workers' Compensation laws. The City encourages early return to work within work restrictions submitted by a physician. Time off required under Workers' Compensation may result in an employee taking Federal FMLA concurrent with Workers' Compensation Leave.

Neither the City nor the insurance carrier will be liable for the payment of Workers' Compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City.

The City will pay an employee Injury Leave (not sick leave) for the first seven (7) days of absence due to illness or injury. If an employee is later reimbursed by Workers' Compensation, the employee is to endorse the first week's check and submit to the City for the Injury Leave paid.

Inclement Weather

Purpose

It is the policy of the City of Garden City to remain open to the public during periods of inclement weather conditions. However, in cases of severe or adverse weather, the City reserves the right to close Administrative buildings to the public. If Administrative buildings are closed all day, the decision to close will be made by 6 a.m. If Administrative buildings are closed for a partial day, the decision will be made based on the timing of severe or adverse weather conditions. This decision will be made by the City Manager or designee and communicated internally via email and to the public via social media platforms.

The City of Garden City provides a variety of services to the public. Some may be available regardless of weather conditions whereas others may close in some instances.

Employees should prepare for severe or adverse weather by making all attempts to come to work and stay at work for their regularly scheduled shifts.

Definitions

- Inclement /Adverse Weather – Weather conditions that can make travel hazardous for employees or weather that may endanger the public, including weather causing major disruption to transportation and other operations of businesses and schools. Some examples of inclement weather include blizzards, tornados, heavy snow, and ice storms, flooding, and excessive heat.
- Critical Need Employee – An employee whose job functions require that he/she be at work during normally scheduled work hours (regardless of environmental factors) to provide essential service to the public or provide direct leadership or support. These are departments that operate 24 hours a day, rotating schedules or playing a critical role in maintaining safety and services to the City.
- Secondary Employee— All employees who are not classified as critical need employees and are typically considered working in an administrative or non-public safety function are considered Secondary Employees.

Critical Need Departments and Functions

- Police Department – All sworn public safety personnel and non-sworn communications personnel are designated as Critical Need employees. Sworn administrative personnel may be assigned to patrol functions or other duties to assist with maintaining traffic control or public safety. Non-sworn personnel may be designated by the Chief of Police as either Critical Need or Secondary, based on the support needed for the police department to remain operational.
- Fire Department – All public safety personnel are designated as Critical Need employees.
- Public Works – All Public Works Personnel are designated as Critical Need employees and will be assigned and expected to report to work as part of the adverse weather response team as directed by their Department Head.
- Public Utilities- All Public Utilities Personnel are designated as Critical Need employees and will be assigned and expected to report to work as part of the adverse weather response team as directed by their Department Head.
- Parks – All Parks personnel are designated as designated as Critical Need employees and will be assigned and expected to report to work as part of the adverse weather response team as directed by their Department Head.
- Garden City Regional Airport – All maintenance personnel are designated as Critical Need employees. The Director of Aviation can designate any other airport personnel as Critical or Secondary.
- Lee Richardson Zoo – All Managers of Lee Richardson Zoo are designated as Critical Need employees. Managers of Lee Richardson Zoo are defined as the Zoo Director, Deputy Director, Conservation Awareness Manager, Animal Care Curator, and Facilities Supervisor. The Zoo Director may designate other positions as Critical or Secondary, based on the support of the Zoo to remain functional.
- Information Technology (IT) Department – All personnel are designated as Critical Need employees to ensure that communication equipment and other technology equipment remain functional. The

Executive Information Officer (EIO) may determine if services could be maintained via remote or on-site monitoring.

- Communications Department – All Communications personnel are designated as Critical Need employees and will be assigned and expected to work as part of the inclement/adverse weather response team as directed by their Department Head. The Communications Manager may determine if services could be maintained via remote or on-site monitoring.

Procedures

- City Closed—If the City is announced to be closed due to severe or adverse weather, all exempt-level staff will receive regular pay for the day of closure. Non-exempt employees will receive an amount equivalent to their normal shift hours.
- City Open - If the City remains open on an adverse weather day, employees who report to work will receive their normal pay for the day, i.e., exempt staff will receive their regular salary, and non-exempt staff will be paid at their base rate for all hours worked. If an employee elects not to report to work on a day in which the city is open, the employee can elect one of the following
 - 1. Use any accrued paid leave for vacation or personal leave for the missed day or
 - 2. If the employee does not have accrued vacation or personal leave, they can opt for a day of leave without pay with approval from the Department Head and City Manager. Employees must use accrued vacation or personal leave before taking a day of leave without pay.

Compensation

- An employee arrives late to work due to adverse weather conditions – Employees are expected to make every attempt to report and to remain at work. If an employee follows the guidelines of this policy and makes a good faith effort in reporting to work while using discretion about their personal safety and the safety of others, they will not be required to use accrued leave for being tardy. If one's tardiness is outside what is determined to be a good-faith effort or if one has not followed the guidelines of this policy, an employee will be required to use their accrued vacation or personal leave. This will need to be approved by the Department Head.
- Employee does not report to work due to adverse weather conditions – Employees who are absent for the full day are required to use accrued vacation or personal leave.
- Supervisor approves employee's request to leave early due to adverse weather conditions – Employees are to use accrued vacation leave to cover the remaining scheduled work hours.
- Employee is sent home early by a supervisor due to adverse weather conditions – Employee is paid for the entire scheduled workday and is not required to use accrued vacation or personal leave.
- Employee cannot get to work due to road or highway closures – Employee is paid for the entire scheduled workday and is not required to use accrued vacation or personal leave.
- Employee is unable to leave their work shift due to adverse weather and, with permission of their supervisor, continues to work – Employee is paid for all actual hours worked, including overtime if applicable. At the discretion of the employee's Department Head, the employee may be allowed to flex their hours within the same pay period and report late or leave early from work on a subsequent day to make up for the additional hours worked.

Regardless of the weather, and if the City remains open or closed on an inclement day; it is each employee's decision to determine if they can safely arrive at work under the conditions. If an employee elects not to work on a given day, the City requires the employee to call their direct supervisor one hour before the start of their shift advising them of their status for the day.

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4. WAGES & OTHER FORMS OF COMPENSATION

Compensation System

It is the Policy of the City to administer a uniform employee Compensation System. The salaries provided by the City to its employees are for the purpose of obtaining and retaining competent individuals to perform services which the City is either required to provide, or discretionarily provides, to its residents. The City will provide salaries based on external competitiveness and internal equity and within the financial limits established.

Position Placement on the Salary Schedule

All positions on the City's Salary Schedule will be placed on the Salary Schedule with a third-party consultant using the external market rate of similar positions, point factoring, compression between positions, and based upon internal equity.

Position Titles

All positions within the City's Salary Schedule are assigned an official title. All position requests are expected to conform to the identified titles. Titles for new positions will be approved by the Human Resources Director and City Manager.

All Employees are to utilize their official assigned title when representing the City as an employee performing their duties. This reduces the potential for misrepresentation of authority and potential liability.

Salary Administration

1. New Hires for All Pay Grades

Placement of new hires with the minimum skills and qualifications will normally be hired at the Minimum Rate. A new hire may be hired up to the Step 6 without the approval of the Human Resources Director and City Manager, under the following conditions:

- a. The new hire has a level of experience or skill set immediately usable upon hire.
- b. The market conditions demand a higher starting wage.

A new hire should not be brought in above Step 6 unless there are extenuating circumstances. Any new hire requested to be brought in above Step 6 will require the approval of the Human Resources Director and City Manager.

2. Salary Schedule Adjustments

Salary Schedule Adjustments will be applied to the Salary Schedule upon approval of the City Commission. Schedule Adjustments will generally be considered on an annual basis, each January 1st. The Schedule will be adjusted based on consideration of (a) Consumer Price Index; and (b) the City's ability to pay. Any recommended Schedule Adjustments will be recommended by the City Manager for final approval by the City Commission.

3. Annual Step Adjustments

The Compensation System is designed to link employee work performance to the strategic plan and mission of the City and their respective departments, as well as motivate employees to develop and contribute to the maximum of their ability.

Employees will receive an annual step increase, with acceptable performance, on their annual review date of each year, unless the employee is on a Performance Improvement Plan.

4. Market Adjustment

When it is determined by the Human Resources Director that a Classification is placed on the appropriate Pay Grade, but insufficiently compensated based on such factors as external comparable, the Human Resources Director and City Manager may authorize a Market Adjustment within the Pay Grade for that Classification.

Promotions

A promotion is the movement of an employee from a position in one Pay Grade to a different position in a higher Pay Grade. The effective date for pay increases as a result of a promotion will be the first date of work in the new position.

An employee's basic eligibility for a promotion will be determined by the requirements of the new job. In addition, the employee must have held his or her current position for at least six (6) months. Employees must have a satisfactory performance record during this time and cannot be on a performance improvement plan. Employees must receive no adverse disciplinary actions during the same time.

A promoted employee will be placed within the new Pay Grade at the rate of pay that provides up to a 6% increase, or the Minimum Rate, whichever is greater. The Human Resources Director, in conjunction with the City Manager, may authorize an amount of up to a 10% increase if necessary for compression purposes. However, consideration of other current employees within the Salary Range and Classification must also be considered in order to avoid In-Range compression.

When promoted, an employee should not be brought in above Step 6 unless there are extenuating circumstances. Any promotions requested to be brought in above Step 6 will require the approval of the Human Resource Director and City Manager.

Compression

There may be occasions when either a new hire or promoted employee may make less than a subordinate employee or employees with greater tenure within the City. The Salary Schedule is designed so there is some overlap in pay. In this circumstance, an adjustment of pay may be considered by the Human Resources Director and City Manager as long as the adjustment does not take a new hire/promotion above Step 6. There will be situations in which a new hire or promoted employee will earn less than others.

The effective date of any adjustment of pay authorized due to compression will be prospective only.

Demotion

Demotion is the movement of an employee from one Pay Grade to a lower Pay Grade resulting from a disciplinary measure, as a request for voluntary demotion, or in response to position/department changes. Salary Schedule placement for demotions will be as follows:

1. For demotions that occur because of position changes and/or position consolidations (not based on the performance of the employee), the salary will be frozen at that level until the Salary Range of the new Pay Grade catches up to the employee's salary.
2. Demotions that occur because the employee voluntarily applied for and accepted a position in a lower Pay Grade, the salary will be reduced within the new Salary Range to a step closest to the current salary. If the salary is above the new salary range, then treatment will be as described in "1" above.
3. For a demotion that is the result of the employee's performance or discipline, the employee's salary is decreased to within the Salary Range of the new Pay Grade, as determined by the Human Resources Director.

Transfer

A transfer is the movement of an employee from one position to another in the same Pay Grade. Whenever an employee transfers to another position, they will remain in the same grade, but not prohibited from being offered a wage adjustment based on their experience and the hiring managers' discretion.

Pay Grade Adjustment

Pay Grade Adjustment is movement of a position from one Pay Grade to another Pay Grade outside the promotional process. Pay Grade Adjustments can occur in the following ways:

1. Human Resources Initiation for a Pay Grade Evaluation

The Human Resources Director may determine a position needs to be evaluated as a result of City initiated position and/or program changes, organizational structure changes, recurring minimal modification to a position that over time may result in substantive change in a position, or recruitment/retention challenges. The Human Resources Director will be responsible for the coordination of the Pay Grade Evaluation with the Consultant.

The effective date of a Pay Grade change due to a Human Resources Director initiation will be determined based on the following:

- a. If the change in position is current, the effective date will be the first day of the next pay period following the written determination by the Consultant and will be prospective only.

- b. If the change in position is a future date, the effective date will be determined by the Human Resources Director and Department Head for a prospective date. The Pay Grade determination of the third-party consultant is final.

2. Market Analysis

The City will evaluate each position against market conditions and internal comparable data at least once every three (3) to five (5) years. The Human Resources Director will be responsible for the coordination of the Market Analysis with the Consultant. The Pay Grade determination of the third-party consultant is final, unless changed by the City Manager.

3. Salary Placement

If, after a Pay Grade Evaluation, it is determined the employee's current salary is below the Minimum Rate of the new Pay Grade, the employee will be placed at the Minimum Rate of the new Pay Grade. If the employee's current salary is within the new Salary Range, there will be no additional compensation to the current salary.

If, after a Pay Grade Evaluation, it is determined the employee's current salary exceeds the Maximum Rate of the new Pay Grade, the employee's salary will be frozen at that level until the Salary Range of the new Pay Grade catches up to the employee's salary.

Overtime

When operating requirements or other needs cannot be met, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided.

Each position is designated as either "Non-exempt" or "Exempt" from the federal Fair Labor Standards Act and state wage and hour laws. Employees should contact the Human Resources Director if they are unsure of their position's designation.

- Non-Exempt positions are paid on an hourly basis and are entitled to overtime pay for hours worked in excess of 40 hours per week, excluding premium overtime pay (29 C.F.R. §778.201).
- Exempt positions are generally paid on a salary basis and are excluded from specific provisions of federal and state wage and hour laws and are not eligible for overtime pay.

Overtime

Non-exempt employees who work overtime will be paid at time and one half the hourly rate of pay for any hours worked in excess of 40 hours per workweek. Overtime pay is based on actual hours worked. Vacation, Sick, Bereavement, Holiday Pay, or any City paid leave benefit will not be considered hours worked for purposes of performing overtime calculations.

The City has defined the work period to be a 14-day work period which requires overtime over 106 hours worked in the 14-day work period for fire protection classifications; and overtime over 85 hours worked in the 14-day work period for sworn law enforcement.

Approval

All overtime earned must be approved in advance by the direct supervisor. If advanced approval is not obtained, the employee is not authorized to work overtime. The supervisor has the sole right to approve or deny overtime requests. Failure to obtain prior approval may result in disciplinary action, up to and including termination of employment. Requests to trade shifts cannot result in creating overtime for either party.

Safe Harbor

It is the policy of the City to comply with the salary basis requirements of the FLSA. Therefore, improper deductions from the salaries of exempt employees are prohibited. If an improper deduction has been made to your salary, you should immediately report this to the Human Resources Director. Reports of improper deductions will be promptly investigated, and reimbursement provided if it is determined improper deductions occurred.

Additional Pays

Step-Up Pay

Step-up pay applies only to non-exempt employees in certified public safety positions who are temporarily assigned to perform the full range of duties of a higher-classified position on a 30-day or more basis due to the absence of an employee in a higher-classified position or the vacancy of such position. The employee who is temporarily assigned will receive an increase in pay in the amount of 4% for a classification that is one grade higher, 8% for a classification that is two (2) grades higher, or the minimum of the range of the position, whichever is greater, for performing duties of a higher classification on a short-term basis.

Interim Pay

Interim pay may apply to positions that are vacant. Interim pay assignments must be approved by the City Manager. The employee who is temporarily assigned to perform the full range of a higher classified position on an extended-term basis, i.e., for a period of four (4) workweeks or more due to the extended absence of an employee in a higher classified position or the vacancy of such position, may receive an increase in pay up to 10% for performing duties of a higher classification on an extended-term basis. The salary increase can begin immediately if it is known that the temporary assignment will be for a minimum of four (4) work weeks.

Merit Pay During a Step-Up or Interim Assignment

If a merit increase is awarded during an interim placement, the incumbent will receive the appropriate increment, which is based on the original salary, with the step-up or interim assignment pay recalculated according to the employee's new base hourly rate.

Additional Pays

Employees in certain roles may receive additional compensation at various agreed-upon rates of pay for performing additional specific duties or specialized assignments.

Bilingual Pay

The City provides services to diverse populations with multiple languages present. In a service industry that relies on effective communication, the ability to provide information in the correct language adds to the depth of service provided to the community. Bilingual pay, one step, is provided to employees who hold positions requiring the use of conversational or interpreting of bilingual language (as designated by the Human Resources Director and the City Manager). The City has the sole discretion to determine which positions require bilingual proficiency and to evaluate the proficiency level. Positions are designated to receive the bilingual pay when:

- Conversational bilingual language is critical to the day-to-day operations of the department; or
- The need for the position to use conversational bilingual language is routine

Payroll & Payroll Deductions

Workweek

The workweek covers seven (7) consecutive days for the purpose of compliance with the Fair Labor Standards Act and will consist of seven (7) consecutive calendar days starting at the first scheduled shift on Sunday and ending at the last scheduled shift the following Saturday of each calendar week.

Pay Periods

A pay period will be the two (2) consecutive workweeks, on the conclusion of which payroll is completed.

Pay Schedule

Paychecks are directly deposited biweekly on Fridays unless you are a seasonal employee, and then you have the option to receive a paper check. There may be slight variances due to the Federal Reserve holiday schedule, in which payday will be the day before the regularly scheduled payday.

Pay Deductions

The law requires that the City make certain deductions from employee compensation. Among these are applicable federal, state, and local income taxes. The City also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The City matches the amount of Social Security taxes paid by each employee.

The City offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs or garnishments, are pay deductions taken by the City, usually to help pay off a debt or obligation to the City or other entities.

Mandatory Deductions: The following are mandatory payroll deductions by current state or federal law:

- State and Federal Income Tax withholding
- FICA (Social Security) and Medicare
- Kansas Public Employee Retirement System (KPERS)
- Kansas Public Employee Retirement System Police and Fire (KP&F)
- Court-ordered withholdings

Voluntary Deductions: The following are examples of voluntary deductions from paychecks and must be authorized in writing by the employee:

- Insurance premiums
- Voluntary retirement plan
- Flexible Spending plan
- Others upon request and approved by the City Manager

Corrections

If a payroll error occurs, it is the employee's responsibility to immediately notify the Human Resources Department. Corrections must be submitted for adjustment on the next payroll within fourteen (14) calendar days from the pay date.

Penalties

Altering, falsifying the time record, tampering with time records, recording time on another employee's time record (authorized personnel excluded) or any other infraction of this policy may result in disciplinary action, up to and including termination of employment.

