

# PERSONNEL CODE

Ordinance No. 3058

Effective July 2, 2001



Gary L. Graham, Mayor

## **WELCOME**

Welcome new employee!

On behalf of your colleagues, it is a pleasure to welcome you as an employee with the City of O'Fallon and wish you every success here.

We believe that each employee contributes directly to the City's growth and success, and we hope you will take pride in being a member of our team.

This handbook was developed to describe some of the expectations of City employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with the City.

We hope that your experience here will be challenging, enjoyable and rewarding. Again, welcome!

Sincerely,

Walter Denton  
City Administrator

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# ORGANIZATION DESCRIPTION

## I. City Form and Operations

O'Fallon is a home rule community that operates under an aldermanic form of government. The Council is composed of two aldermen from each of the seven wards. The aldermen are elected on four year staggered terms. The mayor, clerk and treasurer are elected at large and they serve four year terms. The mayor, with the advice and consent of the City Council, appoints a city administrator who oversees day-to-day operation of the City. City staff consists of trained professionals who operate an Engineering and Public Works Department, Finance Department, Fire Department, Parks and Recreation Department, Planning and Zoning Department, Public Safety Department and a Municipal Library.

The Engineering and Public Works Department strives to provide residents and customers with effective planning, management, operation and maintenance of the City's water, sanitary sewer and street infrastructure. Professional engineering staff reviews private development plans for appropriate compliance, oversees infrastructure plans and manages public works construction projects. The public works staff tests, repairs and maintains infrastructures, sanitary sewer lift stations, and water distribution systems. The City has owned and operated its water distribution for 70 years. It maintains and operates over 180 miles of distribution lines, three major pump stations, two elevated and two ground storage tanks. The water system is comprised of over 15,000 services and pumps about 4.2 million gallons of water per day. The City also operates a waste treatment plant that can process over 5.6 million gallons per day.

The Finance Department includes the responsibility for purchasing, budget, personnel, accounts payable, accounts receivable, fixed asset tracking and central services. These functions obviously cross all departmental lines and closely interact with the Mayor, City Clerk, Treasurer and City Administrator.

The Fire Department is a volunteer department that protects a 44 square mile area. Each year, they respond to hundreds of emergencies, participate in numerous training exercises, provide many free educational programs to children and adults on fire safety and, in conjunction with Medicare or Medicaid, provide free medical oxygen as a service for residents.

The Parks and Recreation Department is responsible for the maintenance of park land and amenities in a manner which will enrich the quality of life of the citizens. The department also provides recreational services.

The Planning and Zoning Department coordinates long range planning and administers appropriate City ordinances to preserve neighborhood character and enhance quality of life within the context of the City's Comprehensive Plan. The department also serves as a professional planning and development resource to elected and appointed officials and the community at large. These functions serve to preserve and protect property value, quality of design, construction and safety of buildings and property in the City.

The Public Safety Department is comprised of police officers, dispatchers and emergency medical services personnel. The department is committed to being responsive to the community in the delivery of quality public safety services including the preservation of life and property of all persons, the promotion of safe and secure neighborhoods, and the enforcement of all Federal, State, County and Municipal laws.

The Municipal Library is governed by a Board of Trustees that is appointed by the Mayor. The purpose of the library is to provide a live collection of books, educational and recreational materials to the children, young people and adults of the community. This collection, library reference staff and implemented technology serve to stimulate communication, educate citizens, and enrich personal lives.

## **II. Facilities and Locations**

City Hall is located at 255 South Lincoln. This location houses the water department, Engineering, Planning and Zoning and various administrative functions, all of which can be contacted by calling 624-4500 and using the appropriate extension.

The Police Department and EMS is located at 285 N. Seven Hills Road. The non-emergency telephone numbers for these locations are 624-4545 (police) and 624-4516 (ambulance).

The Public Works main office and maintenance facilities are located at 318 W. 2<sup>nd</sup> Street. The Wastewater Treatment Plant is located at 10378 Reider Road.

The City Library is located at 120 Civic Plaza and can be contacted by calling 632-3783.

The main offices for the Parks and Recreation Department are located in the Katy Cavins Community Center located at 308 East Fifth Street and can be contacted at 624-0139. The department operates three parks and a fourth is under development:

- 1) Community Park encompasses over 39 acres of land with a pool, four lighted tennis courts, six ball diamonds (two of which have lighting), two lighted basketball courts, two children's playgrounds, numerous pavilions and picnic areas and a maintenance building. The Community Center is available for a variety of functions.
- 2) Hesse Park has over 22 acres with four ball diamonds, an in-line skating rink, playgrounds, basketball courts and picnic areas.
- 3) Rock Springs Nature Park has 109 acres for walking and hiking, the Rotary Nature Center, and a Boulder Playground.
- 4) The Family Sports Park is 200 acres and is currently under construction. The park will include ball fields, soccer fields, playground, and walking trail.

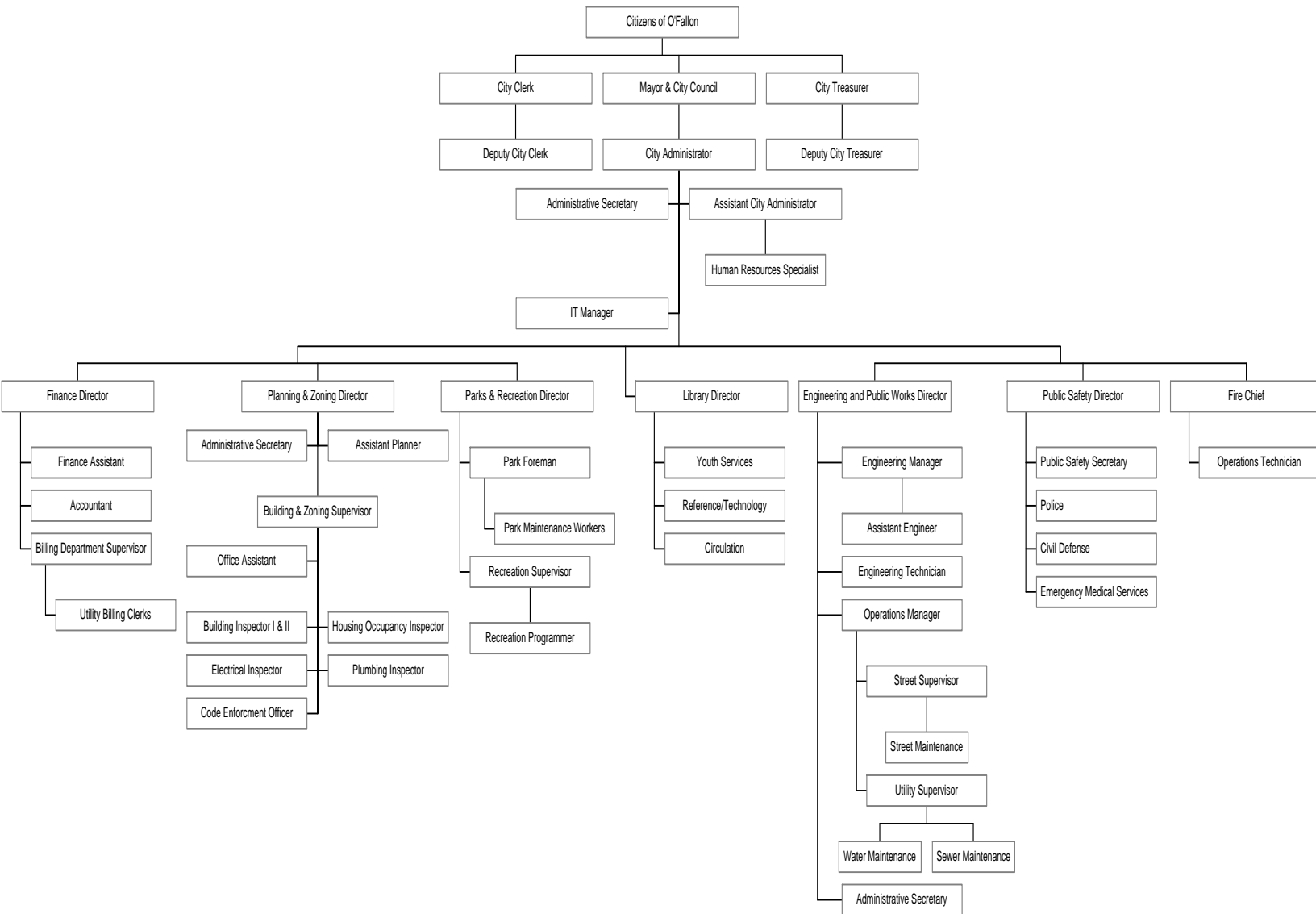
The Fire Department has two stations located in O'Fallon. The stations are at 528 West Fifth Street and 106 East Washington. The non-emergency telephone numbers are 624-4520 and 622-1461.

The City owns and maintains a multi-modal depot in the downtown business district for St. Clair County Transit and the Chamber of Commerce. The City also owns and maintains a historical building that houses the City Museum and Historical Society and maintains the historical old City Hall.

## **III. The History of the City of O'Fallon**

O'Fallon was settled in 1814 and was named after Colonel John O'Fallon who came to St. Louis after the War of 1812 to assist his Uncle William Clark of Lewis & Clark Expedition fame. Colonel O'Fallon was president of the Ohio and Mississippi Railroad and the railroad's first stop out of St. Louis was called O'Fallon.

## IV. Organizational Structure



## V. Role of the Human Resources Office

The Human Resources Office is available to assist employees with questions concerning benefits, workplace rules and policies, working hours, and other work related issues. Employees are encouraged to contact their supervisor or Department Head when questions arise, however Human Resources can also answer questions or direct employees to the appropriate person for an answer.

Human Resources may be consulted about the proper interpretation of any part of the contents of this Handbook. In addition, if an employee has any work related concern (including but not limited to any act of perceived discrimination or harassment), these concerns may be brought to Human Resources.

**VI. Management Philosophy**

The mission of the City has always been to provide our citizens with the best possible service. We believe this can be accomplished by encouraging all employees to work together harmoniously and by resolving workplace concerns quickly and in a manner which promotes the well being of the employees as a whole. Our goal to provide citizens with the best possible service is shared by all City departments and managers. Concentration on our mission and team spirit will enable us to achieve this goal on a sustained basis.

**EMPLOYEE ACKNOWLEDGEMENT FORM**

I acknowledge that I have received a copy of the employee handbook for the City of O'Fallon. The employee handbook describes important information about the City, and I understand that I should consult the Human Resources Office regarding any questions not answered in the handbook. I have entered into my employment relationship with the City voluntarily and acknowledge that there is no specified length of employment, unless I am covered by the terms of a collective-bargaining agreement or an individual contract that provides otherwise. Accordingly, either the City or I can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the City's policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the City Administrator of the City of O'Fallon has the ability to adopt any revisions to the policies in this handbook.

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

EMPLOYEE'S NAME (printed): \_\_\_\_\_

EMPLOYEE'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

## **101 Nature of Employment**

Effective Date: 07/02/01

Revision Date:

Absent a contract or other written agreement, employment with the City of O'Fallon is on an at-will basis. Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the City and any of its employees. The City may amend the provisions of the handbook at any time.

The provisions of this handbook apply to all City employees. However, if any specific policy or provision of this handbook conflicts with the terms of any collective bargaining between the City and a union, the terms of the collective bargaining agreement will apply with respect to employees covered thereby. The provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the City Administrator.

## **102 Employee Relations**

Effective Date: 07/02/01

Revision Date:

The City believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that the City amply demonstrates its commitment to employees by responding effectively to employee concerns.

## **103 Recruitment and Selection**

Effective Date: 07/02/01

Revision Date:

The City of O'Fallon seeks to attract and employ high quality skilled professionals to serve the citizens of O'Fallon. As a public sector employer, the City has an obligation to open the hiring process to the widest variety of qualified people. The City believes in giving all applicants an open and equal chance to obtain employment with the City.

All hiring processes are conducted in a competitive environment, with the goal of fairly assessing the full qualifications of all applicants and selecting employees that best match the needs of the City.

Recruitment of employees for positions in the City service shall be the responsibility of the City Administrator. The City Administrator will encourage assistance from Department Heads and other employees of the City in obtaining suitable applicants for positions.

Provisions in the Handbook as to salaries and vacations, etc., are subject to negotiation when hiring Department Heads.

Applicants will be given equal consideration for all positions with the City of O'Fallon, regardless of race, color, religion, sex, national origin, age, disability, marital or veteran status.

Department Heads shall notify the City Administrator as far in advance as possible of any requirements for personnel, setting forth such desired items as the number of employees required, the education, training, experience and personal qualities desired. The City Administrator will review the request and proceed to fill the vacancy, going through the procedures of promotion, transfer and recruitment, in order. The City Administrator will notify the City Council when the recruitment and selection process for a position begins and when a candidate is hired.

## **104 Promotion From Within The Department**

Effective Date: 07/02/01

Revision Date:

Internal applicants from within the same Department will be evaluated for promotional opportunities whenever possible and when it is in the best interest of the City. Internal applicants may also be asked to participate in a competitive selection process involving external candidates. The factors in determining promotions may include competitive examinations, efficiency of service, potential for continued development, educational background, and length of service.

If the vacancy is not filled by promotion from within the Department, the City Administrator shall provide notices of such vacancy to all other Department Heads. Such notices shall be posted in each Department for review by all employees to ascertain whether anyone seeks consideration for temporary or permanent transfer to another Department. To be eligible to apply for a posted job, an employee must have performed successfully in his/her current position for at least 90 days. Employees who have had a written warning, probation or suspension in the prior six (6) months are not eligible to apply.

## **105 Recruitment And Selection Process**

Effective Date: 07/02/01

Revision Date:

In addition to advising all employees of vacancies, the City Administrator will initiate the recruitment and selection process, which may include the following steps:

### **A. Recruitment Methods**

- (1) Contact with employment offices
- (2) Advertisement in professional journals and local newspapers
- (3) Contact with area schools
- (4) Walk-in inquiries
- (5) Recommendations from present employees
- (6) Other methods of modern personnel recruitment

## **B. Selection Methods**

- (1) Screening interview
- (2) Pre-employment tests
- (3) Comprehensive interview
- (4) Investigation of previous employment history
- (5) Physical examination (which includes drug testing)
- (6) Psychological examination
- (7) Criminal background check

After the candidate to be appointed has been selected, the City shall require all necessary forms such as status sheet and tax withholding forms, to be filled out prior to the candidate beginning work. The City will maintain all necessary records and information for each City applicant.

All applications of candidates who fail the pre-employment examinations, who are permanently rejected or who fail to report to work after being appointed, will be filed in inactive files. The application and other materials of all other applicants shall remain on file for a period of one (1) year and may be considered for other openings.

## **C. Disqualification of Applicants**

The City may reject any application which indicates that the candidate does not possess the minimum qualifications required for the position. Applicants may also be disqualified for the following:

- (1) The applicant is unable, either with or without reasonable accommodation, to perform the essential functions of the position (with pre-employment inquiries being limited to whether the applicant has the ability to perform the essential functions of the position and not whether the applicant has any condition that would prevent the performance of the essential functions).
- (2) The applicant has been convicted of a felony or has been convicted of an excessive number of minor violations.
- (3) The applicant made false statements on his application.
- (4) The applicant is an immediate family member of an elected City official. Immediate family is defined as the applicant's spouse, parent, child, sibling; the applicant's spouse's parent, child or sibling; the applicant's child's spouse; grandparents or grandchildren. An immediate family member of an elected City official may be hired for a summer or temporary emergency position.
- (5) The applicant would be in the same department or in the supervisory chain-of-command of a relative if employed in the position sought.

## **106 Equal Employment Opportunity**

Effective Date: 07/02/01

Revision Date:

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the City will be based on merit, qualifications, and abilities. The City does not discriminate in

employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, marital status or any other characteristic protected by law.

The City will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

In addition to a commitment to provide equal employment opportunities to all qualified individuals, the City has established an affirmative action program to promote opportunities for individuals in certain protected classes throughout the organization.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Human Resources Office. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## **107 Business Ethics and Conduct**

Effective Date: 07/02/01

Revision Date:

The successful operation and reputation of the City is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

The continued success of the City is dependent upon the taxpayers' trust and we are dedicated to preserving that trust. Employees owe a duty to the City and its residents to act in a way that will merit the continued trust and confidence of the public.

The City will comply with all applicable laws and regulations and expects its elected officials and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with the City Administrator for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every City employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

## **108 Personal Relationships in the Workplace**

Effective Date: 07/02/01

Revision Date:

The employment of relatives may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships. The City therefore will not hire two individuals who are married to work in the same department, or in a situation where one of the employees would be anywhere within the supervisory chain-of-command over the other.

If two employees in the same department or with any reporting relationship (direct or indirect) marry, one employee will be required to transfer or resign within thirty (30) calendar days of the marriage. The City will work with the involved employees to find an alternative which is satisfactory to the City and to the employees.

In other cases where a conflict or the potential for conflict arises because of other relationships between employees, such as two individuals who live together in a conjugal relationship, or two individuals who are related as siblings, or where there is a parent-child relationship, the employees may be separated by reassignment or terminated from employment. Employees in such a situation as of the date this manual is adopted will be grandfathered for that particular situation.