Deductions

It is the City's policy to comply with applicable wage and hour laws and regulations. If you have any questions or concerns about your status or believe that any deduction has been made from your pay that is inconsistent with your status, you should immediately raise the matter with the Finance Director who can assist you in understanding the information that is required to investigate the matter.

Pay Advances

The City does not provide pay advances on unearned wages to employees.

Employee Responsibility

Each employee is responsible to review their pay deposits and direct any questions or concerns to the Finance Director. Items for review include but are not limited to salaried status and deductions from their pay.

Employer Responsibility

It is the intent of the City to comply with applicable wage and hour laws and regulations and to investigate and resolve all complaints as promptly, and as accurately, as possible. Consistent with the U.S. Department of Labor's policy, any complaint will be resolved within a reasonable time given all the facts and circumstances.

If an investigation reveals that an improper deduction from pay has occurred, the employee will be reimbursed, and the City will take whatever action it deems necessary to ensure compliance with the salary basis test in the future.

Garnishments

The City is required to comply with all valid claims against the wages of employees. If a wage garnishment, child support order, or some other legally valid claim is received by the City against your wages, you will be notified about the amount and details of the garnishment or wage order. While you may attempt to work out your financial difficulties with your creditor in such situations, the City will be required to comply with the provisions of the garnishment notice or order, as soon as practicable after it is received, to ensure compliance with applicable law.

Personal Data Changes

If any of the following information changes, employees should update their information through Employee Access or with the Human Resources Department as soon as possible:

- Name
- Mailing address
- Telephone number
- Marital status
- Individuals to be contacted in the event of an emergency
- Number and names of dependents
- Change in tax exemptions
- Beneficiary changes
- Educational accomplishments/certifications

If an employee fails to update their information through Employee Access or inform the Human Resources Department, their pay, dependent's insurance eligibility and other important matters may be affected.

Timekeeping

In accordance with Federal Labor Standards, all non-exempt employees must accurately record the following on a daily basis:

- Time beginning/ending work each day.
- Time beginning/ending of each meal period.
- Absence from work with appropriate pay codes.
- Total number of hours per day and week.

Non-exempt employees are required to clock in and out within the software program provided by the City. Employees are required to notify their direct supervisor if there was an error or oversight while clocking in/out.

It is the employee's responsibility to verify time accuracy. The supervisor will review the time entry and submit it to the Finance/Payroll Specialist for processing. In the event of an error in reporting time, the employee should immediately report the problem to their direct supervisor or the Finance Director.

All employees, will adhere to the following procedures:

- Time worked is all the time spent on the job performing assigned duties.
- Overtime work must always be approved in advance before it is performed.
- Record correct pay and benefit codes on a daily basis.
- Maintain an honest and accurate daily record of hours worked and the correct time codes recorded on the time sheet. All absences from work schedules should be appropriately recorded and coded. Entries should be made daily.
- Entries for paid time away from work must be used in increments established for each leave.
- Clearly mark approved overtime.
- Submit the completed time to the direct supervisor in the time period required for approval.
- Nonexempt employees should report to work no more than 15 minutes prior to their scheduled starting time, nor stay more than 15 minutes after their scheduled stop time without expressed, prior authorization from their direct .

Each direct supervisor is responsible for the following procedures:

- Ensuring that employees report the correct pay codes.
- Ensuring employees are accurately recording their payroll on a daily basis.
- Ensuring that all employees maintain accurate time entry.
- Providing clear and timely approval for overtime.
- Approval and submission of payroll by the dates specified in this policy.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

Direct Deposit

Employees of the City are required to have payroll wage payments and reimbursements disbursed through direct deposit to the financial institution(s) of the employee's choice. This convenience provides the employee with funds available in their bank account more quickly. Employees will receive a Payroll Earnings Statement via email on payday that details the pay and deduction information.

City employees who utilize direct deposit will adhere to the following:

- Each employee will complete a Direct Deposit Authorization Agreement upon hire and submit by timeframes specified to the Human Resources Department.
- Immediately update the employee's Employee Access account or notify the Human Resources Department if the employee's bank account changes by completing and submitting the new Direct Deposit Authorization Agreement.

Any overpayments, underpayments, or failure to timely submit timesheets will be adjusted on the following payroll.

Each bank will post deposits at different times. The City is not responsible for your bank's policies. Please contact your bank if you have any questions about their policies.

Travel Time

This policy establishes a uniform system for determining compensable time while traveling for City business. Employees are responsible for accurately tracking, calculating, and reporting travel time. Each employee should not only fill out their travel expense form one (1) month in advance of any travel plans but also attach all documents to support the time allocated for compensable time while away. Additionally, employees should document and attach travel plans (driver, passengers, and estimated departure/arrival times).

Exempt employees receive a salary for all compensable time, which includes time spent traveling. This means that exempt employees will not be compensated for time spent traveling outside of their normal work schedule. The specifics of compensable time while traveling under this policy applies to non-exempt employees only.

Travel Time

Excluding normal commuting time, employees should be compensated for all travel unless it is:

1. Overnight,
2. Outside of regular work hours or
3. Where no work is done.

Home to Work Travel

An employee who travels from home before the regular workday and returns to his/her home at the end of the workday is engaged in ordinary home to work travel, which is not compensable time, even if the work site is different each day.

Travel time as a result of being on call and reporting onsite will be considered compensable time and the employee should clock in at the time they leave their home to report to their on-call responsibility.

Travel That is All in a Day's Work

Time spent by an employee in travel as part of their principal activity, such as travel from job site to job site during the workday, is considered compensable time. However, ordinary home to the first work site and the final work site of the day to home is not considered compensable time.

Vehicle Allowance

Some exempt employees may be authorized to receive a vehicle allowance for domestic travel within a 50-mile radius (100 miles round trip). If the trip is 100 miles or less (round trip), the employee will not receive a mileage reimbursement. For vehicle travel outside a 50-mile radius or 100 miles round trip, those employees have the option of using a City vehicle or using their personal vehicle. If the employee chooses to take a City vehicle, they will use their City issued Purchase-Card to pay for gas. If the employee chooses to take their personal vehicle on a trip greater than 100 miles (round trip), they will receive mileage reimbursement at the IRS rate for the total miles driven minus the first 100 miles.

Day Travel Away from Home Community

If the employee is assigned to work in another city for one day and the travel is performed at the employer's request and for the employer's benefit, it is part of the principal activity of the employer and therefore, is considered compensable time. This is true even if the employee is traveling by common carrier since this is a special assignment and is not ordinary home-to-work travel. The assignment is performed for the employer's benefit and at the employer's special request to meet the needs of the particular and unusual assignment. However, in this special one-day assignment, travel time between the employee's home and the airport or railway station is home-to-work travel time and, therefore, not considered compensable.

Overnight Travel Away from Home Community

Travel that keeps an employee away from home overnight is travel away from home. Travel away from home is compensable when it cuts across the regular work hours. The time is not only compensable on regular working days during normal working hours, but also during corresponding hours on nonworking days.

If this travel occurs during the employee's normal work hours on non-working days (i.e., Saturday or Sunday for an employee who works Monday through Friday) the time is also considered compensable time.

Time the employee spends in overnight travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile, and the employee is free to relax, is not considered compensable time. However, the City will compensate for normal working hours on regular working days up to eight (8) hours.

If the employee is the driver of a vehicle, the employee must be compensated as driving is work time, even outside of normal work hours.

If the employee is traveling by vehicle, they must travel during their normal working hours unless otherwise approved by the Department Head. Department Heads have the authority to adjust work schedules during a pay period to accommodate time spent traveling to avoid overtime.

To the extent that an employee performs work while traveling, e.g. preparing for a meeting, reviewing documents, making telephone calls, this time constitutes compensable time even if the travel time would otherwise not be compensable.

Time spent at a hotel with freedom to use time for the employee's own purposes is not considered compensable time.

Examples:

Employee drives to the airport to attend a seminar and has two co-workers as passengers with him. If the trip is made before or after normal work hours, only the driver receives compensation as only the driver is considered to be working. If one of the passengers (before or after normal work hours) writes a report, makes work-related phone calls, or conducts any type of business on behalf of the employer, that time is compensable. If the trip is made during normal work hours, all three employees are compensated because travel during normal work time is compensable.

Employee works at the office on Wednesday from 8:00 a.m. until 12:00 p.m. and then leaves to drive to Wichita at 1:00 p.m. (following lunch), arriving at the hotel at 4:30 p.m. The employee has 7.5 hours of time worked that day. The employee then attends a conference for eight (8) hours on Thursday and then rides as a passenger home after the conference at 5:00 p.m. The employee arrives home at 8:00 p.m. The employee had normal 8-hour workdays on Monday, Tuesday and Friday. The employee would have 39.5 hours of compensable time during the week, and the 3 hours of travel from Thursday night is not compensable time and should not be included as such during that pay period or any other. It is not categorized as other time, nor can it be utilized to fill time up to a 40-hour work week.

An employee who regularly works from 8:00 a.m. to 5:00 p.m. Monday through Friday is assigned overnight travel. The employee travels on business to a location that requires two (2) hours of travel time. The employee leaves Friday at 8:00 a.m., arrives at the work location at 10:00 a.m. and works remotely until 5:00 p.m. on Friday. The employee should be compensated for 9 hours of compensable time on Friday. The employee's conference starts at 8:00 a.m. on Saturday morning, takes an hour meal break, and returns home on Saturday at 3:00 p.m. Since the employee worked and traveled for six (6) hours on Saturday during hours that would be considered regular work hours on a non-working day, the employee would be eligible for six (6) hours of compensable time on Saturday.

An employee who regularly works from 8:00 a.m. to 5:00 p.m. Monday through Friday is assigned work out of town. On Friday, the employee works at his regular job location until 4:00 p.m., which included a 1-hour meal break, and then travels by bus to an out-of-town work location, arriving at 6:00 p.m. The employee should be compensated for eight (8) hours on Friday, since with overnight travel, only the travel time that overlaps the employee's regular working hours must be paid. On Saturday, the employee works from 8:00 a.m. to 4:00 p.m. with an hour meal break. The employee then leaves to travel home by bus, arriving at 6:00 p.m. Since only the travel time that overlaps the employee's regular working hours on a non-working day must be paid, the employee is eligible for eight (8)

hours of compensable time on Saturday as well.

Regular meal period time is not considered compensable time if the employee has freedom to use the regular meal period time for the employee's own purposes.

All time utilized for travel time as stated in the Policy when considered compensable time should be logged as regular work hours and not under any other category. Compensable time under this policy is factored into any overtime calculation per the Fair Labor Standards Act (FLSA). No fill time should be moved from day to day, week to week or between pay periods. There is never a time when travel time should be coded as anything other than regular work hours. It is either considered compensable or not compensable. Travel time can only be utilized in the week it is actually used to appropriately account for overtime.

Example: Employee has 10 hours of passenger travel time in a work week that occurred outside of normal work hours (i.e., Sunday evening from 5:00 p.m. to 10:00 p.m. and return of Friday evening from 5:00 p.m. to 10:00 p.m.), but only 30 hours of conference time and no other compensable time for the week; the employee would only be compensated for 30 hours of work for the week. The 10 hours of passenger travel outside of the normal work schedule could not be utilized as compensable to bring hours up to the 40 needed to be considered a full work week.

Approval

All travel plans are subject to approval by the Department Head. City employees that are not paid a vehicle allowance for the use of their personal vehicle must use a City vehicle for any travel unless one is not available. Employees that are paid a vehicle allowance for the use of their personal vehicle will use their personal vehicle for travel and will refer to the Vehicle Allowance policy. Carpooling should be used whenever more than one staff person is attending the same training/meeting and when carpooling, a City vehicle should be utilized. If employees request to drive separately, the request should include justification for the request and must include written permission from the Department Head which would be included in the travel expense reimbursement request.

If a personal vehicle is approved to be used for travel in writing by the Department Head the travel expense report should reflect a section for mileage at the standard mileage rate set by the Internal Revenue Service.

If a City vehicle is used, a City purchase card should be used to purchase fuel as needed for the travel.

Training Time

Generally, when the employer permits or requires a non-exempt employee to attend training, such time is considered as hours worked unless all four (4) of the following criteria are met:

1. Attendance is outside of the employee's regular work hours.
2. Attendance is voluntary.
3. The course, lecture, or meeting is not directly related to the employee's job; and

4. The employee does not perform any productive work for the employer during such training.

Travel, Meal & Lodging Expense Reimbursements

The City will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the Department Head. The employee should use their City-issued purchase card for these expenses during travel.

Each person will be reimbursed for reasonable, necessary, and actual travel and lodging expenses incurred in the performance of authorized official duties subject to limitations expressed in this Policy. Additionally, the employee must complete a budgeted travel expense report before traveling and provide actual receipts upon return.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

1. Department Heads are responsible for ensuring that all travel expenses will be budgeted in their budget in advance of authorization for use.
2. Prior approval to the authorizing party for all expenses is required. Only conventions, seminars, and like meetings which have been approved by the Department Head and justified in the budget process, will be allowed.
3. Use of public transportation is encouraged.
4. Each authorizing party will be responsible for ensuring that employees plan their travel with the principles of fiscal austerity and energy conservation in mind.
5. When approved, the actual costs of travel, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed based on the guidelines in this policy. When possible, the City credit card will be used.
6. Rates will be paid for meals in accordance with the U.S. General Services Administration. <https://www.gsa.gov/travel/plan-book/per-diem-rates>
7. Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor and for law enforcement to the current jurisdiction they may be in at the time of the accident. Vehicles owned, leased, or rented by the City may not be used for personal use.
8. When travel is completed, employees should submit completed travel expense reports within ten (10) days. Reports should be accompanied by receipts for all individual expenses.

Air Travel

GCK is the preferred airport for travel. The maximum allowed for air travel will be limited to the lesser of the most economical fare available. Making a reservation at least 21 days in advance is recommended to ensure the lowest possible airfare is obtained. Flight insurance will not be reimbursed.

Use of Personal Vehicles for City Business

All City employees who drive their personal vehicles on City business will be required to maintain personal automobile insurance as individual employee's insurance is primary for personal vehicles. Employees that do not receive a vehicle stipend should use a City vehicle for out of town travel whenever possible. If a City vehicle is not available, the employee may use a personal vehicle and will be reimbursed for the use of their personal vehicle at the IRS mileage reimbursement rate, plus actual expenses for parking. Traffic violation expenses are not reimbursable. If an employee chooses to take a non-city employee on their travel, they are required to use their own vehicle.

Meals

The City may pay the cost of meals under the following circumstances: where the business of the City is conducted during the meal or for employees engaging in approved travel with an overnight stay. Meals paid for travel are paid by the City for employees only. Employees must use their City-issued purchase card to purchase meals. The daily meal allowance while traveling for employees is determined using the current "Meals and Incidents (M&IE) Total" rate published by the U.S. General Services Administration (GSA). Employees will utilize the Standard Rate identified by GSA unless GSA has identified an alternative rate for the specific City where the employee will be traveling. Alcoholic beverages are prohibited from being purchased on a City-issued purchase card.

Meal Taxability

The City may reimburse employees for expenses while traveling away from home overnight or away from the City for meetings. The taxability of these reimbursements depends on whether there is a valid business reason for the travel and whether the expense is substantiated. Reimbursements must meet IRS accountable plan rules in order to be tax-free. An IRS accountable plan needs to prove a Business Connection. The plan pays reimbursements only for otherwise deductible business expenses (such as travel, lodging or meal expenses incurred while away overnight on business). The reimbursements must be clearly identified as such when the employee is paid.

Only allowable business-related meal expenses paid for by the City which are incurred while away overnight on business are tax-free to the employee. All other employer-paid business meal expenses must be reported as additional income to the employee and are taxable.

Lodging

When registering in hotels or motels or signing for any official purposes, employees will use their business address. The choice of lodging will be based primarily on cost with consideration given to accessibility in conducting business. Expenses for lodging at the homes of relatives are not reimbursable.

5. BENEFITS

The City strives to provide various employee benefits that are competitive with the labor market. Information and summary communications intended to explain these benefit plans are furnished to all plan participants and qualified beneficiaries on a timely and continuing basis. The City administers this Policy in accordance with the principles of equal employment opportunity.

All benefits provided by this policy are described in official documents which are kept on file with the Human Resources Department and are available for examination by any plan participant or beneficiary. These documents are the only official documents concerning the City's employee benefits.

The Human Resources Director serves as the Administrator of the City's employee benefit plans. The Administrator is responsible for all communications and disclosures concerning City benefits and for compliance with all applicable laws and regulations.

The City reserves the right to amend or terminate any of its benefit programs or to require or increase employee premium contributions toward any benefits with or without advance notice at its discretion. This reserved right may be exercised in the absence of financial necessity. Whenever an amendment is made to any City benefits program, the Human Resources Director will notify plan participants of all approved amendments or plan terminations, in accordance with the requirements of applicable federal law.

This section highlights key features of our benefits program. This is not comprehensive; for more complete information regarding any of the City's benefit programs, please contact the Human Resources Department.

Health, Prescription, and Dental Insurance

The City offers health insurance to all regular full-time employees and benefited part-time employees who are regularly scheduled 30 or more hours per week or 130 hours or more per month, and their qualified dependents. If elected, insurance becomes effective on the first day of the month following sixty (60) days of eligible employment with the City.

Employee insurance premium contributions are established by the City. The City offers wellness incentive participation in exchange for a premium reduction. Any employee required to pay any portion of the health insurance premium will make such payment by payroll deduction on a pre-tax basis. Health insurance premiums are paid during the month of coverage and will be deducted in equal installments from each paycheck. If an employee is on an approved leave and a payroll deduction is not possible in any given month, unless other arrangements have been approved by the Human Resources Director, the employee will be responsible to pay the monthly premium to the City within five (5) business days following the applicable payroll deduction date.