## **109 Employee Medical Examinations**

Effective Date: 07/02/01

Revision Date:

To help ensure that employees are able to perform their duties safely, medical examinations may be required.

After an offer has been made to an applicant entering a designated job category, a health professional of the City's choice will perform a medical examination at the City's expense. In addition, applicants for employment may be required to submit to and pass a psychological evaluation prior to employment. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exams.

Current employees may be required to take medical examinations to determine fitness for duty when job-related and consistent with business necessity. Such examinations will be scheduled at reasonable times and intervals and performed at the City's expense.

Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know.

## **110 Immigration Law Compliance**

Effective Date: 07/02/01

Revision Date:

The City is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the City within the past three years, or if their previous I-9 is no longer retained or valid.

Employees may raise questions or complaints about immigration law compliance without fear of reprisal. Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resources Office.

## **111 Conflicts of Interest**

Effective Date: 07/02/01

Revision Date:

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the City wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the City Administrator for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of City's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of the City as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the City does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the City.

## **112 Outside Employment**

Effective Date: 07/02/01

Revision Date:

An employee may hold a job with another organization as long as he or she satisfactorily performs his or her job responsibilities with the City. All employees will be judged by the same performance standards and will be subject to the City's scheduling demands, regardless of any existing outside work requirements.

If the City determines that an employee's outside work interferes with performance or the ability to meet the requirements of the City as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the City.

Outside employment will present a conflict of interest if it has an adverse impact on the City. Before accepting any outside employment, an employee must first obtain written permission from his/her Department Head and provide notice to the Human Resources Office.

## **201 Employment Categories**

Effective Date: 07/02/01

Revision Date:

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

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws.

NONEXEMPT 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 NONEXEMPT classification may be changed only upon written notification by City management.

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

FULL-TIME employees are those who are not in a special assignment status and who are regularly scheduled to work the City's full-time schedule (an average of 32 hours minimum per week). Generally, they are eligible for the City's benefit package, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME employees are those who are not in a special assignment status and who are regularly scheduled to work less than 32 hours per week. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are ineligible for other City benefit programs.

SPECIAL ASSIGNMENT employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Special assignment employees retain that status unless and until notified of a change in writing. While special assignment employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for other City benefit programs.

INDEPENDENT CONTRACTORS, as defined by the Internal Revenue Services, may be used to supplement the work force or assist with a specific project or type of work. In general, the IRS defines an individual as an independent contractor if the City is only able to control or direct the result of the work and not the means or methods of accomplishing the result. Independent contractors receive any legally mandated benefits but are ineligible for other City benefit programs. Independent contractors are responsible for payment of all taxes on sums paid to them by the City.

## **202 Access to Personnel Files**

Effective Date: 07/02/01

Revision Date:

The City maintains a personnel file on each employee. The personnel file includes information such as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the City and access to the information they contain is restricted. Generally, only supervisors and management personnel of the City authorized by the City Administrator 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 Office of Human Resources. With reasonable advance notice, employees may review their own personnel files in the City's offices and in the presence of an individual appointed by the City to maintain the files.

## **203 Employment Reference Checks**

Effective Date: 07/02/01

Revision Date:

To ensure that individuals who join the City are well qualified and have a strong potential to be productive and successful, it is the policy of the City to check the employment references of all applicants.

The Office of Human Resources will respond in writing only to those reference check inquiries that are submitted in writing and are authorized by the employee in writing. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held.

## **204 Personnel Data Changes**

Effective Date: 07/02/01

Revision Date:

It is the responsibility of each employee to promptly notify the City of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Office of Human Resources immediately to ensure complete, accurate information is contained in the personnel files.

## **205 Employment Applications**

Effective Date: 07/02/01

Revision Date:

The City relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

In processing employment applications, the City may obtain a consumer credit report, criminal history, workers' compensation history, driver license records and other appropriate information for employment purposes. If the City takes an adverse employment action based in whole or in part on these reports, a copy of the report and a summary of your rights under the Fair Credit Reporting Act will be provided as well as any other documents required by law.

## **206 Performance Evaluation**

Effective Date: 07/02/01

Revision Date:

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee's first six months in any new position. This allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

The performance of all employees is generally evaluated according to an ongoing 12-month cycle, beginning in November and ending in October of the next calendar year. Evaluations will generally be completed in late October or early November for the preceding 12 months.

The City awards merit-based pay adjustments in an effort to recognize superior employee performance. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by this formal performance evaluation process. The completion of a performance evaluation does not guarantee a pay adjustment will be given.

## **301 Employee Benefits**

Effective Date: 07/02/01

Revision Date:

Eligible employees at the City are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation, state disability, and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employment classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook.

The following benefit programs are available to eligible employees:

- \*Benefits Continuation
- \*Bereavement Leave
- \*Cafeteria Plan
- \*Child Care Benefits
- \*Educational Assistance
- \*Employee Assistance Program
- \*Family and Medical Leave
- \*Health Insurance
- \*Holidays
- \*Investment Plan
- \*Jury Duty Leave
- \*Life Insurance
- \*Military Leave
- \*Personal Leave
- \*Retirement Plan
- \*Sick Leave Benefits
- \*Vacation Benefits
- \*Witness Duty
- \*Workers' Compensation Insurance

Some benefit programs require contributions from the employee, but most are fully paid by the City. All benefits are subject to modification or elimination at any time in the City's sole discretion, other than benefits which the City is required by law to provide.

## **302 Benefits Continuation**

Effective Date: 07/02/01

Revision Date:

The federal Public Health Service Act (PHSA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under the PHSA, the employee or beneficiary pays the full cost of coverage at the City's group rates plus an administration fee. The City provides each eligible employee with a written notice describing rights granted under the PHSA when the employee becomes eligible for coverage under the City's health insurance plan. The notice contains important information about the employee's rights and obligations.

### **303 Bereavement Leave**

Effective Date: 07/02/01

Revision Date:

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately.

Unless otherwise provided for in a applicable union contract, up to 4 days of paid bereavement leave will be provided to eligible employees in the following employment classifications: Full-time employees.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements. Employees may, with their supervisors' approval, use any available vacation or compensatory time for additional time off as necessary.

For the purpose of bereavement leave, the City defines "immediate family" as the employee's spouse, parent, child, sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren.

In cases of the death of another relative who is not part of the employee's immediate family, the employee may be granted time off in the supervisor's discretion, and the time off will be unpaid or the employee may use any available vacation pay.

### **304 Cafeteria Plan**

Effective Date: 07/02/01

Revision Date:

A cafeteria plan, as defined by Section 125 of the Internal Revenue Code, allows participants to choose between taxable and nontaxable benefits and to redirect a portion of their salary to flexible spending accounts earmarked for Dependant Care expenses or Unreimbursed Medical expenses. Most of the benefits available can be paid with pre-tax dollars, thereby creating a savings for the employee and for the City. Eligible employment classifications are: Full-time employees.

Employees may enroll in the cafeteria plan upon their assignment to a full-time position and at the end of each calendar year thereafter for the upcoming calendar year. Federal regulations require each eligible employee to sign a salary redirection form each year to indicate their knowledge of the benefit and the dollar amounts to be redirected, if any. Contact your supervisor or Human Resources for more information about the cafeteria plan.

### 305 Child Care Benefits

Effective Date: 07/02/01

Revision Date:

City provides childcare assistance to all eligible employees as a benefit of employment. Eligible employment classifications are: Full-time employees.

Given below is a brief description of childcare assistance that may be provided when feasible. For more detailed information, please contact the Human Resources Office.

**CAFETERIA PLAN/FLEXIBLE SPENDING ACCOUNT:** Employees choose benefits (including childcare) from a list of options and contribute a part of pretax salaries to a child care account. This option allows employees to minimize the federal tax they must pay on childcare dollars.

**FLEXIBLE LEAVE:** The employer recognizes that the fulfillment of childcare responsibilities can provide a compelling reason for time-off requests. Where feasible, employees' needs will be accommodated.

**SICK LEAVE BENEFITS:** Employees may use accrued sick leave benefits in the event of the illness of a child.

### 306 Educational Assistance

Effective Date: 07/02/01

Revision Date:

**Note: The following sets forth the City's general policy with regard to educational assistance. However, educational assistance cannot at all times be provided on the basis set forth below. All education reimbursement is dependent upon budgetary constraints and may be restricted or denied at any time in the city's sole discretion based on fiscal concerns.**

The City recognizes that the skills and knowledge of its employees are critical to the success of the organization. The educational assistance program encourages personal development through formal education so that employees can maintain and improve job-related skills or enhance their ability to compete for reasonably attainable jobs within the City.