Enrollment

Those employees who do not enroll in the health, dental, or voluntary plans during their initial new employee eligibility period will not be eligible again to enroll until one (1) of the following events occur:

1. Open Enrollment Event: The City holds an open enrollment period in the fourth quarter of each year. Employees are eligible to make any change(s) to cancel or add insurance coverage during the open enrollment period. All elections during open enrollment will be effective on January 1st of each year.
2. Section 125 Qualifying Event: IRS Section 125 defines the circumstances under which a plan may permit an employee to change elections with respect to health coverage. A qualifying event occurs when an employee or dependent that is covered becomes (or ceases to be) eligible under the Plan. A qualifying event allows employees to adjust health or dental insurance coverage without waiting until the open enrollment period. The qualifying event will be reported within 30 days of the event to the Human Resources Department along with written proof of the event. The effective date of the change will be determined by the insurance carrier but will be no later than the first day of the month following the qualifying event date. Common qualifying events include, but are not limited to:
 - a. Marriage
 - b. Divorce or legal separation
 - c. Birth, adoption, or placement for adoption of a child
 - d. Spouse's loss of employment/coverage
 - e. Death
 - f. Reduction in hours to less than full-time status
 - g. Dependent turns 26 (the effective date of the change for this event only is the last day of the month that the dependent turns 26)

Dual Coverage Not Permitted

The City provides health insurance coverage under either one (1) family plan or two (2) single plans. No City employee may be on two (2) City sponsored health plans.

Coverage upon Separation

Health and dental insurance coverage will cease on the last day of the month in which the employee's separation from employment (last day of work) with the City occurs.

Insurance Continuation

Under the Federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) and subsequent amendments to the Act, employees covered under an employer's group insurance plan are eligible for continuation of any insurance coverage under the group plan. COBRA contains provisions giving certain employees, former employees, spouses, former spouses, and dependent children the right to temporary continuation of insurance coverage at group rates plus a 2% administration fee. This coverage, however, is only available when coverage is lost due to COBRA qualifying events.

COBRA qualifying events are events that would cause an individual to lose insurance coverage. The type of COBRA qualifying event will determine who the qualified beneficiaries are and the amount of time that a plan will offer the insurance coverage to them under COBRA. COBRA qualifying events include:

1. Employee or spouse's voluntary or involuntary separation of employment for reasons other than gross misconduct.
2. Employee or spouse's reduction in the number of hours of employment.
3. Spouse becomes eligible for Medicare.
4. Divorce or legal separation from employee.
5. Death of employee.
6. Dependent child loss of dependent child status under the plan rules.

The employee (or qualified dependent) will report the COBRA qualifying event within 30 days of the event to the City's current COBRA provider and provide written proof of the event. The effective date of the change will be the qualifying event date. All employees, as well as their qualified dependents, will receive notice of mandated insurance continuation benefits when the plan coverage for the employee begins.

Effective Date

If elected, the health insurance becomes effective on the first of the month following sixty (60) days of employment with the City. The effective date applies to new hires and employees with a status change resulting in new eligibility.

Waiver or Cancellation of Coverage

An employee may elect to decline health insurance participation by signing a waiver form provided by the Human Resources Department through the City's benefits portal. Any waiver may be withdrawn prior to its effective date. Employees waiving during Open Enrollment will sign a waiver annually through the City's benefits portal. A waiver will be effective upon receipt by the Human Resources Department.

Section 125/129 Flexible Spending

The Section 125/129 Flexible Spending Reimbursement Plan allows the employee to set aside pretax dollars each pay period to pay for uninsured medical expenses, and/or dependent care.

Employee Contribution

The City does not make an employer contribution to the Section 125/129 Flexible Spending Reimbursement Plan that it offers. All contributions to the Section 125/129 Flexible Spending Reimbursement Plan offered by the City are made by the employee. An employee may defer up to the maximum allowable amount regulated by law each year for medical expenses and/or dependent care expenses. There is no payback or carryover of unspent contributions from the previous calendar year.

Eligibility

All benefit-eligible employees are eligible to participate in the Section 125/129 Flexible Spending Reimbursement Plan offered by Surency.

Enrollment

Enrollment into the Section 125/129 Flexible Spending Reimbursement Plan offered by Surency for new employees or newly eligible employees due to status change, typically occurs during the first week of employment or first week of the status change during the employee orientation meeting with the Human Resources Department. Those employees who do not enroll in the Flexible Spending Reimbursement Plan during the initial new employee eligibility period are not eligible for enrollment again until one of two events occur:

1. Open Enrollment Event: The City holds an open enrollment period annually in the fourth quarter. Employees are eligible to make a change, cancel or add flexible spending deductions during the open enrollment period. All elections during the open enrollment period will be effective on January 1st of the following year.
2. Section 125 Qualifying Event: IRS Section 125 defines the circumstances under which a Section 125/129 Flexible Spending Reimbursement Plan may permit an employee to change his or her plan elections with respect to flexible spending accounts. A qualifying event occurs when an employee or dependent who is covered becomes (or ceases to be) eligible under the Section 125/129 Flexible Spending Reimbursement Plan. A qualifying event allows employees to adjust flexible spending account deductions without waiting until the Open Enrollment Event. The qualifying event will be reported within 30 days of the event to the Human Resources Department along with written proof of the event. The qualifying event will correspond with the change to the plan elections and is subject to approval by the Human Resources Department. The effective date of the change will be the date that the qualifying event occurred. Common qualifying events include, but are not limited to:
 - a. Marriage.
 - b. Divorce or legal separation.
 - c. Birth, adoption, or placement for adoption of a child.
 - d. Spouse's loss of employment/coverage.
 - e. Death.
 - f. Reduction in hours to less than full-time status.
 - g. Dependent turns 26 (effective date of the change for this event only is the last day of the month that the dependent turns 26).

Effective Date

If elected, the flexible spending account becomes effective on the first of the month following sixty (60) days of employment with the City. The effective date applies to new hires and employees with a status change resulting in new eligibility.

Waiver or Cancellation of Coverage

An employee may elect to decline Chapter 125/129 Flexible Spending Reimbursement Plan participation by signing a waiver form provided by the Human Resources Department through the City's benefits portal. Any waiver may be withdrawn prior to its effective date. Employees waiving during Open Enrollment will sign a waiver annually through the City's benefits portal. A waiver will be effective upon receipt by the Human Resources Department.

Separation

Upon separation from employment, deductions will continue through the paycheck on or immediately following the employee's separation from employment (last day of work) with the City. Unless the employee elects COBRA, reimbursements will have a Date of Service on or before the last day of work, as outlined in the Summary Plan Document.

KPERS and KP&F

All eligible full-time and benefited part-time employees who work 1,000 hour or more, excluding Public Safety will be members of the Kansas Public Employees Retirement System (KPERS) while all benefit-eligible public safety employees will be members of the Kansas Police and Firemen's Retirement System (KP&F) and will be subject to all laws and supplemental regulations governing such membership. Participation in the State Retirement System is mandatory by state statute for all employees who are scheduled at least 1,000 hours per year for positions that are not seasonal in nature. Both the employee and the City make contributions to the retirement system, with contribution amounts being established by statute. Employee contributions are made through payroll deduction.

Deferred Compensation

The City offers a supplemental retirement savings plan regulated by Section 457 of the Internal Revenue Code. The City uses One America and KPERS 457.

Employee Contributions

The City does not make an employer contribution to any of the Deferred Compensation Plans that it offers. All contributions to a Deferred Compensation Plan offered by the City are made by the employee. Employee contributions (salary deferral) will be made through payroll deduction on a pre-tax basis or after-tax basis (Roth) up to federal and state limits imposed by the Internal Revenue Service and Department of Revenue.

Employee contributions will commence the first pay period of the month following enrollment. Contribution amounts (initial or changes) deducted through payroll may be adjusted by the employee and will be coordinated by the Human Resources Department. A form authorizing the initial contribution or a change in the contribution is due to the Human Resources Department in advance of the effective date.

Eligibility

All benefit-eligible City employees may voluntarily participate in one of the deferred compensation plans offered by the City, pursuant to the rules, terms, and conditions outlined in the plan.

Enrollment

Eligible employees may enroll in any Deferred Compensation plan at any time.

Cancellation

Employees are permitted to cancel their payroll deduction(s) into the Deferred Compensation Plan at any time and will complete a form provided by the Human Resources Department. The cancellation will be processed in the first pay period following the date the form was received by the Human Resources Department.

Life Insurance

The City sponsors a life-insurance policy for all full-time employees at no cost to the employee, through The Standard. If elected, insurance becomes effective on the first day of the month following sixty (60) days of eligible employment with the City.

Wellness Program

[Grow Well Mental Health Guide.pdf](#)

[Grow Well Brochure.pdf](#)

The City offers a variety of wellness challenges to all full-time employees. All full-time employees are encouraged to participate in such challenges. Employees on the City's Wellness Insurance rate automatically receive access to the Grow Well Clinic. Employees are required to complete a Health Risk Assessment through the Grow Well Clinic between the months of April and September every year as well as participate in four (4) wellness challenges. Failure to complete the Health Risk Assessment and required challenges will result in the employee being taken off the wellness rate for the following year.

Any wellness challenge that takes place during working hours, employees shall stay clocked in.

Employee Recognition Program

The City recognizes extended service to the organization by presenting service awards to eligible employees.

In recognition of employees for their dedication and continued service to the residents of Garden City, the City also provides the following longevity payments annually:

Continuous Years Completed	Payment
26+ Years	\$1,600.00
21-25 Years	\$1,100.00
16 -20 Years	\$700.00
11-15 Years	\$400.00
6-10 Years	\$300.00
5 Years	\$200.00
4 Years	\$150.00
3 Years	\$125.00
2 Years	\$50.00
1 Year	\$25.00

Recognition payments will be payable in December of each year to the employee by a separate check or gift certificate. Calculation for eligibility will require an employee to complete the anniversary of actual number of service years outlined above.

Other Benefits

Discount Savings

The City offers a variety of discount saving options to all employees from a variety of vendors. Current discounts for employees are available by contacting the Human Resources Department. Any discount programs offered will be subject to modification or terminated by the City with or without notice to employees.

Current Discount Savings Vendors:

- Discounted movie tickets

Tuition Assistance

Continuing education encourages City employees to continue formal education towards a degree or course(s) of training that relates to their career field. The intent of such a program is three-fold:

- To increase an individual's skills and knowledge to enhance productivity and proficiency on the job,
- To encourage self-enrichment and esteem by meeting educational goals, and
- To promote organizational goals.

Under the program, qualified employees may be eligible for one hundred percent (100%) tuition assistance. This benefit is tax free to the employee provided the reimbursement is under the annual IRS limitations.

Criteria

Full-time employees may qualify for tuition assistance based on their ability to meet the following criteria:

1. Must be employed with the City for at least one (1) year of continuous service.

2. Cannot be in a status of introductory period, suspension, and/or appealing a charge(s) that may result in disciplinary action and/or termination. (If an individual's curriculum has been approved and that individual is participating in the program when action(s) occur that may result in disciplinary action or termination, the City reserves the right to deny reimbursement to the individual).
3. The employee must have an average or above performance evaluation rating.
4. The curriculum must have initial approval from the Department Head. The time frame the curriculum is offered to ensure there is not a conflict with work schedule, by the relationship of the curriculum to the career field of the individual; or If the curriculum is an area of study or training, although unrelated to an individual's career field, which can be demonstrated as beneficial to the City.
5. Review and recommendation of a curriculum will be completed by the Human Resources Department with the City Manager giving final approval.
6. Successfully complete a curriculum and attain a grade 2.00 on a 4.00-point scale or the equivalent of a "C" regardless of the grading system to be eligible for tuition assistance reimbursement. For approved program(s) that do not have a grade scale, a certificate of completion or a letter from the instructor or program director stating the individual has successfully completed or passed the course(s) must be submitted before reimbursement.
7. A copy of the certificate, letter and/or grade card for a completed curriculum must be provided to the Human Resources Department before reimbursement. This copy will be placed in the individual's personnel file as part of the permanent record.
8. Must be employed with the City at the time of curriculum completion.
9. The City will only pay for programs that are accredited.
10. Employees eligible for other means of financial assistance may be denied full or partial financial assistance.

Limitations

1. Participation will be reviewed on a case-by-case basis and will be funded for each Department's training budget as funds are available. Requests may be denied, or participation limitations established by the City. If budgetary constraints result in a limited system being established, the criteria by which an individual is granted tuition assistance will be based on an evaluation by the Department Head that considers the benefit to the department, City, and individual.
2. This program is available only after other available assistance is exhausted (scholarships, etc.).

3. If the employee elects to terminate employment with the City within two years (2) following completion of the training, they must reimburse the City pursuant to the Tuition Reimbursement Agreement.

Employee Assistance Program

The Employee Assistance Program (EAP) is a voluntary, no cost and confidential service provided to all employees and their immediately family members. The City utilizes New Directions Behavioral Health and allows up to eight (8) sessions per incident. EAP provides professional counseling services to help employees identify or overcome personal problems and difficult situations. EAP is available to all employees offering problem assessment, short-term counseling, and referral to appropriate community and private services. If further counseling is necessary, the EAP counselor will outline community and private services available.

EAP is strictly confidential and is designed to safeguard your privacy and rights. All counselors are guided by a Professional Code of Ethics. Call the EAP at 800-624-544 and use Gardecityks as the company code to contact an EAP counselor through New Directions Behavioral Health. ^(OBJ)

Retiree Health Insurance Program

An employee retiring at age sixty-five (65) with twenty (20) years of service who has a spouse under the age of sixty-five (65) may provide coverage for the spouse under the City Health Insurance Plan until the spouse reaches sixty-five (65) years of age.

An employee who retires before reaching sixty-five (65) years of age and has twenty (20) years or more of City service and who has a spouse will be eligible for coverage under the City's Health Plan until they individually reach age sixty-five (65).

Additional information is provided at the time of retirement.

Social Security and Medicare

All employees earn credit toward Social Security and Medicare benefits, to be received upon retirement in accordance with law.

6. HEALTH, SAFETY, AND SECURITY

Drug and Alcohol-Free Workplace

All employees have a right to work in a drug-free environment and to work with individuals free from the effects of prohibited substances. Employees who use or abuse prohibited substances are a danger to themselves, their co-workers, the public, and the Employer's assets. Consistent with the Drug-Free Workplace Act, the City prohibits the manufacture, possession, use, distribution, transfer, sale, or dispensing of any controlled substance, including alcohol, by any City employee at any time while on City property, including City vehicles, while working, or while involved in any City-related activity or event. The exception to this is the storage of drug or alcohol evidence with the Police Department. The City requires the cooperation of all employees in administering this policy. Any employee who violates this policy will be subject to disciplinary action, which may result in referral to law enforcement.

Prescription Medication

This Policy does not prohibit an employee from using a legally obtained prescription drug that was legally issued to said employee. Prescription medication can also affect an individual's demeanor, job performance and ability to safely perform all job duties, it is the employee's responsibility to notify their direct supervisor if they are taking a legal prescription drug that may affect performance or ability to perform the position's duties, without the necessity to disclose the reason for taking the prescription. An employee may be required to provide the City with a copy of the prescription and/or other medical verification. If an employee is unable to perform their job duties safely and effectively while taking a prescribed medication, the employee may be reassigned, or, if no suitable position is available, may be placed on a leave of absence.

Drug-Related Convictions

Any employee convicted of violating a City, State of Kansas or Federal Criminal Drug Statute must inform the City of such conviction (including a plea of guilty or no contest) within five (5) days of the conviction. When the federal government requires a City to notify the federal contracting office of an employee's drug conviction in a workplace, the City will provide such notification to the federal contracting office within ten (10) days of receiving such notice of conviction from an employee or otherwise receiving notice of such conviction.

Any employee who violates this policy will be subject to disciplinary action up to and including termination of employment. Nothing in this policy implies employees of the City are employed for an indefinite period. Such employment may be terminated with or without cause or notice at the will of either the employee or the City. This policy and any related policies, practices, or guidelines are not employment contracts or parts of any employment contract.

Drug and/or Alcohol Testing

New Employees

As a condition of employment, all new employees must successfully complete a pre-employment drug test.

Current Employees

In certain circumstances, as authorized by the Human Resources Director, the City may conduct reasonable suspicion and/or post-accident drug or alcohol testing as it deems appropriate.

Non-DOT Drug Testing/Safety Sensitive Positions

Employees in positions in which it is reasonably foreseeable that if under the influence of drugs or alcohol the employee could suffer a lapse of attention or other temporary deficit that would likely cause actual, immediate, and serious bodily injury or loss of life to self or others, will be considered in “safety sensitive positions.” “Safety Sensitive Positions” are required to comply with, and submit to, drug and alcohol testing in accordance with City policy. A list of the “safety sensitive positions” are listed below.

“Safety Sensitive Positions”

- Lifeguards
- All Sworn Law Enforcement positions including command staff
- All Dispatch Communication positions
- All Fire Suppression positions including command staff
- All positions required to operate a City Vehicle within Parks, Cemetery, Zoo, Airport, Streets, Utilities
- Any position who regularly operates a City vehicle.

DOT Drug Testing

As a condition of employment, employees required to possess a Commercial Driver’s License (CDL) as part of their job duties are required to comply with, and submit to, drug and alcohol testing in accordance with City policy and all applicable state and federal regulations. Each affected employee will receive a copy of that policy.

Tobacco and Vape-Free Workplace

To support the health and well-being of our employees and members of the public, the City is committed to providing a vape-free and smoke-free environment in the workplace.

In accordance with the Kansas Clean Indoor Air Act, no smoking or chewing of tobacco, or use of e-cigarettes or vaping devices is permitted anywhere inside or outside (within a 10-foot radius of any doorway, open window, or air intake) of City facilities or vehicles. No smoking is permitted at any location where signage prohibits smoking.

The no-smoking policy includes the use of tobacco products as defined in [K.S.A 79-3301\(w\).url](#)

Workplace Safety

The City is dedicated to ensuring employees are working in a safe and healthy environment. Employees should make a conscientious effort to be aware of security, safety, and health procedures as well as potential hazards to staff and customers. Employees should strive to avoid or prevent accidents. To accomplish this, all employees are expected to work diligently to maintain safe and healthful working conditions and to adhere to proper operating practices and procedures designed to prevent injuries and illnesses. The City provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, policies and procedures described in either the City Safety Manual or Department Standard Operating Guidelines/Standard Operating Procedures.

Each employee is expected to understand and obey safety rules, and to exercise caution in all work activities. Employees should always conduct themselves in a safe manner at all times, adhere strictly to all safety requirements, and immediately report any accidents, hazards or potentially unsafe conditions to their direct supervisor. If the unsafe condition can be corrected immediately as to avoid any additional hazard, then the employee should implement the corrective action. Employees must immediately report any unsafe condition to the direct supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

The responsibilities of all employees in this regard include, but are not limited to:

1. Exercise maximum care and good judgment at all times to prevent accidents and injuries.
2. Report all injuries to direct supervisors immediately and seek first aid, regardless of how minor.
3. Report unsafe conditions, equipment, or practices to direct supervisors.
4. Always use safety equipment provided by the City.
5. Always observe all safety rules and regulations.
6. Notify supervisory staff, before the beginning of the workday, of any medication they are taking that may cause drowsiness or other side effects that could lead to injury to them and their coworkers.
7. Know the locations of all fire and safety exits.
8. Never attempt to catch falling objects.
9. Make certain all emergency equipment, such as fire extinguishers, alarms, and exit doors, is always accessible.
10. Avoid engaging in horseplay or practical jokes.
11. Maintain all equipment in good repair; and
12. Know and be familiar with all City and Department Specific Safety Policies.

Direct supervisors are to provide the safest working conditions possible. It is the duty of direct supervisors to establish safety regulations and to instruct employees in accident prevention. Suggestions regarding safety

will be welcomed from all employees who are expected to immediately report unsafe conditions to their direct supervisor.

Facility Security

No employee will let anyone inside any City facilities before or after posted business hours, unless they know the person and are doing business with them under their employment with the City.

Family or Guests of Staff in Non-Public Areas

Employees will make every effort to limit personal visitation by family or friends while on duty. Family and guests of staff will avoid interrupting other staff from their work activities and will enter another staff person's work area only if specifically invited. Family members or other guests should not be left in non-public areas if it would interfere with City business or create a safety concern. Interruption or disturbance caused by family members or guests may be the basis for disciplinary action against the employee, including termination. The extent to which non-public areas are open to visitation by family or guests of staff is at the discretion of the Department Head. The Fire Department allows family members of those employees working to visit the station between 5p.m. and 10 p.m.

Safety Equipment/Uniforms

The City will provide, at no cost to employees, a sufficient amount of uniform clothing and safety apparel for all employees who are required to wear uniform clothing and safety apparel as part of their City duties and responsibilities. All employees who are required to wear uniform clothing as part of their duties and responsibilities will adhere to the following:

- City employees are required to wear issued safety apparel and identifying clothing as set forth in individual Departmental policies.
- A City uniform, or any part of a City uniform, is not to be worn for personal/private use.
- All uniforms and safety apparel will be clean and neat in appearance at the start of each work shift.
- All employees are prohibited from wearing a City uniform or any part of the uniform after established work hours in a business that would bring possible discredit to the City or the employee while in an authorized City uniform.
- All employees are prohibited from possessing or consuming alcoholic beverages at any time while wearing a City uniform or any portion of a City uniform.
- Employees are responsible for the proper maintenance, laundering and care of these items. This includes laundering the uniform regularly, unless provided for by another company.
- If the uniform needs to be replaced owing to normal wear and tear, the City will replace it at no

expense to the employee.

- If anything, outside of normal wear and tear results in the need for a replacement uniform, the replacement will be at the employee's expense. Additionally, excessive damage to, or loss of company uniforms, may result in disciplinary action. Payroll deductions may be arranged to cover replacement cost.
- During the course of employment, all uniforms will remain the property of the City.
- Upon termination of employment or upon direct supervisor request, uniforms are expected to be returned in a reasonable state and in their entirety. Additionally, every employee will sign an acknowledgement that failure to return uniforms upon request will result in the cost of the uniforms being deducted through payroll on their next pay period.

Reporting Accidents

All accidents are to be reported immediately to the direct supervisor. The direct supervisor must notify the Human Resources Department within 24 hours of the accident/incident happening and an accident packet completed. This is to ensure correct treatment and the proper handling of the accident situation. Employees will be required to report accidents/incidents occurring on or with City property or during work. An employee who is an eyewitness to an accident should document what happened, how it happened, and any other information that would be helpful in the treatment of the injured individual. Employees are required to report all incidents that damage City property to the Human Resources Department and the City Clerk.

Questions regarding accident reporting should be directed to the Human Resources Department or the Department's designated Safety Representative.

Employee Injury

An employee will immediately report to their direct supervisor if any injury incurred during the course of the employee's shift. The appropriate reporting forms should be filled out and forwarded to the Human Resources Department within twenty-four (24) hours, if possible. Under no circumstances should these forms be filed later than twenty (20) days following the date of said injury/accident. All serious injuries should be treated immediately and reported as soon as possible. If an employee requires medical attention, a Return-to-Work Form should be obtained and returned to the Human Resources Department prior to returning to work; this form should indicate whether accommodations need to be made due to temporary work restrictions. No employee who seeks medical attention for a work-related injury will be allowed to return to duty without clearance from a health care provider.

Workers' Compensation

Workers' compensation is a type of insurance that provides benefits to employees who are injured or become ill as a direct result of their job under the Workers Compensation Act for the State of Kansas.

Medical expenses and wage loss are covered by the following provisions of the State Workers' Compensation Act.

1. The employee and direct supervisor must fill out the necessary reporting forms documenting the injury and provide it to the Human Resources Department within 24 hours.
2. For an injury requiring medical attention, documentation must be provided by the physician to Human Resources concerning the injury.
3. The Workers' Compensation insurance carrier, Cowell Insurance, will make a determination of a Workers' Compensation claim.
4. There is a seven (7) day waiting period. The first seven (7) days following an injury are not compensable unless the employee misses work beyond the 7th calendar day following the injury or sustains permanent disability.
5. At the time the physician indicates the employee is able to return to work, a Return-to-Work Form should be completed by the medical provider and returned to the Human Resources Department.
6. If an employee seeks treatment from a doctor not authorized by Cowell Insurance, the City is liable for a maximum of \$500 per injury.
7. The City will pay an employee Injury Leave (not sick leave) for the first seven (7) days of an absence due to illness or injury. If the employee is later reimbursed by Workers' Compensation, the employee is to endorse the first week's check and submit it to the City for the injury leave paid; Injured employees are not entitled to compensation for the first week they are off work unless they lose three consecutive weeks. The first payment is normally due at the end of the 14th day of lost time. An injured employee is entitled to a weekly amount of 66 2/3% of their average weekly wage. If the injury results in permanent disability, the Kansas Workers' Compensation statutes provide additional benefits.
8. Employees can use sick leave entirely and sign over their Workers' Compensation check to the City, or Employees can elect to be paid at a rate of one-third (1/3) sick leave and keep Worker's Compensation check paid at two-thirds (2/3) of employees' salary, or when an employee depletes sick leave accumulation, no further compensation is paid by the City. Compensation received will be temporary total disability until the date of medical release to Return to Work form is submitted.

Return to Work Program

Return to Work (RTW) programs promote and ensure the safe return of injured employees back into the work environment and enhance the mental and physical healing of the employee, thereby shortening the period of time an injured employee is off the job. A RTW program that modifies an employee's job duties within work recommendations of the treating health care provider(s) may be administered by, and at the discretion of the Human Resources Director, for any work injury/illness that affects the employee's ability to perform some or

all their normal work duties. Modified job assignments are temporary, and the RTW program does not create positions to permanently accommodate a person with qualified disabilities.

The goal and expectation of the RTW program is that the employee will progressively return to work within full capacity and be able to perform their prior job at 100% without limitations. The primary objectives of the RTW program are as follows:

1. Safely return employees to work as soon as possible.
2. Avoid deterioration in work skills due to prolonged absences from work.
3. Reduce the number of lost time incidents and total number of lost workdays.
4. Reduce disability and medical treatment costs.
5. Maintain productivity without hiring seasonal employees.
6. Rapid and efficient return of employees to their original jobs.

Modified or light-duty work, including transfer to another division, may be provided when:

1. The work is productive.
2. The work is within the employee's medical restrictions as provided by a physician.
3. The work is within the employee's skill level.
4. There is adequate capacity within the department or division to organize and supervise the work being performed.

Modified or light duty assignments are temporary, not to exceed 12 weeks, unless specifically approved by the Human Resources Director upon consultation with the affected department(s). There is no guarantee that modified or light-duty assignments are available. Temporary modified or light-duty work will be specific to the injured employee's limitations and the availability of work so as not to cause disruption or restrict day-to-day operations. During periods of temporary modified or light duty work, the employee will be compensated at the wage or regular rate of pay of the position they were in at the time of injury, regardless of the modified or light duty work performed. Any requested leave by the employee during temporary modified or light duty work must be approved by the Department Head, Senior member, and Human Resource Director.

The City specifically reserves all rights to administer this policy. This policy does not have permanent modified or light duty positions, nor will it create positions to permanently accommodate a person with a disability.

If an employee reports to modified or light-duty work, the employee has an obligation to work within the restrictions provided by the physician. If a direct supervisor unknowingly asks the employee to do a task outside of the restrictions, the employee is responsible for informing the direct supervisor of the restrictions and will decline the task. Employees who do not improve while participating in the RTW program may be removed from the program. Employees who have reached "end of healing" as established by a physician will be removed from the RTW program.

Fitness for Duty

For employees, fitness for duty (FFD) means being able to perform the essential duties of their job in a safe, appropriate, and effective manner. It is the City's policy to provide a consistent means of evaluating employees in determining that the physical and mental health of an individual allows them to complete assigned duties in a safe and reliable manner. Primary responsibility for FFD rests with the employee. Being fit for duty means reporting to work mentally and physically fit to work safely, responsibly, productively, and reliably. Direct supervisors will ensure that employees under their supervision are aware of FFD. If there is a concern that an employee is not fit for duty, the supervisor will contact their Department Head and the Human Resources Director to discuss an FFD evaluation. A request for FFD evaluation shall come through the Senior Manager and may be appropriate when:

1. The employee identifies a medical condition as a cause of a performance problem.
2. Unsafe behavior is observed and is not typical of the employee.
3. There is a documented concern about whether the employee can work in a safe and reliable manner.
4. There is a reasonable suspicion of substance abuse.
5. There is a concern about excessive use of absences that are medical in nature.
6. The employee experienced or witnessed a traumatic event in the course of employment.

An FFD exam may also be required for an employee who is returning from a medical leave of absence or work-related injury prior to their return to work. The FFD process is not a substitute for using performance guidance and counseling or the disciplinary process. Direct supervisors should address performance problems through the performance review process or by implementing corrective or disciplinary action despite the existence, or possibility of medical issues, but should first consult with the Human Resources Director. Direct supervisors should consult with their Department Head and the Human Resources Director if a supervisor determines that an FFD evaluation may be necessary. The Human Resource Director will order the FFD evaluation.

City Property

It is the City's intent to provide its employees, during the course of their employment, with access to, and the use of, various properties for the employee's purpose of conducting business for the City. Employees should have no reasonable expectation of privacy in the use of the City's and the public's property. The City may access its property with or without the prior consent or knowledge of the employee to the extent permitted by law. City property is always to be used judiciously by employees and only in the manner for which the City and public intend the property to be used.

Workspaces

Employees must maintain their workspaces in a clean, orderly and professional manner, and must report any suspected misuse or abuse of the City's property.

Employee Responsibility

Employees are encouraged to exercise care and attention in safeguarding personal property brought to the workplace. The City does not assume liability for the loss, theft or damage of personal property brought to the workplace.

Right to Access

The City reserves the right to access, replace or utilize any of its property (including office, desk, files, locker, or any other area or article on City premises issued for the use of employees during their employment with the City) without prior permission of the employee to whom it was provided to the extent permitted by law.

Circumstances warranting a need to access property include, but are not limited to, the following:

1. The City has a need to search for business items or information that is needed in a timely manner.
2. The City is complying with applicable laws regarding review and disclosure of records and information.
3. The City has reasonable suspicion to believe that the employee is engaging in illegal or improper activities, in conjunction with committing a violation of policy, rules or general expectations of conduct, or in a way that may jeopardize the health and wellbeing of others.
4. For any other lawful reason.
5. Under certain circumstances, employees may be required, upon the request of the City, to submit to a search of any personal property brought onto the City's premises to the extent permitted by law.

Return of City Property

Upon termination of employment or upon a direct supervisor's request, City property is expected to be returned in a reasonable state in its entirety. Additionally, every employee will sign an acknowledgment that failure to return uniforms upon request will result in the cost of the City property being deducted through payroll on their next pay period.

Employees transferring from one City Department to another will return all tools and equipment to their Department and return City keys to their direct supervisor, prior to transferring to their new Department for issuance of new property.

Use of Equipment/Vehicles

Properly functioning equipment and vehicles are essential to accomplishing job duties. When using City property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Employees are to notify the direct supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damage, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The direct supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

Personal use of tools and other work equipment is prohibited, unless approved in writing by the Department Head. Personal tools and other work equipment should not be utilized on the job and the City will not take liability for lost or stolen personal tools and equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

Use of Fleet Vehicles

1. Only authorized City employees are allowed to operate City vehicles. Independent contractors and volunteers are specifically prohibited from operating City vehicles.
2. No employee will be permitted to operate a City vehicle without a valid driver's license applicable to the class of vehicle to be operated. Any operation of a City vehicle with a suspended driver's license will subject the operator to disciplinary action. If an employee is involved in an accident with a City vehicle and has a suspended license, the employee will be subject to termination.
3. All operators of City vehicles will abide by all local, state, and federal traffic laws including the use of seat belts.
4. No employee under the age of eighteen (18) will be allowed to operate a City vehicle.
5. Payment of parking tickets and/or other traffic violations is the responsibility of the employee and will not be reimbursed by the City.
6. Smoking/smokeless tobacco/e-cigarettes is not allowed in any City vehicle.
7. Pets or animals of any kind are not allowed in city fleet vehicles, except for law enforcement and Zoo personnel in carrying out their official duties.
8. Operators will manage their driving environment to minimize distractions that could have an impact on their ability to safely operate the vehicle (i.e. consuming food or beverages, using cell phones, etc.).
9. Employees operating a City vehicle will exhibit appropriate and courteous driving habits to members of the public at all times.
10. Passengers will be limited to City employees or travelers engaged in official City business, unless someone is participating in a Police Department's ride-along program.

Personal Use

1. Personal use of City vehicles is prohibited. Personal use is defined as any use which is for the benefit or enjoyment of the employee or not in the pursuit of the business or interest of the city. City employees on distant trips may use city vehicles to attain lodging or food without violating this policy.
2. Exceptions to this provision are as follows:
 - a. Essential Personnel. Certain non-law enforcement, essential management personnel are provided for the use of city vehicles in order to respond to emergency situations on a 24 hour a day, 7 days a week basis, and has been deemed to be in the best interests of the City. These essential personnel may use their assigned city vehicle to commute to and from work in the performance of his/her job responsibilities. Personal use, other than commuting, is restricted to incidental stops falling within minimal deviations of normal commuting routes.

- b. Public Safety Vehicles. Police and Fire Vehicles are governed by department policies. However, such policies should reflect the spirit of this policy, including those regarding vehicle use by essential personnel.

Commuting Use and Fringe Benefit Valuation

If an employee is authorized by a Department Head to commute to and from work using a city vehicle, the following will apply:

1. Each authorized employee operating a City vehicle for the purpose of commuting will have the commuting rule multiplier included in their taxable income as set forth in IRS Publication 15-B in the section titled "Commuting Rule."
2. Each employee authorized to operate city vehicles to commute to and from work will maintain a log showing all commuting trips by the vehicle. The log will be maintained on a daily basis and a copy will be given to the Finance Director on or before the fifth day of the ensuing month.
3. The commuting use amount recorded will be used to calculate the taxable income in the ensuing month and added to the employee's taxable income.

Fringe benefit valuation does not apply to law enforcement and fire command vehicles.

Use of Personal Vehicles for City Business

Employees will be reimbursed for mileage at the IRS mileage rate for the use of their personal vehicles only when a city fleet vehicle is not available. If a fleet vehicle is available, but the employee decides to use their personal vehicle, this is not reimbursable.

All city employees who drive their personal vehicles on city business will be required to maintain, at a minimum, liability insurance on their vehicles with a minimum limit of \$25,000/\$50,000/\$10,000 per State insurance guidelines. The individual employee's insurance is primarily for personal vehicles. All cleaning, maintenance, and repairs on personal vehicles are the responsibility of the employee.

Employees will not use a motorcycle, moped, or similar vehicle in the course of conducting City business as a personal vehicle.

Workplace Violence and Bullying

The City is committed to providing a work environment that is free from violence, intimidation, and disruptive behavior. Any acts or threatened acts of bullying or violence committed by or against employees is strictly prohibited. Employees will refrain from making threats, possession, use, or threat of use of any weapon in the workplace or engaging in violent acts and/or intimidation. This is a zero-tolerance policy. Anyone engaging in violent or bullying behavior will be subject to discipline, up to and including termination, and may also be personally subject to other civil or criminal liabilities. Enforcement of this Policy requires the combined efforts of all employees. Employees will report any bullying behavior and any act of violence or any threat of violence

to their direct supervisor, unless the direct supervisor is the aggressor, at which point the employee shall report the same to the Human Resource Department. All such reports will be fully investigated. The City's prohibition against bullying, threats, and acts of violence applies to all employees and visitors to City property.