Subject to budget constraints, the City will provide educational assistance to all eligible employees immediately upon assignment to an eligible employment classification. To maintain eligibility employees must remain on the active payroll and be performing their job satisfactorily through completion of each course. Employees in the following employment classifications are eligible for educational assistance: Full-time employees.

Individual courses or courses that are part of a degree, licensing, or certification program must be related to the employee's current job duties or a foreseeable-future position in the organization in order to be eligible for educational assistance. The City has the sole discretion to determine whether a course relates to an employee's current job duties or a foreseeable-future position. Undergraduate coursework shall be reimbursed at the same rate as the relevant current rate per course as SIU – Edwardsville, or 75% of the rate at another accredited institution, but shall not in any case be more than the SIU-E course rate, up to a bachelor's degree. Graduate course work shall be reimbursed at the same rate as set forth above upon

approval by the City Administrator prior to the beginning of each class. Employees shall be reimbursed a maximum of \$75.00 per semester for books. Employees should contact their supervisor or Human Resources for more information or questions about educational assistance.

While educational assistance is expected to enhance employees' performance and professional abilities, the City cannot guarantee that participation in formal education will entitle the employee to automatic advancement, a different job assignment, or pay increases.

The City invests in educational assistance with the expectation that the investment be returned through enhanced job performance. Employees taking advantage of the educational assistance program will be required to sign an acknowledgment indicating that they understand the terms of the program and a promissory note authorizing repayment and deduction from final pay if their employment ends within three years of the last payment. The promissory note will provide that, twelve months after an educational assistance payment is made, one-fourth of said payment will be forgiven (if the employee is still employed on a full-time basis), and twenty four months after a payment is made, another one-fourth of said payment will be forgiven (if the employee is still employed on a full-time basis), and thirty-six months after a payment is made, the remaining one-half of said payment will be forgiven (if the employee is still employed on a full-time basis).

In addition to the foregoing, employees may be required or requested to attend other educational programs such as seminars, technical training programs, or certification programs. The City will pay the full cost of any City-required training.

### **307 Employee Assistance Program**

Effective Date: 07/02/01

Revision Date:

The City cares about the health and well-being of its employees and recognizes that a variety of personal problems can disrupt their personal and work lives. While many employees solve their problems either on their own or with the help of family and friends, sometimes employees need professional assistance and advice.

Through the Employee Assistance Program (EAP), the City provides confidential access to professional counseling services for help in confronting such personal problems as alcohol and other substance abuse, marital and family difficulties, financial or legal troubles, and emotional distress. The EAP is available to all employees and their immediate family members offering problem assessment, short-term counseling, and referral to appropriate community and private services.

The EAP is strictly confidential and is designed to safeguard your privacy and rights. Information given to the EAP counselor may be released only if requested by you in writing. All counselors are guided by a Professional Code of Ethics.

Personal information concerning employee participation in the EAP is maintained in a confidential manner. No information related to an employee's participation in the program is entered into the personnel file.

There is no cost for employees to consult with an EAP counselor. If further counseling is necessary, the EAP counselor will outline community and private services available. The counselor will also let

employees know whether any costs associated with private services may be covered by their health insurance plan. Costs that are not covered are the responsibility of the employee.

Minor concerns can become major problems if you ignore them. No issue is too small or too large, and a professional counselor is available to help you when you need it for either full-time or part-time employees. You may call the EAP directly. EAP services are currently provided by People Resources and their number is 800-765-9124.

## **308 Family and Medical Leave**

Effective Date: 07/02/01

Revision Date:

The City recognizes that a leave of absence from active employment may be necessary for family or medical reasons. The following leave of absence policy complies with the provisions of the Family and Medical Act of 1993 (FMLA).

Eligible Employees. Employees eligible for family and medical leave are those who: (1) are one of 50 employees within a 75-mile radius; (2) have been employed with the City of O'Fallon for at least twelve months; and (3) have worked at least 1,250 hours during the previous twelve-month period.

An eligible employee may take unpaid leave for the following reasons:

- (1) the birth of the employee's child;
- (2) the placement of a child with the employee for adoption or foster care;
- (3) the care of a child, spouse, or parent (family member) who has a serious health condition; or
- (4) the serious health condition of the employee.

Length of Leave. An eligible employee may be entitled to up to twelve weeks of unpaid leave within a twelve-month period without a break in continuous service or loss of benefits. The amount of leave available to an employee at any given time will be calculated by looking backward at the amount of leave taken within the twelve-month period immediately preceding the requested leave. An employee who fails to return to work immediately following expiration of the authorized leave period will be considered to have voluntarily resigned. All leave taken under this policy and leave for any other reason which would qualify under FMLA, (e.g., sick leave) will be counted against the employee's leave entitlement under FMLA.

Substitution of Paid Leave. During a family or medical leave provided under this policy, an employee shall first exhaust all accrued and unused vacation days before continuing such leave on an unpaid basis. During a leave related to the employee's serious health condition, the employee shall also exhaust any available sick pay or other paid leave before continuing such leave on an unpaid basis.

Certification. If an employee takes a leave of absence because of the serious health condition of the employee or the employee's family member, the employee must submit to the employee's Department Head written medical certification from a health care provider of the serious health condition. Failure to provide such certification upon request may result in a denial or delay of leave. The City reserves the right to require that the employee receive a second (and possibly a

third) opinion from another health care provider (at the City's expense) certifying the serious health condition of the employee or the employee's family member. The City reserves the right to require that an employee provide the City with recertification of the medical condition for which leave is taken.

Before being returned to work, an employee who is on leave of absence as a result of his or her own serious health condition must submit a health care provider's written certification that the employee is able to return to work. The certification must state whether any restriction(s) exist in the employee's ability to perform their job duties. Failure to provide such certification may result in the delay or denial of job restoration.

During the employee's leave, the City may also periodically inquire as to the employee's intent to return to work.

Intermittent or Reduced Leave. Leave taken because of the employee's or family member's serious health condition may be taken on an intermittent or reduced schedule basis when medically necessary. If an employee seeks leave on an intermittent or reduced schedule basis, the employee must submit medical certification, as discussed above, and additional certification from the health care provider that the intermittent or reduced schedule leave is medically necessary. The City may require an employee taking intermittent or reduced schedule leave to transfer temporarily to an alternative available position for which the employee is qualified or may modify the employee's current position to better accommodate the employee's recurring periods of leave.

Insurance Premiums. During the employee's family or medical leave of absence, the City will continue to provide health insurance coverage for the employee; however, the employee will remain personally responsible for paying the employee's portion of the insurance premium. Such payments may be made prior to the leave and must be submitted directly to the City. Failure to pay premiums in a timely manner may result in lapse of coverage.

Payments for all other benefits must be paid in full by the employee during the period of leave. If the employee chooses not to make such payments, the employee will nevertheless be restored to the plan with no break in service upon return from leave. An employee who does not return may be required to repay any insurance premiums paid by the City during leave.

Job Restoration. Upon return from family or medical leave in accordance with this policy, the employee will be returned to the same or an equivalent position with no loss in benefits which accrued prior to the leave of absence. An employee who does not return to work at the end of an authorized leave will be considered to have voluntarily resigned.

Certain "key employees" may not be eligible to be restored to the same or an equivalent job at the conclusion of their leave. Key employees are those who are among the highest paid ten percent (10%) of the employees employed by the City. The City will notify such employees of their "key employee" status and the conditions under which job restoration may be denied, if applicable.

Employee Notification. An employee who expects or anticipates taking a family or medical leave is required to notify his or her Department Head of the date of commencement and the expected duration of the leave at least 30 days in advance of the leave, or, if the need for the leave is not foreseeable, as soon as practicable. In cases where the need for leave is foreseeable, an employee's failure to provide 30 days' notice prior to taking leave may result in denial or delay of

leave. An employee requesting leave under this policy should submit a complete application for leave form to his or her Department Head.

If you anticipate the possibility of taking family or medical leave, or if you have any questions about the application of this policy to your particular situation, contact your supervisor or Department Head.

### **309 Health Insurance**

Effective Date: 07/02/01

Revision Date:

The City's health insurance plan provides employees and their dependents access to medical and dental insurance benefits. Employees in the following employment classifications are eligible to participate in the health insurance plan: Full-time employees.

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between the City and the insurance carrier.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Public Health Service Act, which substantially mirrors the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation policy for more information.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees. Contact Human Resources for more information about health insurance benefits.