Workplace violence and bullying is any act or threat (either verbal or implied) of physical violence, including intimidation, harassment, and/or coercion that involves or affects employees (on or off duty) or occurs on City property. Specific examples of conduct that may be considered threats, or acts of violence include, but are not limited to, the following:

- Hitting or shoving an individual.
- Threatening an individual.
- The intentional destruction or threat of destruction of City property.
- Harassing or threatening phone calls.
- Harassing surveillance or stalking.
- Suggesting or implying that violence is appropriate.
- Carrying concealed weapons (handgun, pistol, or revolver) while in a city-owned building that has adequate safety measures, as the term is defined in K.S.A. 75-7C20. Further, the Chief Judge of the 25th Judicial District may prohibit the carrying of concealed firearms by an employee in the City municipal courtroom.

All employees and citizens should be treated with dignity, courtesy, and respect at all times. Direct supervisors will provide a working environment as safe as possible by having preventative measures in place and by dealing immediately with disruptive, threatening or potentially violent situations. No employee is to engage in disruptive, threatening, violent, intimidating, or other abusive conduct or behaviors. In addition, employees are expected to refrain from "horseplay," verbal references of violence, or other conduct that may be dangerous to others.

Direct supervisors will take workplace violence concerns seriously and trust the instincts of employees who are worried or fearful of another employee or member of the public. Inexplicable, erratic, or aggressive employee/citizen behavior will be brought to the immediate attention of a supervisor, except in the case of immediate/imminent danger when law enforcement will immediately be notified.

Employees will notify their direct supervisor whenever they witness, experience, or become aware of an act or threat of bullying or workplace violence. All suspicious individuals or activities will be reported as soon as possible to the employee's direct supervisor. When reporting a threat of violence or bullying, employees should be as specific and detailed as possible. Employees who feel that they or their co-workers are in immediate or imminent danger should dial 911 to attain assistance from law enforcement.

Direct supervisors will receive, evaluate, interview, and respond to reports of bullying or workplace violence with the assistance of appropriate parties, including the Department Head, Senior Manager, and Human Resources Director. To maintain workplace safety, the Human Resources Director may place an employee on administrative leave pending an investigation. Employees are expected to cooperate with the investigation of

any incident. Employees who fail to cooperate with an investigation or who give false information will be subject to disciplinary action, up to and including termination.

Privacy rights will be observed in the investigation of bullying and workplace violence incidents. Only those individuals with a clear need to know of the potential risk will be notified in cases where a person is or is perceived to be, a threat to others. The anonymity of employees reporting violence, threats of violence, intimidation, or other abusive conduct will be maintained during the investigation to the greatest extent possible by those investigating and resolving the complaint. However, there is no right to, or guarantee of, anonymity since it may be necessary to make the employee or member of the public against whom the allegation has been made aware of the complaint in order to ascertain the facts.

Retaliation and/or reprisal against an employee who reports threats of workplace violence in good faith are in violation of this Policy. Anyone who engages in or assists in such retaliatory actions will be subject to disciplinary action up to and including termination.

Employees found to be in violation of this Policy will be subject to disciplinary action, up to and including termination, as well as arrest and prosecution.

Restraining Orders

Employees who are seeking or have obtained restraining orders or injunctions against abusive persons should notify their direct supervisor so that appropriate measures can be taken. When an injunction or restraining order lists City facilities as being protected areas, employees must provide their direct supervisor with a copy of any injunction or restraining order which is granted, and a copy of any injunction or restraining order which is made permanent.

Medical Examinations

As part of the City employment procedures, some applicants are required to undergo a post-offer, pre-employment medical examination, physical test, and alcohol and drug screening. Any offer of employment from the City is contingent upon, among other things, an applicant's satisfactory completion of this examination and screening and a determination by the City and its examining physician that the applicant is capable of performing the essential functions of the position that has been offered, with or without reasonable accommodation.

As a condition of continued employment, there are times when employees will undergo certain medical examinations, physical tests, and alcohol and drug screening at times specified by the City.

The City pays for all city-required medical examinations in full. Questions about medical examinations should be directed to the Human Resources Department.

Reasonable Accommodations

It is the policy of the City to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC) and the Americans for Disability Act (ADA). Furthermore, it is the City's policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, termination, compensation, training or other terms, conditions, and privileges of employment. This Policy is neither exhaustive nor exclusive.

Procedure for Requesting an Accommodation

Qualified individuals with disabilities who are otherwise able to perform the essential functions of their job may make requests for reasonable accommodation to the Human Resources Director. On receipt of an accommodation request, the Human Resources Director will meet with the requesting individual to discuss and identify the precise limitations resulting from the disability and the potential accommodation the City might make to help overcome those limitations. Reasonable accommodations may include any action which enables a qualified individual with a disability to perform the essential functions of their position, but which does not result in an undue hardship to the City or pose a threat to the health and safety of the employee or coworkers.

All employees are required to comply with City safety standards. Current employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace will be placed on paid leave until an organizational decision has been made regarding the employee's immediate employment situation. Individuals who are currently using illegal drugs are excluded from coverage under this Policy. Those individuals who are a health or safety risk due to illegal drug or alcohol use are excluded from coverage.

The Human Resources Director and appropriate management representatives identified by the Human Resources Director as having a need to know, are responsible for implementing this policy, including the resolution of reasonable accommodation, safety/direct threat, and undue hardship issues.

Pets in the Workplace

Service Animals for Employees

If an employee with a disability requires the assistance of a "service animal," an exception may be made after consultation and approval of the Human Resources Director and City Manager. A service animal may accompany an employee with a disability at work if it is deemed to be an acceptable and reasonable accommodation under the Americans with Disabilities Act (ADA). An emotional support animal and comfort animal that is not trained to work or perform a task in support of a disability does not qualify as a service animal under this policy and is therefore prohibited.

If the service animal is approved by the Human Resources Director and City Manager, the employee will be permitted to bring a service animal to the workplace, provided that the animal's presence does not create any

health concerns or is a danger to others. The care of the service animal is solely the responsibility of the employee.

Employees are responsible for the following:

1. Keeping service animals under control at all times.
2. Any clean-up or damage to City property by their service animal.
3. Providing documentation proving the animal is up to date on vaccinations.
4. Having comprehensive liability insurance covering potential injuries.
5. Having a way to transport the animal in the event it creates a health concern or is a danger to others at work.

Law Enforcement

The Police Department is permitted to have a law enforcement K-9 in all City buildings and City vehicles during the time period in which law enforcement is carrying out its official duties.

Video Systems and Global Positioning Systems (GPS)

The City operates video systems and GPS tracking for the purpose of creating a safer environment for all those who live, work, and visit the City. Cameras may be placed in strategic locations throughout city-owned facilities. These cameras may be used for detecting and deterring crime, safeguarding against potential threats from the public, managing emergency response situations, and monitoring the use of publicly owned buildings, facilities, and operations. There may be some off-site locations that administer their own video systems.

Monitoring images from fixed cameras will be streamed/recorded on a 24-hour basis every day of the week. Only authorized and trained employees are allowed to access recorded images, Information Technologies will keep a list of the authorized personnel. When activity warranting further investigation or review is reported or detected at any camera location, the authorized employee may selectively view the appropriate camera and relay any available information to law enforcement or other employees as necessary to appropriately respond to the situation.

Recorded images may be used for a variety of purposes, including but not limited to:

1. Assist in criminal investigations.
2. Monitor activity around high-value or high-threat areas.
3. Assist in identifying, apprehending, and prosecuting offenders.
4. Assist in gathering evidence for criminal and civil court actions.
5. Help emergency services personnel maintain public order.
6. Monitor pedestrian and vehicle traffic activity.
7. Assist in providing effective public services.
8. Review suspicious behavior.

Employees involved in monitoring cameras will be appropriately trained by the IT Department prior to being provided access to the camera system.

Video system monitoring will always be conducted in a professional, ethical, and legal manner. The surveillance system will not be used to invade the privacy of individuals or look into private areas or areas where the reasonable expectation of privacy exists. All reasonable efforts will be taken to protect these rights. Surveillance monitoring will not be used to harass, intimidate, or discriminate against any individual or group.

GPS tracking is placed on many City-owned vehicles throughout the City to manage emergency response situations, and to monitor the use of publicly owned vehicles. The monitoring of these systems is managed in different ways throughout the City depending on the Department and will be managed by direct supervisors of those Departments who have GPS tracking.

The City Manager will approve all authorized users before access to the system is granted. The Human Resources Department will maintain a list of all employees authorized to access the camera system and will provide that information to the IT Department. The IT Department will maintain a record of the location of all active cameras in the system and all recorded images. All recorded images will be retained per the records retention ordinances.

Unauthorized or inappropriate use of video system monitoring by an employee will be disciplined, up to and including termination.

Door Access and Keys

To protect property, work product, and sensitive human resources information, the City may limit access to internal and external unauthorized persons so that the security of buildings, staff, clients, and its facilities are secure.

The City Manager's Office, in consultation with the appropriate Department Head, determines the appropriate level of access for City employees. The IT Department will input appropriate levels of access for each position and position sub-groups into the Door Access System. The Human Resources Department will issue the appropriate Door Access Cards to employees during the onboarding process. The Human Resources Department will issue replacement cards for all Employees in the event of a lost, stolen or damaged card. Temporary cards for non-city contractors working within the facilities must be approved through the City Manager's Office and will be issued by the Human Resources Department. Keys will be issued by each respective Department.

Use and Monitoring

1. Keys and Access cards are issued with the strict trust that proper measures will be taken to ensure their safekeeping by the employee.

2. A key or access cardholder may not use another person's keys or card for the purpose of gaining access nor allow another employee, contractor, or tenant to use their key or card.
3. The access card, and associated system, may be used to monitor employee access into city facilities.
4. Individuals losing their Keys or access card must report the loss immediately to the direct supervisor who will coordinate with the Human Resources Department to disable access.
5. The replacement cost of five dollars (\$5.00) for a lost card will be the responsibility of the employee via payroll deduction.
6. A damaged card must be reported and returned to the Human Resources Department for replacement. No charge is required for replacing damaged cards.

Keys and Access Cards remain the property of Garden City and must be returned to the Human Resources Department at the time of termination, or at the time of separation of employment.

There may be some off-site locations that administer their own access and key process.

7. EMPLOYEE CONDUCT

Personal Appearance

Employees are a visible and integral part of the City. Employees must be well groomed and are expected to dress in a professional manner befitting their jobs with due consideration to the needs of the City, the perceptions of the public, clients, customers, vendors, and fellow employees and leaders while on duty or conducting City business.

All City employees are expected to use good judgement and maintain appropriate standards of dress, grooming and hygiene. Employees are to wear appropriate attire for their workday and anticipated interactions with the public. We take pride in representing the City and our citizens, all employees will:

- Be physically clean, neat, and well-groomed.
- Be dressed in a manner consistent with their responsibilities.
- Be dressed in a manner that communicates pride in personal appearance.
- Be dressed in a manner that meets accepted social standards.
- Be dressed in a manner that is not functionally restrictive, or dangerous to job performance.
- Be dressed in a manner that does not cause injury to the employee or cause damage to City property.
- Follow all Department specific personal appearance guidelines provided.

If the direct supervisor feels an employee's personal appearance or hygiene does not meet the expectations of the City, the employee may be asked to leave the workplace until the issue has been resolved. Under such circumstances, the employee will not be compensated for the time away from work. If an employee has a health or safety reason that will not allow them to meet these expectations, they are expected to discuss this with their direct supervisor. The Human Resources Director has final authority in determining any dress or appearance issue not defined in this Policy.

Political Activity

The City recognizes that, as a governmental entity, its operations do occasionally include items/issues that are political in nature. To that end, the City respects the right of its employees, as individuals, to become involved in the political process. For those that choose to become involved in the political process, the following principles must be followed:

1. No City employee or elected official may engage in political activity in their workplace.
2. No City employee or elected official may use City supplies or equipment in support of partisan political activity.
3. No City employee may include their City title in an endorsement of any candidate for political office.
4. No candidate for elected City office, City employee or City official may require any City employee or official to endorse, assist, finance or support a candidate for political office, or retaliate against any employee or official in any manner because of that employee or official's personal political activity.

This section does not prohibit any City employee or City official from engaging in political activity if the activity is conducted on the employee or official's own time and at their own expense. This section does not prohibit an employee or elected official from seeking elective office. This section does not prohibit any City employee or elected official seeking elective office from referring to their City employment or service in their campaign for office.

Running for Public Office

In the event employees should desire to run for political office that is deemed a "Conflict of Incompatibility", they may be granted a special leave subject to the following conditions:

1. An employee may remain with the City until the last official filing date unless the campaign begins prior to the filing date, at which time special leave must be requested.
2. If the employee is elected to the office sought, City employment will terminate at that time.
3. If an employee is not elected the employee may return to the position with the City if it is still vacant.

*Note: Special leave in this case does not guarantee that the City will hold the position open.

In the event employees should desire to run for public office in which a "Conflict of Incompatibility" does not exist, they must comply with the following:

1. Notify the City Manager in writing announcing the office they are seeking.
2. Await the City manager's determination concerning the status of the public office. This determination, with approval/disapproval, will be in writing and may establish certain conditions in seeking a public office.

Hatch Act

Employees whose principal employment is in a federally grant-aided program are subject to prohibitions in the Federal Hatch Political Activities Act (the Act) as amended. The Act may prohibit an employee in such a program from becoming a candidate for an elective office unless the employee is an incumbent elected official. Any employee who is running for elective office assumes all legal responsibility for their decision and is advised to seek legal advice to ensure there is no prohibition under the Act.

Performance Management

Performance management at the City is a framework to foster employee engagement, improve performance, strengthen supervisor-employee relationships, and recognize employee accomplishments and good work. In addition, performance management establishes and ensures periodic meaningful coaching conversations are taking place between managers and employees. It is a partnership between managers and employees to support employee success and the success of the City.

It is the policy of the City to administer an Employee Performance Evaluation Program that will help employees and direct supervisors to assess employee work performance and effectiveness, to provide a means to give

constructive feedback and goals for improvement and suggest action for employee development, as well as provide positive feedback in areas of excellence. The employee performance evaluation process is an ongoing process of communication between a direct supervisor and an employee that occurs throughout the year in support of accomplishing the mission and goals of the City and enhancing our ability to provide the highest quality of service to our community. The communication process includes the identification and execution of job responsibilities and performance standards, along with a discussion about the employee's greatest areas of strength and opportunities for development. Employee Performance Management focuses on effectiveness in achieving outcomes or accomplishments.

Each direct supervisor will be responsible for determining the performance for each employee within defined performance standards and goals. Evaluations are to be documented on performance evaluation forms identified by the Human Resources Director. Supervisors and employees sign the evaluation form as an acknowledgment of the performance evaluation discussion. Each performance evaluation will be reviewed and approved by the Human Resources Director prior to meeting with any employee. All evaluations are filed with the Human Resources Department in the official personnel file.

Performance Improvement Plan.docx (PIP)

When an employee's performance, attendance, or behavior is unsatisfactory, the direct supervisor will inform the employee of the issue and provide an appropriate opportunity for improvement through a Performance Improvement Plan (PIP).

Employees will be placed on a PIP if their annual evaluation score is below three (3). During the PIP period, the employees will not receive their annual salary increase on their anniversary date. Instead, they will receive the annual performance increase upon successful completion of the PIP, with no retroactive pay adjustments to their anniversary date.

Evaluation Frequency

1. Performance reviews will be conducted at least annually on the employee's hire date for all full-time and part-time employees. Exceptions are as follows:
 - a. Newly hired employees will be evaluated during their first year of employment to determine the employee's suitability for the position. Department Heads, or their designee, will evaluate newly hired employees prior to the end of their sixth (6th) and twelfth (12th) months of employment. The only exception to this rule is that police officers and police communicators will be evaluated at the twelfth (12th) month only.
 - b. Employees who have been promoted or transferred will be evaluated prior to the end of their sixth (6th) month in their new position, which is the probationary period upon transfer.
2. Nothing contained in this policy prohibits a department from conducting more frequent evaluations, which should be done in accordance with the City-wide employee performance management system.

Conflict of Interest

The maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by City employees is essential to ensure the proper performance of operations as well as to earn and keep public confidence.

A conflict of interest is defined as any judgment, action or relationship that may benefit an employee or another party the employee is affiliated with because of the employee's position with the City.

The following guidelines help ensure conflicts of interest do not occur. These are not intended to be all-inclusive, or to substitute for good judgment on the part of all employees.

- No employee may use his or her position to obtain financial gain or anything of value (\$10 or greater) for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated.
- No person may offer or give to an employee, directly or indirectly, and no employee may solicit or accept from any person, directly or indirectly, anything of value (\$10 or greater) if it could reasonably be expected to influence the employee's vote, official action or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the employee.
- No employee may take any official action substantially affecting a matter in which the employee, a member of his or her immediate family, or an organization with which the employee is associated, has a financial interest.
- No employee may use his or her position in a way that produces or assists in the production of a benefit, direct or indirect, for the employee, one or more members of the employee's immediate family either separately or together, or an organization with which the employee is associated.
- No employee will grant any special consideration, treatment, or advantage to any member of the public beyond that which is available to any other.
- No employee will use, or knowingly permit the use, of City resources, vehicles, equipment, materials for unauthorized purposes or for unauthorized personal convenience or for profit.
- No employee will disclose or permit the disclosure of privileged information to any person not lawfully authorized to receive such privileged information. No employee will use privileged information to advance his or her personal financial interest or that of his or her immediate family.
- No employee will accept from any person or organization directly or indirectly, anything of value (\$10 or greater) without full payment, if it could reasonably be expected to influence his or her actions or judgments or is provided to such employee, because of their position, could reasonably be considered as a reward for any action or inaction.

Outside Activities of Staff

Employees are to avoid situations in which their personal interests, activities, and associations may conflict with the interests of the City. If such situations threaten any employee's effectiveness, the City reserves the right to evaluate the impact of such interest, activity, or association upon an employee's responsibilities.

So that staff members may avoid situations in which their personal interests, activities, and associations may conflict with the interests of the City, the following guidelines are provided:

- Avoid conduct and associations outside of work, which, if known, could have an adverse or harmful effect upon the City.
- Do not use City property or work time to solicit or accept customers for private enterprises.
- Refrain from expressions that would disrupt harmony among co-workers or interfere with the maintenance of discipline.
- Do not engage in political activities during assigned hours of employment, except voting as outlined previously.
- Do not conduct unapproved solicitations on City property.

Do not reveal privileged/confidential information.

Gifts Policy

Employees of the City are in regular contact with citizens and many others vital to successful operations and mission achievement. Accordingly, relationships with such individuals and other third parties require clear commitments to fair dealing and sound business decisions. The exchange of gifts may have an impact on the ability to make decisions free of any conflicts of interest. Gifts of a nominal nature ordinarily should not create a conflict or create the appearance of impropriety. Extravagant gifts and entertainment are never acceptable.

It is possible that customary business practice and common sense may permit acceptance of a gift of significant value for the common good of the City as a whole (For example, financial or real property is bestowed via a Will or Grant), in which the City Commission would be involved.

Appropriate Gifts and Entertainment

Acceptable gifts and entertainment must be nominal in value (not to exceed \$10 in value) and are not likely to influence the judgment of individuals covered by this Policy, such as modest expressions of goodwill such as an inexpensive promotional item, "logo" pens, calendars, caps and the like, flowers, a fruit basket, a book or comparable items, a small collection of product samples.

Inappropriate Gifts and Entertainment

City employees should never accept or approve items such as:

- Cash or cash convertible or cash equivalent, for instance, any kind of money transfer, bank check, loan, promise of future employment etc.

- Any gift or entertainment that is illegal.
- Acceptance of a gift or of entertainment that would be or perceived as “quid pro quo.”

Procedure Upon Receiving an Inappropriate Gift

Any gift an employee receives that would be wrong or inappropriate according to the principles described above must be returned immediately, and the employee’s direct supervisor should be informed accordingly. Where appropriate, and to prevent further impropriety, a letter to the donor may be issued regarding this policy.

Harassment

It is the policy of the City to promote a productive work environment and not tolerate verbal or physical conduct by any employee that harasses, disrupts, or interferes with another employee’s work performance or that creates an intimidating, offensive or hostile environment. Employees should always treat other employees respectfully and with dignity, and in a manner so as not to offend the sensibilities of a co-worker or a subordinate employee. Accordingly, the City is committed to vigorously enforcing its Harassment Policy at all levels of the organization. The City forbids retaliation against anyone for reporting harassment of any kind or otherwise assisting in the investigation of a harassment complaint or filing a charge of discrimination with a government agency. The purpose of this Policy is to encourage early reporting and early intervention before conduct rises to the level of harassment in violation of this Policy. It is the policy of the City to investigate all complaints of harassment thoroughly and promptly.

The City expressly prohibits any form of unlawful harassment based on race, color, religion, sex, sexual orientation, national origin, age, disability, military service, or status in any group protected by federal, state, or local law. Harassment that interferes with the ability of City employees to perform their expected job duties will not be tolerated and will be met with appropriate disciplinary action, up to and including termination.

This Harassment Policy applies to all employees and makes absolutely no exceptions. If, following a complaint and investigation, the City finds credible evidence that any employee has violated the Harassment Policy, the offending individual will be subject to discipline, up to and including termination. This Harassment Policy also applies to harassment by vendors, independent contractors, and other non-employees.

Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this Policy, “sexual harassment” is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment.
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two (2) types of sexual harassment: a) quid pro quo, and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include:

- Unwanted sexual advances or requests for sexual favors.
- Sexual jokes and innuendo.
- Verbal abuse of a sexual nature.
- Commentary about an individual's body, sexual prowess, or sexual deficiencies.
- Leering, whistling, or touching.
- Insulting or obscene comments or gestures.
- Display in the workplace of sexually suggestive objects or pictures.
- Other physical, verbal, or visual conduct of a sexual nature.

Harassment

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this Policy, harassment may be verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital or domestic status, citizenship, genetic information, or any other characteristic protected by law; and that:

- Has the purpose or effect of creating an intimidating, hostile or offensive work environment.
- Has the purpose or effect of unreasonably interfering with an individual's work performance.
- Otherwise adversely affects an individual's employment opportunities.

Harassment can take many forms including but not limited to the following:

1. Offensive Personal Behavior

Engaging in any type of conduct that would reasonably interfere with another employee's work performance or time available to work assigned tasks by creating a work environment that is intimidating, hostile or offensive because of unwelcome or unwanted conversations, suggestions, requests, physical demands, physical contacts or unwelcome attentions that are based on race, color, religion, sex, sexual orientation, national origin, age, disability, military service, or status in any group protected by federal, state or local law.

2. Offensive Comments

Offensive comments, jokes, innuendoes, or any other such statements based on race, color, religion, sex, sexual orientation, national origin, age, disability, military service, or status in any group protected by federal, state or local law, including verbal abuse or kidding about an individual's body or appearance where such comments are derogatory, involve the telling of "off color" or "dirty jokes" that are clearly unwanted and considered offensive by others, or any other tasteless comments, innuendoes or actions that offend others.

3. Offensive Actions

Wearing insignia on clothes, hats, or other articles of clothing, defacing surfaces located in the Company with graffiti, or placing pictures, objects, or other symbols within the workplace that are objectionable to another employee based on race, color, religion, sex, sexual orientation, national origin, age, disability, military service, or status in any group protected by federal, state, or local law.

The City is opposed to any form of retaliation, including retaliatory harassment by co-workers, direct supervisors, department heads, senior managers, or any other persons employed by the City, for the good faith and reasonable reporting of any harassment or otherwise assisting or participating in the investigation of a harassment complaint, or filing a charge of discrimination with a governmental agency.

Complaint Procedure

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their direct supervisor, the Human Resources Director, or any member of the Human Resources Department.

As an employee of the City, you have an obligation to report any harassing or retaliatory conduct that you either witness or is specifically directed at you as an individual or that you learn from informal means that you feel is offensive and unwelcome. You should report this conduct regardless of who committed the conduct, including co-workers, managers, any other persons employed by the City, or any persons present, even if the inappropriate conduct is engaged in by a member of the public, independent contractor, vendor or other non-employee. The City encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this Policy and, like harassment or discrimination itself, will be subject to disciplinary action, up to and including termination. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling or disciplinary action up to and including termination. False and malicious complaints of harassment, discrimination, or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be subject to disciplinary action, up to and including termination.

General Conduct

As an integral member of the City team, you are expected to accept certain responsibilities, adhere to high standards of personal conduct, and always exhibit a high degree of personal integrity and mutual respect toward others. To ensure orderly operations and provide the best possible work environment, the City expects employees to follow rules of conduct that will protect the interests and safety of all employees and the City. Employees will always conduct themselves in such a manner as to reflect favorably upon themselves and the City. Whether working or not, employees will avoid any conduct which brings the City into disrepute. Any type of behavior and/or conduct that the City considers inappropriate could lead to disciplinary action up to and including termination of employment without prior warning.

Listed below are expectations of behaviors and/or conduct to include, but are not limited to, the following:

1. Treat all patrons with courtesy and respect.
2. Perform duties attentively and courteously, avoiding rude, threatening, harsh, insulting, profane, insolent, or demeaning language, and maintain a professional bearing regardless of provocation to do otherwise.
3. Treat direct supervisors, subordinates, and peers with respect.
4. Be courteous and civil at all times in working relationships with one another and in the presence of others.
5. Report to work on time, as scheduled.
6. Perform work as assigned.
7. Conduct work without causing disorderly or undue interference to other employees. Employees are prohibited from violating this right of co-workers, and such prohibition includes but is not limited to acts such as:
 - a. Rude or disrespectful behavior on the part of an employee toward fellow employees, direct supervisors, visitors, or other members of the public.
 - b. Boisterous or disruptive activity in the workplace or actions that adversely and/or substantially affect morale, production, or efficiency.
 - c. Sexual or other unlawful harassment.
 - d. Fighting with or provoking a disturbance among fellow employees that threatens violence in the workplace.
 - e. Disregarding safety or security regulations.
 - f. Discrimination against others because of any protected classification.
 - g. Making malicious, false, and harmful statements about others.
8. Conduct work in a safe and healthy manner. Acts that are prohibited include:
 - a. Reporting to work intoxicated or under the influence of non-prescribed drugs.
 - b. Illegally manufacturing, possessing, using, selling, distributing, or transporting illegal drugs.
 - c. Bringing or using alcoholic beverages on City property or using alcoholic beverages while engaged in City business, except where authorized.
 - d. Having unauthorized firearms, weapons, or restraints on City premises or while conducting business.
 - e. Consuming alcohol within eight (8) hours of the start of work.
9. Have satisfactory work performance. Employees will maintain sufficient competency to perform their duties effectively and assume responsibility for their positions. Employees will perform their duties in

a manner that maintains efficiency in carrying out the functions and the objectives of the department in a positive and professional manner.

10. Observe and obey all City and department policies, procedures, and rules, and all state and federal laws, regulations, and administrative rules.
11. Ensure the proper use of resources and equipment. Employees are prohibited from using equipment or property for any personal or non-work-related events.
12. Unauthorized, improper, willful, or negligent misuse of equipment or property is prohibited. Assure the security of confidential information and similarly maintain the security of City resources. Employees concerned for the security of any work area or equipment will inform their direct supervisor of such concerns.

Work Rules

Whenever and wherever people work together, certain standards of reasonable conduct need to be established in order to maintain an orderly and efficient work atmosphere. Corrective discipline is not intended to inflict punishment. The City wants to take measures that are designed to correct the problem and make the employee aware of the importance of adhering to operating policies and procedures. In some cases, it may be necessary to terminate an employee because of the seriousness or continuation of unacceptable conduct.

The City will administer discipline on a consistent and equitable basis to all employees. The following types of conduct are unacceptable in our workplace. It is impossible to list every conceivable infraction, the list of examples below is not all-inclusive.

1. Insubordination, which is defined as an unwillingness, refusal, or disregard to carry out a directive from a direct supervisor. Insubordination is also defined as disrespectful behavior toward a supervisor/superior.
2. Circumventing or undermining the direction of a supervisor or the authority of a supervisor/superior.
3. Incompetence or inefficiency in the performance of duties, substandard quality or quantity of work, including deliberate reduction of output, or failure to complete assignments promptly and accurately.
4. Fighting, disturbing or violent behavior, threatening, humiliating, intimidating or harassing others.
5. Retaliation and/or reprisal against an employee who genuinely, and in good faith, reports threats of bullying or workplace violence.
6. Use of offensive, profane or abusive language, disrespectful, discourteous, insulting, abusive or inflammatory conduct toward others.
7. Unauthorized or inappropriate use of identification cards or keys, or unauthorized access to data, e-mails, or restricted areas.
8. Falsification of timekeeping, reports, or any other City records.
9. Falsification of information to secure employment with the City.
10. Leaving the job without permission, or job abandonment.
11. Excessive tardiness, absenteeism, or absence without notice.

12. Frequent absences from an employee's work area due to personal conversations, personal visitors, or long breaks.
13. Falsifying or refusing to give testimony when accidents are being investigated.
14. Dishonesty in the performance of duties.
15. Making false or malicious statements with the intent to harm or destroy the reputation, authority, or official standing of an individual or organization.
16. Theft or misappropriation of City property or the property of others, including theft of work time, excessive time at break periods, misuse of sick leave or other designated leave, misrepresenting work time, or failing to accurately record work time.
17. Unauthorized possession or removal of City property or another employee's private property.
18. Unauthorized use of City-owned or leased equipment or property.
19. Damage or defacing of City or employee property.
20. Dissemination or disclosure of confidential material or information, except to persons specifically authorized by law or policy to receive the same.
21. Disregard or repeated violations of safety rules and regulations.
22. Failure to report injuries or unsafe conditions.
23. Fighting, immoral conduct, threats, or acts of assault or other physical violence, intimidation or harassment of customers or employees.
24. Illegal, immoral, disruptive, or otherwise improper conduct that adversely and substantially injures or brings the City into disrepute.
25. Being arrested or convicted of a crime that is substantially related to the circumstances of the job or licensed activity that the person was hired to perform, or unavailability for work due to incarceration.
26. Performing an act that the employee knows is in excess of his/her lawful authority or that he/she knows is forbidden by law to perform in his/her official capacity.
27. Engaging in unauthorized personal business such as excessive personal telephone calls and/or email/internet use during regularly scheduled work hours.
28. Soliciting, accepting, or offering bribes.
29. Failure to obtain and maintain a current license or certification as required by law or the City.
30. Unauthorized access to records, file cabinets, desks, offices, facilities, or computers.
31. Inappropriate dress, grooming, and/or appearance inconsistent with the Personal Appearance Policy.
32. Smoking in prohibited areas.
33. Manufacturing, possession, distribution, dispensing, sale, transfer, or use of alcohol, a controlled substance, or other illegal drugs, while in the workplace, while on duty, or while operating city-owned vehicles or equipment. This does not prohibit an employee from ingesting a legally obtained prescription drug that was legally issued to the employee.
34. Consumption of alcohol or illegal drugs when on duty.
35. Reporting to work or remaining on duty when the employee is under the influence or using alcohol, illegal drugs, or any controlled substance, including prescription medications, except when the use is pursuant to the instructions of a licensed health care provider who has advised the employee that the substance does not adversely affect the employee's ability to perform his/her job safely and competently.
36. Engaging in illegal conduct.

The City reserves the right to modify this list at any time or determine whether any other conduct is contrary to the interests of the City and warranting of disciplinary action up to and including termination.

Corrective and Disciplinary Action

Corrective and disciplinary action may be taken for violations of standards of employee conduct, violations of policies and procedures, unsatisfactory work performance, or other reasonable work standards not specifically defined herein. When formal disciplinary action is necessary, it will be taken only after the direct supervisor consults with the Human Resources Director.

Coaching

For purposes of this Policy, “coaching” means an employment measure initiated by the supervisors to the employee prior to disciplinary action and may be presented to the employee in any format the supervisor finds appropriate. Coaching is a non-disciplinary action and will include encouraging employees and clarifying expectations. Another term used for coaching may be counseling or informal corrective action. These measures are not required to be used before disciplinary action occurs or in any specific order. The direct supervisor may repeat coaching at their discretion. Coaching is not a formal disciplinary action and therefore does not require prior consultation with the Human Resources Director. Coaching does not require written, signed documentation. Direct supervisors are strongly encouraged to keep record of all coaching sessions.

Disciplinary Action

For purposes of this Policy, “disciplinary action” means an employment action initiated by the City to an employee that results in one of the following forms:

1. Verbal Warning

A disciplinary verbal warning is an oral statement made to an employee indicating the employee’s conduct or performance fails to meet an acceptable level and expected improvement. Verbal warnings are documented and filed in the employee's personnel file.

2. Written Warning

A disciplinary written warning is a written statement made to an employee indicating the employee’s conduct or performance fails to meet an acceptable level and expected improvement.

3. Disciplinary Suspension

A disciplinary suspension is the temporary removal of an employee from his/her assignment without pay for disciplinary reasons. The number of days of the removal will be determined by the direct supervisor in consultation with the Human Resources Director and will be based on the circumstances of the violation.

4. Disciplinary Demotion

A disciplinary demotion is a permanent removal, for disciplinary reasons, of an employee from the employee's current assignment to an assignment in a lower classification resulting in a possible reduction in pay.

5. Termination

Termination will be determined by the direct supervisor in consultation with the Human Resources Director, Senior Staff Member, and City Attorney and will be based on the circumstances and violation. Termination does not include paid administrative leave, layoff, reduction in workday, reduction in workforce, job transfer or reassignment, retirement, death or the end or completion of seasonal employment.

Failure by the employee to correct the behavior may result in further disciplinary action, up to and including termination from employment. All disciplinary actions will be documented and retained in the employee's personnel file.

The level of discipline imposed is at the sole discretion of the City. The level of discipline imposed will take into consideration the seriousness of the infraction, a review of the facts and circumstances of the infraction, the employee's performance record, and history of prior disciplinary actions.

Problem Resolution

Any employee has the right to present a complaint or grievance concerning his or her job, working conditions, salary, relationship between employees and co-workers, direct supervisors, department head, the application of equal employment opportunity policies, or as an appeal of any disciplinary action taken pursuant to these policies. A reasonable and sincere attempt should be made by each employee and direct supervisor to resolve any grievance before it becomes necessary to resort to the grievance procedure.

Definitions

1. Relief: The redress or assistance that an employee seeks in the administrative or disciplinary grievance processes. Relief is synonymous with remedy, but sometimes used to convey a broader concept. Whereas a remedy typically redresses obvious injuries or damages, the term relief better captures situations where no tangible injury or damage exists and yet the employee seeks that from the direct supervisor, Department Head, Senior Manager, Board, or City Manager.
2. Business Days: Monday through Friday from 8:00 a.m. to 5:00 p.m. local time and excludes weekends and City holidays.
3. Grievances: There are two (2) types of grievances – an administrative grievance and a disciplinary grievance.
 - a. An administrative grievance refers to a grievance concerning issues that are non-disciplinary in nature, including, but not limited to, the interpretation of the employee handbook,

improper application of personnel policies, procedures, rules and regulations, and complaints of discrimination on the basis of race, color, creed, political affiliation, age handicap, national origin, or sex.

- b. A disciplinary grievance refers to a grievance involving a verbal reprimand, written reprimand, suspension, any reduction in pay and/or position, or termination.