### **310 Holidays**

Effective Date: 07/02/01

Revision Date:

The City will grant holiday time off to all employees on the holidays listed below:

- \* New Year's Day (January 1)
- \* Martin Luther King Day (third Monday in January)
- \* Presidents' Day (third Monday in February)
- \* Memorial Day (last Monday in May)
- \* Independence Day (July 4)
- \* Labor Day (first Monday in September)
- \* Thanksgiving (fourth Thursday in November)
- \* Day after Thanksgiving
- \* Christmas (December 25)

The City will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have

worked on that day. Employees in the following employment classifications are eligible for holidays:  
Full-time employees.

To be eligible for holiday pay, employees must work or use approved time off on the last scheduled work day immediately preceding and the first scheduled work day immediately following the holiday.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

If eligible nonexempt employees work on a recognized holiday, they will receive holiday pay plus wages at one and one-half times their straight-time rate for the hours worked on the holiday.

In addition to the recognized holidays previously listed, eligible employees will receive one (1) floating holiday in each fiscal year. This holiday must be scheduled with the prior approval of the employee's supervisor. Any employee who begins working for the City within the first six months of the fiscal year (May 1 to October 31) will receive one floating holiday. Any employee who begins work in the second half of the fiscal year (November 1 to April 30) will receive their first floating holiday at the beginning of the new fiscal year.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

Holidays observed, time off, pay and other holiday related terms and conditions may differ by union contract.

### **311 Investment Plan**

Effective Date: 07/02/01

Revision Date:

The Section 457 Deferred Compensation plan allows you to elect how much salary you want to contribute and to direct the investment of your account so you can tailor your own retirement package to meet your individual needs.

Because your contribution to a Section 457 plan is automatically deducted from your pay before federal and state tax withholdings are calculated, you save tax dollars now by having your current taxable amount reduced. While the amounts deducted generally will be taxed when they are finally distributed, favorable tax rules typically apply to 457 distributions.

Complete details of the Section 457 plan are described in the materials provided to eligible employees. Contact Human Resources for more information about the Section 457 plan.

### **312 Jury Duty**

Effective Date: 07/02/01

Revision Date:

The City encourages employees to fulfill their civic responsibilities by serving jury duty when required. Except in unusual circumstances, employees in an eligible classification may request up to a maximum of 2 weeks of paid jury duty leave over any 2 year period.

To qualify for paid jury duty, all fees received for the performance of jury duty (other than meal and travel allowance) shall be turned over to the City.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. Employment classifications that qualify for paid jury duty leave are: Full-time employees.

If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use vacation benefits or may request an unpaid jury duty leave of absence.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Employees are expected to report for work whenever the court schedule permits.

Either the City or the employee may request an excuse from jury duty if, in the City's judgment, the employee's absence would create serious operational difficulties.

The City will continue to provide health insurance benefits for the full term of the unpaid jury duty absence. Vacation, sick leave, and holiday benefits will continue to accrue during unpaid jury duty leave.

### **313 Life Insurance**

Effective Date: 07/02/01

Revision Date:

Life insurance offers you and your family important financial protection. The City provides a basic life insurance plan for eligible employees. Additional supplemental life insurance coverage may also be purchased.

Employees in the following employment classifications are eligible to participate in the life insurance plan: Full-time employees.

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between the City and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact Human Resources for more information about life insurance benefits.

## **314 Military Leave**

Effective Date: 07/02/01

Revision Date:

A military leave of absence will be granted to employees who are absent from work because of service in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required, unless military necessity prevents such notice or it is otherwise impossible or unreasonable.

Employees will receive partial pay for training assignments and absences that are up to two weeks in length each. Upon presentation of satisfactory military pay verification data, employees will be paid the difference between their normal base compensation and the pay (excluding expense pay) received while on military duty.

The portion of any military leaves of absence in excess of two weeks will be unpaid. However, employees may use any available paid time off for the absence.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible.

Benefits, such as vacation or holiday, will be not be forfeited during the leave and will resume upon the employee's return to active employment. However, an employee does not earn or accrue vacation time or sick time and is not eligible for holiday pay during the time off.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

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 purposes of determining benefits based on length of service.

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

## **315 Personal Leave**

Effective Date: 07/02/01

Revision Date:

The City provides leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations. Employees in the following employment classifications are eligible to request personal leave as described in this policy: Full-time employees and Part-time employees.

Eligible employees may request personal leave only after having completed 120 calendar days of service. As soon as eligible employees become aware of the need for a personal leave of absence, they should request a leave from their supervisor.

Personal leave may be granted for a period of up to 30 calendar days every 2 years. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 30 calendar days. With the supervisor's approval, an employee may take any available sick leave or vacation leave as part of the approved period of leave.

Requests for personal leave will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

Subject to the terms, conditions, and limitations of the applicable plans, the City will provide health insurance benefits until the end of the first full month of approved personal leave. At that time, employees will become responsible for the full costs of these benefits if they wish coverage to continue. When the employee returns from personal leave, the City will again provide benefits according to the applicable plans.

Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon return to active employment.

When a personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, the City cannot guarantee reinstatement in all cases.

If an employee fails to report to work at the expiration of the approved leave period, the City will assume the employee has resigned.

### **316 Retirement Plan**

Effective Date: 07/02/01

Revision Date:

The City has established a retirement plan to provide employees the potential for future financial security for retirement.

All City employees (except police officers) are required to participate in the Illinois Municipal Retirement Fund (IMRF) if they work over 1000 hours annually. Both the employee and the City contribute monies into the Fund. Currently, an employee becomes vested for regular IMRF pension when they have eight years of service credit. Contact the IMRF Authorized Agent in City Hall for additional information.

Police officers participate in the Illinois Downstate Police Reunion Fund. Contact the Police Department for additional information.

### **317 Sick Leave Benefits**

Effective Date: 07/02/01

Revision Date:

The City provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employment classifications are: Full-time employees and Part-time employees.

Eligible full-time employees will accrue sick leave benefits at the rate of 13 days per year (2 hours for every full week worked). NOTE FOR PART-TIME EMPLOYEES: Sick leave eligibility will be based on the foregoing schedule but will be prorated based on the total number of hours per week the employee is regularly scheduled to work as compared with a 40-hour work week.

Paid sick leave can be used in minimum increments of ¼ hour. Eligible employees may use sick leave benefits for an absence due to their own illness or injury or that of an immediate family member.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence. If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits. Before returning to work from a sick leave absence of five (5) calendar days or more, an employee must provide a physician's verification that he or she may safely return to work.

While employees can use sick leave benefits to make up for pay lost due to absences resulting from going to a physician or dental appointment, employees are strongly urged to schedule such appointments outside of normal working hours. If it is impossible to do so, the employee may apply sick leave pay to the time off. However, if it is determined that appointment(s) could have been scheduled outside of normal working hours, the employee will be subject to discipline.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits may be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or the City-provided disability insurance programs. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will be allowed to accumulate indefinitely.

For employees hired prior to January 1, 2002, unused sick leave benefits will be paid to employees while they are employed or upon termination of employment up to 1040 hours. Employees may sell back to the City during their employment the 1040 hours, but the employee must maintain a minimum of 400 hours of available sick time. For employees hired after January 1, 2002, however, the maximum amount of unused sick leave that will be paid for upon separation is 480 hours.

Individuals with unique work schedules may have slightly different sick leave provisions.

## 318 Vacation Benefits

Effective Date: 07/02/01

Revision Date:

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classifications are eligible to earn and use vacation time as described in this policy: Full-time employees and Part-time employees.

The amount of paid vacation time employees receive each year increases with the length of their employment as shown in the following schedule for full-time employees:

Years of Eligible Service	Days Available
New Hire	0
.5 (6 months)	5
1	5
2, 3, 4, 5, 6 and 7	10
8, 9, 10, 11, 12, 13 and 14	15
15, 16, 17, 18, 19, 20 and 21	20
22 and over	25

**NOTE FOR PART-TIME EMPLOYEES:** Vacation eligibility will be based on the foregoing schedule but will be prorated based on the total number of hours per week the employee is regularly scheduled to work as compared with a 40-hour work week.

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee starts to earn vacation time. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. Earned vacation time is available for use in the year following its accrual, except vacation received at the 6 month point must be used by the end of the second benefit year.

Paid vacation time can be used in minimum increments of one hour. To take vacation, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. In the event that available vacation is not used by the end of the benefit year, employees will forfeit the unused time. This means that vacation time unused at the end of the benefit year will be lost.

Upon termination of employment, employees will be paid for unused vacation time that has been earned through the last day of work.

Union contracts or individuals with unique work schedules may have slightly different vacation provisions.

### **319 Witness Duty**

Effective Date: 07/02/01

Revision Date:

The City encourages employees to appear in court for witness duty when subpoenaed to do so. The subpoena should be shown to the employee's supervisor immediately after it is received so that 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.

If employees have been subpoenaed or otherwise requested to testify as witnesses by the City, they will receive paid time off for the entire period of witness duty. If an employee is needed to appear as a witness in any case involving the employee's performance of his duties within the course and scope of his employment, the employee will be paid for the time spent so testifying.

Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than the City. Employees may use any available vacation leave to receive compensation for the period of this absence.

### **320 Workers' Compensation Insurance**

Effective Date: 07/02/01

Revision Date:

The City provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

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.

Worker's Compensation is managed by the Human Resources Office.

## **401 Timekeeping**

Effective Date: 07/02/01

Revision Date:

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require the City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the number of hours worked each day. Overtime work must always be approved before it is performed.

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. Permitting another employee to record time for you also is a violation of this policy.

## **402 Paydays**

Effective Date: 12/01/01

Revision Date:

All employees are paid biweekly. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day when City offices are closed, such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee's paycheck will be available upon his or her return from vacation.

Employees are encouraged to have pay directly deposited into their bank accounts. To make arrangements for direct deposit, contact the Human Resources Office for the forms needed to provide the City with written authorization to make such deposits. Employees will receive an itemized statement of wages when the City makes direct deposits.

## **403 Employment Termination**

Effective Date: 07/02/01

Revision Date:

Termination of employment is an inevitable part of personnel activity within any organization and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

Resignation - voluntary employment termination initiated by an employee.

Discharge - involuntary employment termination initiated by the organization.

Layoff - involuntary employment termination initiated by the organization for non-disciplinary reasons.

Retirement - voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from the organization.

The City will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to the City, or return of City-owned property. Suggestions, complaints, and questions can also be voiced.

For information regarding the impact of employment termination on various benefits, please refer to the Benefit Continuation Policy, the policy for a specific benefit or the handbook/summary plan description for the benefit.

## **404 Administrative Pay Corrections**

Effective Date: 07/02/01

Revision Date:

The City takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their Department Head so that corrections can be made as quickly as possible.

## **405 Pay Deductions and Setoffs**

Effective Date: 07/02/01

Revision Date:

The law requires that the City make certain deductions from every employee's 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 are pay deductions taken by the City, usually to help pay off a debt or obligation to the City or others.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, the Payroll Department can assist in having your questions answered.

## **501 Safety**

Effective Date: 07/02/01

Revision Date:

To assist in providing a safe and healthful work environment for employees, customers, and visitors, the City has established a workplace safety program. This program is a top priority for the City. The Safety Director has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

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, memos, or other written communications. A Safety Committee, composed of representatives from throughout the organization, has been established to help monitor the City's safety program and to facilitate effective communication between employees and management about workplace safety and health issues.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, or with another supervisor or manager, or bring them to the attention of a member of the Safety Committee. Reports and concerns about workplace safety issues may be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate 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.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

## **502 Work Schedules**

Effective Date: 07/02/01

Revision Date:

Work schedules for employees vary throughout the City. 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.

Flexible scheduling, or flextime, is available in some cases to allow employees to vary their starting and ending times each day within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor involved. However, issues such as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime. Employees should consult their supervisor to request participation in the flextime program.

## **503 Use of Phone and Mail Systems**

Effective Date: 07/02/01

Revision Date:

Telephone (land-based and cellular) and voice mail systems are owned by the City and intended for City business use. The City has the right to review information stored on such systems.

Employees should practice discretion when making personal calls. Employees may make local calls during breaks and meal periods and may be required to reimburse the City for any charges resulting from their personal use of the telephone.

To ensure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller and hang up only after the caller has done so. When transferring a call, ask the caller's permission before transferring and provide the caller with whom they will be transferred to and the telephone number.

City owned mobile phone will be authorized for use by employees at the recommendation of the department head and approval of the City Administrator. Calling plans will be made available allowing an appropriate usage level for the work performed by each authorized employee. If the allocated usage is exceeded, the authorized employee will be billed for the additional amount unless unusual circumstances exist. An employee may select a calling plan with more minutes than authorized by the City and reimburse the City for any costs over and above what was authorized.

Any costs to the City associated with loss or damage to mobile phones or pagers will be the responsibility of the employee unless loss or damage was due to normal work related activity with the approval of the department head.

In cases where employees are loaned a City owned phone for a short period of time, the time and date of the check-out and check-in will be noted by the department head (or designee). All calls made during this time will be for business purposes only and will be the responsibility of the employee. Personal or unauthorized use of these phones is not allowed and may be cause for disciplinary action.

Cellular phones are vulnerable to being overheard by outside parties. Conversations that deal with confidential information should not be held via cellular phone. Listening to voice-mail messages on cellular phones can present a similar problem with respect to disclosing passwords.

The use of City-paid postage for personal correspondence is not permitted.

## **504 Tobacco Products**

Effective Date: 07/02/01

Revision Date:

In keeping with the City's intent to provide a safe and healthful work environment, the use of tobacco products is prohibited in City buildings and vehicles. This policy applies equally to all employees, customers, and visitors.

## **505 Meal Periods**

Effective Date: 07/02/01

Revision Date:

All full-time employees are provided with one meal period each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees who are relieved of all active responsibilities and restrictions during meal periods will not be compensated for that time.

Individuals with unique work schedules will receive meal periods in accordance with the Fair Labor Standards Act.

## **506 Overtime**

Effective Date: 07/02/01

Revision Date:

When operating requirements or other needs cannot be met during regular working hours, employees will be given the opportunity to volunteer for overtime work assignments. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation may be paid in hours or in dollars to all nonexempt employees in accordance with federal and state wage and hour restrictions. Employees shall not accumulate over 40 hours of compensatory time. Compensatory time not used prior to the end of the fiscal year shall be bought back at the employee's regular rate of pay.

Overtime occurs when more than 40 hours of work is performed in a workweek. A workweek is defined as Monday through Sunday. Time off for holidays, on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations unless otherwise provided for in an applicable union contract.

## **507 Use of Equipment and Vehicles**

Effective Date: 07/02/01

Revision Date:

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

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

## **508 Emergency Closings**

Effective Date: 07/02/01

Revision Date:

At times, emergencies such as severe weather, fires, power failures, or earthquakes can disrupt City operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during non-working hours, local radio and/or television stations will be asked to broadcast notification of the closing.

When the decision to close is made AFTER the workday has begun, employees will receive official notification from their immediate supervisor. In these situations, time off from scheduled work will be paid. When the decision to close is made BEFORE the workday has begun, time off from scheduled work will be unpaid. However, with supervisory approval, employees may use available paid leave time, such as unused vacation benefits.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time such as unused vacation benefits.

## **509 Business Travel Expenses**

Effective Date: 07/02/01

Revision Date:

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. When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by the City. Employees are expected to limit expenses to reasonable amounts.

When possible, travel arrangements should be made through a local travel agency and billed directly to the City.

Expenses that generally will be reimbursed include the following:

### Commercial Carrier

Fares will be limited to coach or economy fare or the lowest available fare. Ground transportation to and from stations and airports by bus, limousine, taxi or private vehicle (whichever is the least costly option) is generally reimbursable.

### Private Vehicles

Private vehicles may be used for travel on City business when authorized by the Department Head. Reimbursement will be limited to the lower of a) standard mileage rate (as determined by the IRS), plus tolls, parking and garage charges; or b) the cost of air travel as provided above. Miles will be

based on the number of actual miles driven while on City business and will be paid to the vehicle's owner only, regardless of the number of people traveling in the same vehicle.

Employees should not drive to destinations when the travel time to the location requires more than one day. No reimbursement will be made for lodging, meals or other expenses incurred, unless prior approval is received from the City Administrator.

Employees who receive a monthly care allowance for use of their private vehicle for City business will be reimbursed for mileage in excess of 250 miles for any individual City trip.

#### Car rental fees

Typically, only fees for compact or mid-sized cars will be paid. If a group of employees (more than two) is traveling together and the City Administrator gives prior authorization, other rental options will be considered.

#### Lodging

Reservations should be made in advance to ensure that lodging is secured at moderate rates. Reimbursement will be limited to the minimum number of nights required to conduct City business. No lodging expenses will be reimbursed for meetings or conferences held in the St. Louis area unless prior approval is obtained from the City Administrator.

#### Meals and miscellaneous expenses

For travel required outside of the metropolitan area or requiring an overnight stay, with prior approval from the City Administrator, reimbursement will be made for meals (no more lavish than would be eaten at the employee's own expense), tips (not to exceed 15% of the meal's total cost or 10% of a taxi fare), charges for telephone calls, fax, and similar services required for business purposes.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by the City may not be used for personal use without prior approval.