Administrative Grievance Procedure

1. The employee will identify the grievance in writing with the signature and date of submittal included to the direct supervisor in an informal meeting within seven (7) business days after the event that the basis for the grievance takes place or becomes known. A grievance alleging discrimination or retaliation by the direct supervisor may be initiated with the next-level supervisor or Department Head, depending on how the department is structured.
2. The involved supervisor will give in writing with the signature and date of submittal included response to the employee within seven (7) business days following the meeting. If the response is not satisfactory and the grievant wishes the issue to be addressed further, the grievant will, within five (5) business days, file the grievance in writing to the Senior Manager, which clearly states a relief the grievant desires to be granted.
3. The Senior Manager will reply in writing within seven (7) business days, or the grievance will be found in the employee's favor.
4. If the grievance directly involves the Senior Manager, the matter will be addressed to the City Manager within the applicable timeframes and requirements.
5. If the grievant is dissatisfied with the written response, the matter may be taken up with the City Manager and should be done so in writing within seven (7) business days from the date the employee received the written response.
6. Within ten (10) business days from the receipt of the grievance, the City Manager will meet with the involved parties for the purpose of mediation. The Human Resources Director will participate in the mediation as an advisor to the City Manager. If the parties reach a consensus, agreement, or settlement on the action or issue, the grievance process is complete, and no further grievance action will commence. The City Manager and grievant can mutually agree to extend the ten (10) days if necessary.
7. If no consensus, agreement, or settlement is reached, the City Manager, within seven (7) business days, will render a decision on the grieved action or issue. Except in instances resulting in a loss of pay (suspension, termination, reduction in classification/pay), the decision of the City Manager is final and binding on all parties.

Disciplinary Grievance Procedure

1. The employee will identify the grievance in writing with the signature and date of submittal included to the involved direct supervisor in an informal meeting within seven (7) business days after the event that the basis for the grievance takes place or becomes known. A grievance alleging discrimination or retaliation by the immediate supervisor may be initiated with the next-level supervisor or Department Head, depending on how the department is structured.
2. The involved supervisor will give, in writing, with the signature and date of submittal included a response to the employee within seven (7) business days following the meeting. If the response is not satisfactory and the grievant wishes the issue to be addressed further, the grievant will, within five (5) business days, file the grievance in writing to the Senior Manager which clearly states a relief the grievant desires to be granted.
3. The Senior Manager will reply in writing within seven (7) business days, or the grievance will be found in the employee's favor.
4. If the grievant is dissatisfied with the written response, the matter may be taken up on appeal, in writing, within seven (7) business days from the date of receiving the response from the Senior Manager.

Appeal Procedure

A subject pre-empted by a federal or state law or City ordinance will not be a proper issue for an appeal. An appeal must be specific to an employee and may not be in the form of a general statement about the overall operation of the City. In situations where there is a reasonable doubt as to whether a concern is a recognized grievance that may be pursued under the appeal procedure, the Human Resources Director will make the initial determination as to whether the subject is proper for consideration under the grievance procedure. If a subject is not a proper appeal, it will be forwarded to the City Manager.

If the subject is proper for appeal, the following procedure will be followed once a grievant provides a notice of appeal in writing:

1. The Human Resources Director will select a Board composed of five (5) members, to hear the appeal within twenty (20) business days from filing of the notice of appeal. The hearing may be continued by mutual agreement of the parties but under no circumstances will a hearing be conducted more than forty-five (45) days after the filing of the notice of appeal. Failure to timely proceed to a hearing by the employee will be deemed a waiver of his/her right to an appeal hearing.
2. The Board will consist of two (2) direct supervisor personnel and two (2) non-supervisory employees of the City. None of the Board will be employed in the same department as the appealing employee. The fifth (5th) member of the Board, who will serve as the chairperson, will be a member of the public with an educational or employment background in general administration/personnel/human resources. The Human Resources Director will serve as an advisor to the Board, along with the City Attorney, and assist in facilitating the hearing.

3. The Board will hear and discuss the relevant information and review documentation concerning the appeal as provided by the employee and the City. The hearing will be confidential and closed to the public. Either party may submit written statements and relevant documentation and request statements from witnesses, but no witnesses will be called to testify in person. The employee may be represented by a person of his/her choosing. Formal courtroom procedures, including rules of evidence, will not apply in the hearing. The Board will ensure the employee is afforded a fair and impartial hearing and that the parties are granted an opportunity for a full and complete presentation of all relevant evidence. Members of the Board may ask questions of the parties and may request additional information as they deem necessary.
4. Upon conclusion of the hearing, the Board will convene and submit a written recommendation to the City Manager before the conclusion of the day on which the hearing takes place.
5. A final decision will be made by the City Manager within five (5) business days after receipt of the Board's recommendation. The City Manager will have the authority to accept, modify or reject the recommendation received from the Board. The City Manager's decision will be in writing and delivered to the employee and the Human Resources Director. Nothing in this policy or procedure is intended to limit the statutory and ordinance authority vested in the City Manager.
6. Time spent by the employee in appeal discussions with his/her direct supervisor, Department Head, Senior Manager, City Manager, and or appeal Board during their normal working hours will be considered hours worked for pay purposes unless the employee was terminated. If the employee was terminated, the employee will not be compensated unless specifically designated as a relief of the appeal decision and directed by the Board in addition to being approved and included in the final decision by the City Manager.
7. The City Manager's decisions on appeals will not be precedent setting nor binding on future appeals unless they are officially stated as City policy. Whenever possible, the decisions will be retroactive to the date of the employee's initial grievance.

8. WORKPLACE POLICIES

Technology

This policy is enacted to reduce problems with security, equipment, software conflicts, damage to data files and introduction of viruses to the network. Personally owned and/or unlicensed software may not, under any circumstance, be loaded or installed onto City-owned systems.

City Internet and Online Services

Electronic transmissions or communication via the Internet will not be considered either private or completely secure. The following are items to consider:

1. Transmission may be intercepted in transit or stored indefinitely on any number of computers, including that of the recipient.
2. Material received electronically might be forwarded to others either electronically or on paper.
3. Transmissions sent to invalid or non-existent addresses might be delivered to unintended recipients, either purposely or inadvertently.
4. Any information obtained via the Internet may not be factual or correct. Personnel will take appropriate steps to ascertain the accuracy of information before reliance or use.
5. Any information that is received or downloaded via the Internet may contain viruses.

The Internet offers numerous forums and exchange ideas for the purpose of research and information sharing. As with any form of communication, the City will not be intentionally misrepresented in any material posted to the Internet or Social Media platforms.

Each individual user is responsible for complying with this and all other relevant policies when using the City's resources for messaging and accessing the Internet. Use of these same resources in violation of this Policy is grounds for disciplinary action and/or removal of access to the internet and/or email.

Personnel are responsible for the appropriateness and content of material they transmit or publish in messages via City-provided Internet access. Hate mail, harassment, discriminatory remarks, antisocial, disrespectful, or unprofessional behavior such as targeting another person or organization to cause distress, embarrassment, injury, unwanted attention or other substantial discomfort is prohibited. Personal attacks or other action to threaten or intimidate or embarrass an individual, group or organization or attacks based on a person's race, national origin, ethnicity, disability, religion, gender, veteran status, sexual orientation or any other such characteristic or affiliation are prohibited. City Internet usage may be monitored by IT Personnel as appropriate.

City Email

Electronic mail (email) is the transmission of information typically in the form of electronic messages, memoranda and attached documents. Transmission occurs between a sending party and one or more receiving parties via an intermediate telecommunications system. Business communication via email allows the sender and receiver to be flexible, decide on an appropriate time to address something, not disrupt

operational workflows, and in some cases multi-task. Senders should consider the audience, the tone, grammar, and punctuation within the message, and must also consider that any email has limitations as a communication tool. For that reason, senders should use sound professional judgment when determining if email is the most appropriate form of communication for the message they are sending. The following are items to consider:

1. Electronic transmissions or communication will not be considered either private or completely secure.
2. Transmissions may be stored indefinitely on any number of computers, including that of the recipient.
3. Material received electronically might be forwarded to others electronically or on paper.
4. Transmissions sent to invalid or non-existent addresses might be delivered to unintended recipients, either purposely or inadvertently.
5. All records have a retention period. Email is retained after it has been "deleted." In the event of litigation, specific inquiries and/or investigations, the City may be required to produce email records, electronic files, or other materials.
6. Email transmitted via the City system could potentially be read by unauthorized users, especially with respect to messages sent to external recipients.
7. Any recipient(s) could potentially send any email received to others and to exercise caution when disclosing confidential information.

Personnel should never respond to email requesting personal or banking information or requesting user IDs or passwords. Personnel should not open unusual looking or unexpected email. Often, email is used for illegal purposes or contains computer viruses. Never open attachments from someone you do not know.

Personnel are not permitted to print, display, download or send sexually explicit images, messages, or any other material disparaging or harassing to anyone. If such material is received, and if feasible, recipient will immediately advise sender that receipt of such transmission is not permitted and must stop, and the matter is to be referred to the Human Resources Department.

Personnel should take the same care in drafting and sending email and other electronic documents as they would for any other written communication. Anything created using City-owned or City-provided technologies is an extension of and directly reflects on the City. Excessive messages with little value to operations decrease productivity and congests the IT network.

Users are responsible for the appropriateness and content of material they transmit or publish in messages via City-provided email access. Hate mail, harassment, discriminatory remarks, antisocial, disrespectful or unprofessional behavior such as targeting another person or organization to cause disruption, distress, embarrassment, injury, unwanted attention or other substantial discomfort is prohibited. Personal attacks or other action to threaten or intimidate or embarrass an individual, group or organization or attacks based on a person's race, national origin, ethnicity, disability, religion, gender, veteran status, sexual orientation or any other such characteristic or affiliation are prohibited.

User Accounts and Passwords

The assignment of user accounts and passwords to personnel will be made by the Human Resources and IT Departments for the appropriate computer system(s) being accessed. All systems containing confidential or sensitive information will be protected through user account and password security. City system user accounts and/or passwords will be safeguarded from unauthorized use and may not, under any circumstance, be written down in a public and/or conspicuous location.

As a physical safeguard, a password-protected screen saver will engage on all computers following a set number of minutes of inactivity, requiring logged in users to re-enter a system password to regain access. This number of minutes is to be determined by the IT Department.

Prohibited Use of Technologies

The following items and activities concerning City-owned and/or City-provided technology are expressly prohibited:

1. Engaging in any activity that violates state law, federal law, or City policies and guidelines as applicable.
2. Engaging in activities during working hours for personal gain, solicitation or commercial purposes, including commercial advertising, unless specific to the mission or duties of the City.
3. Accessing or distributing indecent material, obscene material, child pornography or any material that may be harassing or discriminating in nature including race, age, gender, sexual orientation, religious beliefs, political beliefs, national origin, health, or disability of an individual.
4. Harassing other individuals, including sending chain letters or inflammatory material.
5. Loading personally owned or improperly licensed software on City-owned equipment.
6. Damaging computing systems or damaging or altering the software components of City-owned systems.
7. Engaging in any activity which adversely affects the availability, confidentiality, or integrity of any City-provided technology.
8. Disseminating or printing copyrighted materials (including articles and software) in violation of copyright laws.
9. Disseminating information that is known to misrepresent the City or be false, inaccurate or misleading.
10. Using another's network, Internet, electronic mail or online service account or password without authorization.
11. Disabling or circumventing virus protection software or otherwise compromising computer and/or network security.
12. Sending disrespectful or unprofessional business communication that causes distress, disruption, embarrassment, injury, or unwanted attention or other substantial discomfort to the recipient.

Personal Devices for City Work

Personal devices may be used for City access only when authorized by the direct supervisor. Any personal device that contains access to City materials must have an automatic lock when idle and must have a code to

login to retain access. Personal devices used for City access must not be jailbroken or rooted, or they will be denied access to the Network.

Upon separation from employment, all employees with access to a personal device will work with the IT Department to have all City access removed.

Personal devices are used with the understanding that the City may wipe an employee's device remotely if it is lost or stolen, if there is a policy breach or security threat, or if a separating employee does not voluntarily work with the IT Department to have access removed. The City is not liable for loss of personal data.

Ownership of Resources

Email, Internet, and IT systems are resources made available to City employees to communicate for the benefit of the City. All Internet and email transmissions sent from or received by City equipment and/or addresses are City property. Personnel have no expectation of privacy in anything they create, store, send or receive using City technologies, either via the Internet or other means. Anything created using City technologies may be reviewed by others. All data transmissions sent or received using City technologies are City property.

Rights of the City

1. City of Garden City owns all technologies provided at its own expense or under its authority or jurisdiction, including transmissions initiated, received, or stored using its technologies.
2. The City reserves the right to determine who is provided access to its systems, network, and technologies.
3. At any time and without prior notice, the City may remove any user account.
4. At any time, the City may access or examine electronic mail and/or monitor messages on its equipment or networks.
5. At any time, the City may access or examine files or any other materials stored on its equipment or networks.
6. The City may monitor, log and/or examine Internet activities, including, but not limited to, website visits, chat groups, news groups, social networking activities, blogging, downloaded or uploaded material.
7. The City may archive or delete files or any other materials on its equipment or networks, as deemed necessary.

Confidentiality

The City uses and stores confidential information in various forms throughout the facilities that is used to provide services to the community. All confidential information is the property of the City. Certain personnel and/or contract workers may be required to sign a confidentiality agreement. Unauthorized release, distribution or copying of confidential information is prohibited.

Workplace Monitoring

Workplace monitoring may be conducted by the City to ensure quality control, employee safety, security, and customer satisfaction. Employees who regularly communicate with customers may have their telephone conversations monitored or recorded. Telephone monitoring is used to identify and correct performance problems through targeted training. Improved job performance enhances our customers' image of the City as well as their satisfaction with our services.

Computers furnished to employees are the property of the City. As such, computer usage and files may be monitored or accessed.

The City is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner. Employees may not tape, record or videotape any communication in which they are not a party without prior written authorization.

Social Media

The City may utilize authorized social media platforms to further enhance communications with the public in support of City operations. This Policy applies to all authorized employees that contribute to any kind of social media platform. This Policy is intended to provide authorized employees with a framework for use of social media as part of an authorized employee's job duties. This policy also provides general guidelines for the personal use of social media by all employees.

Personal Use of Social Media as it relates to the City of Garden City

1. Employees will not use their City-issued email address for their primary username or login for personal social media profiles and/or platforms.
2. Use of social media for personal use should in no way interfere with job duties; time spent on social media sites will be limited to personal break times.
3. If an employee identifies themselves as a City employee during their personal use of social media, the employee will clearly indicate they are speaking on their own behalf and not on behalf of the City. The employee's social media profile and any related content should be consistent with how the employee wishes to present themselves to co-workers, colleagues, supervisors, and the public. It is recommended that a disclaimer be used as follows: "The opinions expressed on this site are my own and do not reflect the opinions of the City of Garden City."
4. Employees are prohibited from revealing confidential information about the City, its employees, customers/residents, or internal discussions.
5. Posting any City photograph, digital image or video/audio recording not communicated to social media via official City channels is strictly prohibited.
6. Use of social media platforms to harass, threaten, libel or slander, malign, defame, disparage, or discriminate against the City, its employees, patrons, vendors or suppliers, any organizations associated with or doing business with the City, or any member of the public is prohibited.

7. The use of the City's logo or trademarks, or the name, logo, or trademarks of any business partner, supplier, vendor, or affiliate on any personal blogs or other online sites without prior authorization is prohibited.

Business Use of Social Media for City Purposes

1. Each City social media platform account is the sole proprietorship of the City. Employees who are authorized to post content on behalf of the City do not own the accounts.
2. The Communications Manager is to be an authorized user on all City social media accounts.
3. All City-related communication through social media platforms will be professional in nature and conducted in accordance with City policies and Communications Department procedures.
4. Use of all social media platforms will adhere to applicable state, federal, local laws, and regulations, including copyright and trademark infringement laws. In addition, all social media platforms will adhere to this Policy.
5. The City reserves the right to restrict or remove any content that it deems in violation of this Policy or any applicable law.
6. Social media posts should be treated as an extension of the City's official website.

Content on City Social Media Accounts

Comments must follow all City policies and federal laws and regulations. The following social media content is prohibited on City social media platforms:

1. Content containing graphic, obscene, explicit, or racial comments or submissions, and comments that are abusive, hateful, or intended to defame any individual or organization.
2. Content containing solicitations or advertisements, including promotions or endorsements of any financial, commercial, or non-governmental agency.
3. Content that attempts to defame or defraud any financial, commercial, or non-governmental agency.
4. Content that suggests or encourages illegal activity, including comments that infringe on copyrights or trademarks.
5. Content that promotes political purposes or a political candidate/party.
6. Content that promotes or endorses any religious organization.
7. Content containing confidential or proprietary information about the City or its employees.
8. Content containing information that may compromise safety and security.
9. Content containing non-topically related content outside the limited public forum established to discuss City issues, operations, and services.
10. Content that makes false statements or provides false information.
11. Content containing a picture or video without prior written consent by all those in the picture or video.
12. Content promoting one contractor or business over another or providing preferential treatment of any kind.
13. Content containing references or employment recommendations for current or former employees of the City.

Employees found in violation of this Policy may be subject to disciplinary action, up to and including termination of employment. Employees will report any potential violations of this Policy to the Human

Resources Director. The City prohibits taking retaliatory action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee will be subject to disciplinary action, up to and including termination.

Cellular Devices

While at work, employees are expected to exercise the same discretion in using cellular devices as is expected for the use of City devices. Excessive personal calls, texting, social media, and browsing during the workday, regardless of the device used, can interfere with employee productivity and be distracting to others. A reasonable standard the City encourages is to limit personal usage during work time. Employees are, therefore, asked to minimize personal usage during worktime and ensure that friends and family members are aware of this Policy. Non-business-related cell phone usage is prohibited during vehicle operation activities. The City will not be liable for the loss/damage of personal devices brought into the workplace.

Cameras

Use of Camera phones to take photographs may violate the privacy rights of co-workers, vendors, and residents/customers and may also be used to convey confidential information or undermine City operations.

To protect the privacy interests of individuals, no person may use a cell phone to capture, record, or transfer a representation of a nude or partially nude person in a restroom or locker room while working on personal devices or at all on City devices.