Travel advances may be used only as a last resort when credit card or advance billing is not accepted. Employees should submit a written request to their supervisor when travel advances are needed.

With prior approval, a family member or friend may accompany employees on business travel when the presence of a companion will not interfere with successful completion of business objectives. The City will reimburse no expenses directly attributable to the family member or friend.

Generally, employees are also permitted to combine personal travel with business travel, as long as time away from work is approved. Additional expenses arising from such non-business travel are the responsibility of the employee.

When travel is completed, employees should submit completed travel expense reports to the Finance Department within 5 days, along with any unused travel advance. Receipts for all individual expenses, other than tips and phone calls should accompany reports. The City Administrator may approve an expense without a receipt if there is acceptable written documentation that the expense was incurred and that a receipt could not be obtained or was subsequently misplaced. Payment will be made as soon as the expense report has been audited for compliance with this policy.

Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, or any other

business travel issues. Where these regulations do not adequately cover a travel situation, the City Administrator may authorize exceptions when justification exists.

There may be instances in which significant savings in travel expenses may be achieved by taking advantage of discounts requiring an additional night stay. Prior authorization by the City Administrator will be required to utilize this arrangement.

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.

## **510 Visitors in the Workplace**

Effective Date: 07/02/01

Revision Date:

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

All visitors should enter City facilities through the main entrance. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors. The Mayor and City Administrator have final authority on whether to permit or restrict visitors to any City facility.

If an unauthorized individual is observed on the City's premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the main entrance.

## **511 Computer and E-mail Usage**

Effective Date: 07/02/01

Revision Date:

Computers, computer files, the e-mail system, and software furnished to employees are City property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and e-mail usage may be monitored.

The City strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the City prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others, or harmful to morale.

For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others.

The City purchases and licenses the use of various computer software packages for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the City does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. The City prohibits the illegal duplication of software and its related documentation.

Employees should notify their immediate supervisor, the Department Head or any member of management upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

## **512 Internet Usage**

Effective Date: 07/02/01

Revision Date:

Internet access to global electronic information resources on the World Wide Web is provided by the City to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the City and, as such, is subject to disclosure to law enforcement or other third parties. Consequently, employees should always ensure that the business information contained in Internet e-mail messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of the City. As such, the City reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, marital status, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by the City in violation of law or City policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- \* Sending or posting discriminatory, harassing, or threatening messages or images
- \* Using the City's time and resources for personal gain
- \* Stealing, using, or disclosing someone else's code or password without authorization
- \* Copying, pirating, or downloading software and electronic files without permission
- \* Sending or posting confidential material, trade secrets, or proprietary information outside of the City
- \* Violating copyright law
- \* Failing to observe licensing agreements
- \* Engaging in unauthorized transactions that may incur a cost to the City or initiate unwanted Internet services and transmissions
- \* Sending or posting messages or material that could damage the City's image or reputation.
- \* Participating in the viewing or exchange of pornography or obscene materials
- \* Sending or posting messages that defame or slander other individuals
- \* Attempting to break into the computer system of another organization or person
- \* Refusing to cooperate with a security investigation
- \* Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- \* Using the Internet for political causes or activities, religious activities, or any sort of gambling
- \* Jeopardizing the security of the City's electronic communications systems
- \* Sending or posting messages that disparage another organization's products or services
- \* Passing off personal views as representing those of the City
- \* Sending anonymous e-mail messages
- \* Engaging in any other illegal activities

Any violation of this policy will result in discipline, up to and including discharge. If you have any questions as to whether a particular action violates this policy, ask your supervisor before undertaking such activity.

## **513 Workplace Monitoring**

Effective Date: 07/02/01

Revision Date:

Workplace monitoring may be conducted by the City to ensure quality control, employee safety, security, and customer satisfaction.

Because 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.

## **514 Workplace Violence Prevention**

Effective Date: 07/02/01

Revision Date:

The City is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the City has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's race, age, sex, religion, national origin, disability, marital status or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

The City will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the City may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The City encourages employees to bring their disputes or differences with other employees to the attention of their supervisor, Department Head or City Administrator (in that order) before the situation escalates into potential violence. The City is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

## **515 Ergonomics**

Effective Date: 07/02/01

Revision Date:

The City has developed an ergonomics program to minimize repetitive motion injuries (RMIs) in the workplace. The primary elements of the ergonomics program include: (1) work site evaluations, (2) control of exposures that may have caused RMIs, and (3) ergonomics training of employees. The

ergonomics program also focuses on educating employees on their personal responsibility to ensure good work habits (such as posture and body mechanics) and adequate fitness for work.

RMIs are musculoskeletal injuries identified and diagnosed by a licensed physician that can result from a job, process, or operation where employees perform the same repetitive motion tasks. Examples of repetitive motion tasks include, but are not limited to, sustained computer keyboard and mouse usage; assembling materials and products; or lifting, carrying, and loading objects.

Employees are provided with training that includes an explanation of the ergonomics program, exposures that have been associated with RMIs, the symptoms and consequences of injuries caused by repetitive motion, the importance of reporting symptoms and injuries, and the methods used to minimize RMIs.

All employees are encouraged to immediately report to the Safety Committee all suspected RMIs, RMI symptoms, or other ergonomic concerns. All employees are required to report to the Safety Committee all workplace RMIs as soon as possible after they have been identified and diagnosed by a licensed physician.

Post-offer medical examinations may be required for those positions in which there is a bona fide job-related physical requirement. They are given to all persons entering those positions only after conditional job offers to help ensure they are able to perform their duties safely. Medical records will be kept separate and confidential.

## **601 Employee Conduct and Work Rules**

Effective Date: 07/02/01

Revision Date:

The following work rules are hereby published so that all of our employees will know what is considered unacceptable conduct and to insure the consistent application of disciplinary actions for violations of these rules. The City views disciplinary action as being primarily for progressive corrective purposes. Listed below are specific rules and discipline for violations which are designed to insure a smooth-running organization in the best interests of all employees, the City and our residents.

The offenses and discipline listed below are not all-inclusive. Unacceptable conduct not specifically covered by these rules may result in disciplinary action, depending upon the circumstances. Repeated violations of the same rule, violations of more than one rule in a single act, or violations of different rules at different times shall result in accelerated or compound disciplinary action. **In addition, the specific disciplinary action issued in a particular case may be modified from that set forth below based on applicable law and/or regulations which may affect the particular individual and/or specific circumstances.**

Any disciplinary action based on the first, second or third infraction shall remain in effect for twelve (12) months from the date of the infraction. Disciplinary notices will be given to the employee where appropriate.

Violations are categorized as:   Group A – Immediate Discharge  
  Group B – Two Step Basis  
  Group C – Four Step Basis.

Group A - A violation of any “Group A” rule is considered so serious that such a violation will result in IMMEDIATE DISCHARGE.

- Engaging in any unlawful conduct on City premises, or engaging in any unlawful conduct off City premises which affects the employee’s relationship to his or her job or his or her fellow employees.
- Falsifying work or attendance records, falsifying employment applications, or falsely claiming to be sick or injured.
- Theft from the City, employees or residents, or visitors to City facilities.
- Possession or use of alcoholic beverages at any time while on duty.
- Reporting to work with alcohol in the employee’s system or having alcohol in the employee’s system at any time during the employee’s working hours.
- Possession, use or sale of illegal drugs, including marijuana, while on duty or on City premises.
- Testing positive for illegal drugs, including marijuana.
- Intentionally misusing, destroying or damaging any City property, equipment or the property of any employee or resident.
- Unauthorized removal of City records or copies of such from the premises.
- Unauthorized release of any confidential information, which directly affects the business of the City, and/or the records of residents.
- Failure to obey specific instructions of a supervisor in performance of specific job or task assigned or any other form of insubordination.
- Violation of the City’s No-Harassment Policy.
- Being the aggressor in a fight on City premises.
- Using threatening or abusive language in the workplace or while on duty or engaging in threatening or abusive conduct in the workplace or while on duty.
- Unauthorized use of any weapon or ammunition at any time on City premises while receiving compensation from the City.
- Repeated or gross violation of City safety or fire rules.

Group B - A violation of any “Group B” rule shall be handled on a Two Step Basis as follows:

First Infraction	Three (3) work day suspension without pay
Second Infraction	Discharge

- Refusal or failure to perform job assignment.
- Sleeping during scheduled working hours.
- Moonlighting which hinders work performance.
- Failure to report for scheduled duty.

Group C - A violation of any “Group C” rule shall be handled of a Four-Step Basis as follows:

First Infraction	Verbal warning
Second Infraction	Written warning
Third Infraction	Three (3) work day suspension without pay
Fourth Infraction	Discharge

- Negligence or carelessness.
- Failure to comply with City policy or procedure.