Use of the camera or camera phones or any other camera or device in City facilities that may capture visual images is prohibited unless it is being used directly for work purposes and the employee receives prior written permission of their direct supervisor.

City Issued Devices

To provide efficiency through the use of technology, the City will provide a city-issued cell phone to authorized individuals. The use of a cellular device allows the employee to remain available for work-related communication while away from their office landline and enables them to complete the essential functions of their job.

Certain positions are required to have a city-issued and owned cell phone. City-owned cell phones are for work purposes only. Personal use should be discouraged unless it is an emergency. Upon resignation or termination of employment or at any time upon request, the employee may be asked to produce the phone to return for inspection, upgrade, or changes. Like all City equipment, it is the employee's responsibility to maintain and protect the equipment. In the event of damage or loss, this should be reported immediately to the employee's direct supervisor. The employee could be held responsible for the repayment of the item depending on the circumstances.

Cell Phone Allowance

Cell phone allowances are requested to the Department Head for consideration and approval by the City Manager. For approved allowance requests, the employee must either currently have a personal cell phone or agrees to obtain a cell phone at their own expense. The employee will receive a monthly allowance of \$80/month for the proposed use of that phone for City business. The allowance is for monthly phone use only. Allowances will be paid in the preceding month. To be eligible for the monthly allowance, an employee must have worked more than seventy-five (75%) percent of all workdays in that month.

Personal Phone Access

Employees are reminded that all messages, files, and user actions are subject to monitoring, and public record and discovery requests. There is no expectation of personal privacy, either expressed or implied, when using or accessing City telecommunications services, even from a personal cell phone. Personal devices used to access city services are subject to remote wipe, and the City bears no liability for loss of personal information. Employees will not be reimbursed for the cost of any lost, stolen, or damaged personal cell phones.

Compensation

Time spent using mobile devices and technology outside of the office to respond to work email, access the City network, or check phone messages is considered compensable work time.

Chatbot Usage Through Artificial Intelligence (AI) in the Workplace

Purpose

This policy aims to ensure that employee use of AI Chatbots conforms with the City's Policies and goals relating to employee conduct, privacy, confidentiality, and data security and is used to enhance productivity and efficiency.

With the increasing popularity of generative AI chatbots such as Open AI's ChatGPT and Google's Bard, it has become necessary to outline the proper use of such tools while working for the City of Garden City.

Overview

While AI can perform a variety of functions, this policy is specifically addressing AI Chatbots. City of Garden City employees are prohibited from inputting confidential information or vendor information into an AI Chatbot. Employees are also prohibited from using information given by the AI Chatbot as their own work. All employees, regardless of the use of AI Chatbots, will be required to complete annual AI training through KnowB4.

Eligibility

This policy applies to all City of Garden City employees and to all work associated with the City that those employees perform, whether on or off City premises.

Policy

The use of AI Chatbots will be allowed in accordance with AI Chatbot training through KnowB4 while performing work for the City. No confidential data of any kind may be submitted to an AI Chatbot platform.

All content that an AI Chatbot produces must be reviewed for accuracy before being used for work purposes. If a reliable source cannot be found to verify factual information generated by the AI Chatbot, that information

cannot be used for work purposes. Content produced by the AI Chatbot cannot be copied and pasted and used for employee work.

Examples of Acceptable Use of AI Chatbot

- For general-knowledge questions meant to enhance your understanding of work-related topics.
- To brainstorm ideas related to projects you're working on.
- To create formulas for Excel spreadsheets or similar programs.
- To assist with drafting an email or letter.
- To summarize online research or to create outlines for content projects to assist in full coverage of a topic. Only content that has been written by and researched by employees may be included in a final product.

Examples of Unacceptable Use of AI Chatbot

- Using AI Chatbot generated information as your own work.
- Typing in confidential information into the AI Chatbot.

Monitoring

All City policies related to computer usage, mobile devices, and the like apply when using AI Chatbots during working hours, regardless of whether the equipment is owned or provided by the City.

Compliance

The use of AI Chatbots must comply with all relevant local, state, and federal laws and regulations. Any violations of this policy will result in disciplinary action, up to and including termination.

Confidentiality

Throughout the course of employment, employees may come into the possession of confidential information. It is the policy of the City that such confidential information will not be disclosed to others who do not have a need to know it. Anyone who intentionally causes a breach of confidentiality will be held accountable and disciplinary action may result in up to and including termination.

All employees are expected to understand and abide by the following practices:

1. Confidential information will not be disclosed to others, including friends or family, who do not have a need to know it.
2. Personal access codes, user ID's, and passwords used to access computer systems are to be considered confidential information.
3. Confidential information will not be discussed where others can overhear the conversation. This includes, but is not limited to, hallways, elevators, break rooms, restaurants, and social events.
4. Employees will not make inquiries about confidential information for other personnel who do not have proper authorization to access such confidential information.
5. Employees will not willingly inform another person of their computer password or knowingly use another person's computer password instead of their own for any reason except maintenance or technical support.
6. Employees will not make any unauthorized transmissions, inquiries, modifications, or purging of confidential information in City computer systems. Such unauthorized transmissions include but are

not limited to removing and/or transferring confidential information from City computer systems to unauthorized locations (i.e., an employee's home).

7. Employees will password-protect any computer prior to leaving it unattended.
8. Employees will comply with any security and privacy policies and/or procedures promulgated by the City to protect the security and privacy of confidential information.
9. Upon separation/termination of employment, all employees will immediately return any documents or other media containing confidential information to the City.

Reporting a Breach of Confidentiality

A breach of confidentiality could occur through a variety of means, some unintended and others by intent to steal or do harm. These include, but are not limited to:

- Unintended mistakes that cause accidental disclosures.
- Abuse of access privileges.
- Knowingly accessing information for non-work-related purposes.
- Unauthorized physical intruders.

Employees will immediately report any activity by any person, including themselves, that is in violation of this Policy or of any City security or privacy policy to their direct supervisor. This will allow the process of mitigating the effect of the breach and preventing any additional loss of data.

Personnel File

The Human Resources Department maintains an official personnel file for each employee. The official personnel file, which may include paper documents and electronic documents on secured systems includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records. The information in a personnel file is personal by nature, the City keeps these files as confidential as possible. The City does not keep medical records, nor work eligibility records, in the personnel file, as this information must be kept in a separate secure place.

Personnel files are the property of the City, and access to the information they contain is restricted. Generally, only direct supervisory personnel of the City who have a legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Human Resources Department. With reasonable advance notice, employees may review their own personnel files in the Human Resources Department and in the presence of the Human Resources Director. Employees will not remove or alter personnel records. If an employee disagrees with any information in his or her personnel file, the employee may submit a written statement explaining his or her position, which will be included in the file.

Reference Inquiries

The City will not respond to reference checks/inquiries from other employers or financial institutions without written authorization and a release signed by the individual who is the subject of the inquiry. Responses to such inquiries will be limited to factual information that can be substantiated by City records. All inquiries are to be directed to the Human Resources Department for an official response.

Solicitation

To prevent disruption of operations, it is the City's policy that there will be no solicitation during working time. All employees should accomplish their work and not interfere with other employees trying to perform their work. Therefore, the following rules will apply:

1. No employee may engage in solicitation, nor may any employee willingly accept solicitation on behalf of any club, society, religious organization, political party, or similar association, or for any other purpose, during the actual working time of either the solicitor or the person being solicited. "Actual working time" means the time during which an employee is required to be performing work duties; working time does not include the time before the employee's scheduled workday begins, the time after the employee's scheduled workday ends, or the employee's break or lunch period.
2. No employee, nor individuals who are not employees, may solicit or distribute materials on City premises, company vehicles, or personal vehicles.
3. Nothing herein must be interpreted or applied to interfere with an employee's rights under the National Labor Relations Act.

Bulletin Boards

To maintain an effective avenue for communicating with our employees, the City may, from time to time, utilize bulletin boards or post notices. The bulletin boards are in break rooms to ensure that employees have constant access to posted information. City bulletin boards are used to communicate mandatory workplace posters. They can also be used to communicate information regarding policies and announcements, including, but not limited to, job postings, safety rules, health items, benefit programs, and notices announcing special events. Most of the information, however, will also be communicated electronically via email. Employees may not tamper with these bulletin boards or postings in any manner.

These bulletin boards may not be used by employees or outside parties for the posting of commercial notes, advertisements, sales of personal property, or any other personal matters.

9. VOLUNTEER POLICY

People in the community who have special knowledge and particular talents can provide great contributions as volunteers.

In this policy, a volunteer is defined as a person who: (1) performs such volunteer services recognized and authorized by the City Manager; (2) receives no salary or remuneration with the exception of fire volunteers and specific out-of-pocket reimbursements such as meals or mileage reimbursement for driving tasks; and (3) is not an employee of the City when the volunteer hours involve the same type of service for which the individual is employed.

Onboarding

The proper screening of volunteers is of utmost importance to ensure that volunteers possess the necessary skills to carry out their tasks as a volunteer. Proper screening ensures a good fit that is of benefit to the volunteer, the City, and those served. The Department Head will consult and ensure compliance with this Volunteer Policy.

Volunteer Application

A City Volunteer Application will be utilized to screen volunteer candidates. A completed City Volunteer Application is required to be considered for an eligible volunteer opportunity.

Interview

Each department that offers eligible volunteer opportunities is responsible for conducting interviews.

Testing Requirements (Fire Service only)

The Human Resources Director in conjunction with the Fire Chief will have the sole discretion to determine the applicant testing and selection process for Volunteer Firefighters. Volunteer Firefighters must undergo all testing processes that are administered for full-time firefighter positions.

Background Checks

The Human Resources Director will have sole discretion to determine the structure and administration of background screens of volunteer candidates for each eligible volunteer activity. The Human Resources Director has sole discretion to delegate the administration of background screens of volunteer candidates to the department offering the eligible volunteer activity.

Record Retention

The Human Resources Department will be the custodian of and maintain all volunteer records and a roster of volunteers actively engaged.

Training

Training volunteers is important to ensure they have the necessary skills and confidence to carry out their tasks. Each department that offers volunteer opportunities will communicate to its volunteers what is expected of them, as well as what the volunteers should expect from the department and the volunteer program. Training will be provided to all volunteers and documented in writing by each department offering volunteer opportunities.

All training records, including signed acknowledgments, will be retained by the Human Resources Department.

Administrative Policies and Procedures

Department policies and procedures pertinent to volunteers will be explained to each volunteer prior to beginning training. The Department will provide applicable policy acknowledgments to the volunteer candidate for review and signature. Applicable policy acknowledgments will be signed and returned to the Department by the volunteer candidate prior to starting as a volunteer with the City. The Department will submit all acknowledgments to the Human Resources Department to be retained.

Safety Policies and Procedures

The Department will ensure volunteers are instructed in pertinent safety policies and procedures, including such items as emergency evacuation and sheltering plans, safety rules, security procedures, and proper use of equipment. In addition,

- Volunteers will not be permitted to use power tools or equipment unless they have been specifically trained and show proof of qualification to operate said tools or equipment. They will also be required to sign a waiver before using.
- Volunteers will not be permitted to work around or with hazardous conditions, hazardous materials, and/or chemicals unless they have been trained.
- Volunteer workers ages 15, 16 and 17 will be permitted to perform those duties listed per FLSA and DOT and KSA 38-602, 38-603, and 38-614 only.
- Volunteer Firefighters will be permitted to use fire response tools or equipment once certified and trained and show proof of functional capacity to the City.

Volunteers will be required to wear a uniform issued by the City when volunteering. Any Personal Protective Equipment required will be provided by the City and must be used at all times.

Confidentiality

Volunteers are responsible for maintaining the confidentiality of all privileged information to which they are exposed while serving as a volunteer. This includes information pertaining to employees, other volunteers, or related Department information. Each Department is responsible for educating its volunteers about Department and City confidentiality standards.

Prohibited Activities

The FLSA also limits or restricts certain persons from volunteering for specified types of services. Employees of the City may not volunteer for the City when the volunteer service involves the same type of service for which the employee is employed to perform for the City. Similarly, regular employees of the City may not be displaced to accommodate a volunteer. Specific restrictions regarding youth (18 years and younger) apply depending on age as set by FLSA. The Human Resources Director will evaluate proposed volunteer activities for restrictions related to volunteer applicants under the age of 18 to determine volunteer eligibility.

It is not the intent of the City to employ any volunteer nor promise wages or other employee benefits. Based on the City's commitment to providing the highest quality service to the community, the City reserves the right to discontinue a volunteer's involvement in its volunteer program at any time, as City volunteers have no vested right in volunteer participation.

Performance Expectations

Throughout the volunteer's service to the City, direct supervisors need to monitor the performance of the volunteer. If performance does not match expectations, direct supervisors should try to assist the volunteer to improve performance in order to better carry out their responsibilities. If performance does not improve, the volunteer should be notified in writing by the Department that their service to the City has been appreciated but that they are no longer authorized to perform services on behalf of the City. The Department is required to notify the Human Resources Department

Legal Relationship between Volunteers and the City

The legal relationships that exist between the volunteer and the City result in two (2) primary areas of potential liability:

1. The liability of the City for harm caused by the volunteer or harm to the volunteer.
2. The personal liability of the volunteer for injuries caused by the volunteer.

The City will provide the same protection to volunteers for any claims arising from acts performed by the volunteer within the scope of the volunteer's tasks as is provided by law for City employees. The City's general liability insurance policy indicates that any expressly authorized volunteer of the City is insured under the policy provisions subject to policy terms, conditions, and exclusions.

Liability for Harm Caused by a Volunteer (Other than Caused by an Auto Accident)

If a volunteer's actions cause physical injury or property damage to another and the injured party files a claim against or sues the volunteer, the City and/or its insurer will defend the volunteer and be responsible for any financial judgment incurred, provided that the volunteer was acting within the scope of the volunteer's tasks, gives notice of the claim to the City, and cooperates in the defense and litigation.

Liability for Harm Caused by a Volunteer Involved in an Automobile Accident

The City's automobile liability insurance policy will secondarily cover a volunteer as a supplement to the volunteer's private automobile insurance.

Volunteer candidates will be responsible for providing proof of insurance and a valid driver's license if the volunteer opportunity requires the use of a personal vehicle. Volunteers whose volunteer activities require the use of a personal vehicle will notify the Department and the Human Resources Director within 48 hours of receiving notice that the volunteer no longer has a valid driver's license or valid automobile insurance.

The City's automobile liability insurance policy will insure the actions of the properly sanctioned City volunteer while operating the volunteer's privately owned vehicle, subject to the conditions below. If a claim is made against the volunteer or the volunteer is sued:

1. The volunteer's personal automobile insurer is "primary" or responds first to any such liability.
2. The City and/or its insurer will respond on an "excess" basis to provide protection for expressly authorized volunteers performing volunteer services on behalf of the City. "Excess" coverage means the City will respond to such liability only after all other insurance available to the volunteer is exhausted.
3. The City will not provide protection to the volunteer for damage to the volunteer's own automobile. The volunteer's personal automobile insurer should respond to such a loss.

Note: Coverage is not provided when the volunteer is going to or coming from the volunteer's normal volunteer work site. Volunteers will not be allowed to operate City owned vehicles.

Injury to a Volunteer While Performing Volunteer Services

If a volunteer is injured while performing volunteer services on behalf of the City, the volunteer is not covered under the City's Workers' Compensation policy.

Incident/Accident Reporting Requirements

Prompt accident investigation is critical to determine possible causal factors and possible corrective actions to prevent such accidents from occurring in the future. Volunteers must report all incidents or accidents the volunteer is involved in while engaging in volunteer activities to the Department and the Human Resources Department as soon as reasonably possible following any incident or accident. The Department will instruct and assist the volunteer in the completion of a City Report of Injury or Accident form.

Compensation

Monetarily compensating or otherwise rewarding a volunteer may convert an unpaid volunteer into an underpaid employee. The Fair Labor Standards Act (FLSA) only allows for specific reasonable reimbursements. City volunteers will not be rewarded or compensated for volunteer services, with the exception of Volunteer Firefighters.

Volunteer Firefighters

The fire department may pay volunteer firefighters' expenses, a nominal fee, or any combination thereof, for their service without the firefighters losing their status as volunteers (29 CFR 553.101, and CFR 553.103). Volunteer Firefighters with the City are considered Paid-on-call (POC), in which these individuals are paid a nominal stipend of \$30 per call. This flat rate stipend is paid when the Firefighter responds to a call for service, without regard for the amount of time spent in service.

Mileage Reimbursements

To receive mileage reimbursement, it will be necessary to provide the Finance Director with a Certificate of Insurance, or a copy of the declaration page, indicating the amounts of coverage for liability and the expiration date of the policy. This will be done at the start of volunteer service with the City, prior to incurring any mileage, and at the time of renewal of the policy. The limits of coverage the volunteer should have are:

Combined Single Limit

\$25,000 bodily injury per person

\$50,000 bodily injury per accident

\$25,000 property damage

Due to the financial responsibility of the City over and above these amounts, volunteers are required to have this coverage as a minimum amount whether or not mileage reimbursement is requested. Failure to comply will result in the volunteer not being authorized to drive for the City.

Volunteers authorized to drive for the City must hold a valid driver's license. The City does not provide protection to the volunteers for damage to their own automobiles.

ACKNOWLEDGMENT FORM

I have received a copy of the Employee Handbook. I have read and I understand its contents. I acknowledge that it is my responsibility to ask questions about anything I do not understand.

I also understand that the contents of this Handbook may be changed by the Employer at any time, with or without notice.

I further understand and acknowledge that this Handbook provides guidelines and information, but this Handbook is not, nor is it intended to constitute, an employment contract of any kind. I understand that my employment and compensation can be terminated at the option of either the Employer or me, at any time, for any reason. I understand that this Handbook and the Acknowledgment Form do not vary or modify the at-will employment relationship between the Employer and me.

Employee Signature

Employee Printed Name

Date