- Failure to promptly notify supervisor of absence.
- Failure to promptly report accident or injury.
- Failure to properly perform assigned duties.
- Failure to notify the City in writing of change of personal information or beneficiary designation change within seven (7) days of same.
- Failure to properly fill out City reports or records in a timely manner.
- Acting or speaking in a discourteous manner toward a fellow employee or any visitor to City facilities.
- Improper use of computers, PC's, copy machines or other office equipment.
- Failure to maintain proper hygiene.
- Failure to comply with the City's Dress Code.

## **602 Drug and Alcohol Use**

Effective Date: 07/02/01

Revision Date:

It is City's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on City premises and while conducting business-related activities off City premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

To inform employees about important provisions of this policy, the City has established a drug-free awareness program. The program provides information on the dangers and effects of substance abuse in the workplace, resources available to employees, and consequences for violations of this policy.

Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program. They may also wish to discuss these matters with their supervisor or Human Resources to receive assistance or referrals to appropriate resources in the community.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all City policies, rules, and prohibitions relating to conduct in the workplace; and if granting the leave will not cause City any undue hardship.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify the City of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor or Human Resources without fear of reprisal.

## **603 No Harassment Policy**

Effective Date: 07/02/01

Revision Date:

The City is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, marital status, or any other legally protected characteristic will not be tolerated. The City provides ongoing sexual harassment training to ensure you the opportunity to work in an environment free of sexual and other unlawful harassment.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- \* Unwanted sexual advances.
- \* Offering employment benefits in exchange for sexual favors.
- \* Making or threatening reprisals after a negative response to sexual advances.
- \* Visual conduct that includes leering, making sexual gestures, or displaying sexually suggestive objects or pictures, cartoons or posters.
- \* Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- \* Verbal sexual advances or propositions.
- \* Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- \* Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Human Resources Office or any other member of management. You can raise concerns and make reports without fear of reprisal or retaliation. In addition, employees who believe they have been subjected to unlawful harassment may report the same to the Illinois Department of Human Rights at (217) 785-5100. The Illinois Department of Human Rights has an established investigative process through which you may file a complaint which will be handled by that Department.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against

unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Human Resources Office or any member of management so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to discipline, up to and including discharge.

## **604 Attendance and Punctuality**

Effective Date: 07/02/01

Revision Date:

Each employee plays an important part in the daily business operations of the City. Therefore, good attendance by all employees is necessary. Whenever an employee is going to be absent or tardy from work, it is the employee's responsibility to contact their supervisor before their scheduled work time. In the event that the supervisor is not available, you must contact another supervisor and explain the situation. If an employee fails to notify the City of their absence for three (3) consecutive days it will be considered as "quit without notice" and the employee will be removed from the payroll. For any given unexcused absence, a doctor's excuse may be required before the employee can return to work.

Excessive unexcused tardiness/absence are as follows:

- Three (3) unexcused absences or incidents of tardiness in a thirty (30) day period
- Four (4) unexcused absences or incidents of tardiness in a sixty (60) day period
- Five (5) unexcused absences or incidents of tardiness in a ninety (90) day period

Excessive tardiness will result in disciplinary action up to and including discharge.

If the City is not notified and no extenuating emergency circumstances can be shown, the absence/tardiness will be considered unexcused. In addition, reported absences for reasons not considered to justify the absence in the City's sole discretion, will be considered unexcused. If an employee is absent due to illness or injury, the City reserves the right to require a physician's verification of the illness or injury.

## **605 Personal Appearance**

Effective Date: 07/02/01

Revision Date:

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the City presents to customers and visitors.

During business hours or when representing the City, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position and accepted social standards. This is particularly true if your job involves dealing with customers or visitors in person.

Your supervisor or Department Head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you will not be compensated for the time away from work. Consult your supervisor if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made for a person with a disability.

Without unduly restricting individual tastes, the following personal appearance guidelines should be followed:

- \* Shoes must provide safe, secure footing, and offer protection against hazards.
- \* Tank tops, tube or halter tops may not be worn under any circumstances.
- \* Shorts may not typically be worn. Weather conditions and the duties of some positions may occasionally make shorts appropriate apparel provided previous Department Head approval is received.
- \* Mustaches and beards must be clean, well trimmed, and neat.
- \* Hairstyles are expected to be in good taste.
- \* Unnaturally colored hair and extreme hairstyles, such as spiked hair and shaved heads, do not present an appropriate professional appearance.
- \* Offensive body odor and poor personal hygiene is not professionally acceptable.
- \* Perfume, cologne, and aftershave lotion should be used moderately or avoided altogether, as some individuals may be sensitive to strong fragrances.
- \* Jewelry should not be functionally restrictive, dangerous to job performance, or excessive.
- \* Facial jewelry, such as eyebrow rings, nose rings, lip rings, and tongue studs, is not professionally appropriate and must not be worn during business hours.
- \* Torso body piercings with visible jewelry or jewelry that can be seen through or under clothing must not be worn during business hours.
- \* Visible excessive tattoos and similar body art must be covered during business hours.

In addition, particular departments (e.g. Police Department) may have other specific appearance rules or guidelines for employees in those departments.

## **606 Casual Days**

Effective Date: 07/02/01

Revision Date:

The following information is intended to serve as a guide to help define appropriate casual business wear for all exempt employees during designated casual days at the City. These same standards apply to nonexempt employees on an everyday basis, unless the position requires public contact. Each Friday will be a designated casual day. Other days, such as certain holidays or days preceding holidays, may be designated as casual days with prior notification from your immediate supervisor.

The City's primary objective is to have employees project a professional image while taking advantage of more casual and relaxed fashions. Casual dress offers a welcome alternative to the formality of typical business attire. However, not all casual clothing is appropriate for the office. Casual business wear means clean, neat, professional clothing. It is never appropriate to wear stained, wrinkled, frayed, or revealing clothing to the workplace. If you are considering wearing something and you are not sure if it is acceptable, choose something else or inquire first.

Listed below is a general overview of acceptable casual business wear as well as a listing of some of the more common items that are not appropriate for the office. Obviously, neither group is intended to be all inclusive. Rather, these items should help set the general parameters for proper casual business wear and allow you to make intelligent judgments about items that are not specifically addressed.

Examples of acceptable casual business wear include:

- \* slacks
- \* jeans
- \* casual dresses and skirts
- \* casual shirts and blouses
- \* golf shirts
- \* turtlenecks
- \* sweaters
- \* loafers
- \* athletic shoes
- \* dress sandals

Examples of inappropriate clothing items that should not be worn on casual days include:

- \* jeans that are excessively worn or faded
- \* sweat pants
- \* warm-up or jogging suits and pants
- \* short shorts
- \* bib overalls
- \* spandex or other form fitting pants
- \* spaghetti-strap dresses
- \* T-shirts
- \* sweatshirts
- \* clothing with offensive messages or images
- \* tank tops
- \* halter tops
- \* tops with bare shoulders unless worn under a blouse or jacket
- \* visible undergarments
- \* slippers
- \* thong slippers

For some, traditional business attire may simply remain a more favored option on casual days. The choice will be yours. We hope and fully expect that casual days will help make our workplace more enjoyable and productive.

## **607 Return of Property**

Effective Date: 07/02/01

Revision Date:

Employees are responsible for all City property, materials, or written information issued to them or in their possession or control. All City property must be returned by employees on or before their last day of

work. Where permitted by applicable laws, City may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. City may also take all action deemed appropriate to recover or protect its property.

## **608 Security Inspections**

Effective Date: 07/02/01

Revision Date:

The City wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the City prohibits the possession, transfer, sale, or use of such materials on its premises. The City requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of the City. Accordingly, any authorized agent or representative of City can inspect them, as well as any articles found within them, at any time, either with or without prior notice. The City reserves the right to turn over any items found to the proper law enforcement officials.

## **609 Solicitation**

Effective Date: 07/02/01

Revision Date:

In an effort to ensure a productive and harmonious work environment, persons not employed by the City may not solicit or distribute literature in the workplace at any time for any purpose.

The City recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time (including the working time of the employee who is soliciting and the working time of the employee being solicited). Working time does not include, for example, lunch periods, work breaks, or any other periods in which employees are not on duty.

Employees may not distribute literature at any time for any purpose in working areas. Working areas are defined as all areas of the property in which employees normally perform their work. Non-working areas include, for example, break rooms, parking lots and restrooms.

In addition, the posting of written solicitations on company bulletin boards is restricted. These bulletin boards display important information, and employees should consult them frequently for:

- \* Employee announcements
- \* Job openings
- \* Organization announcements
- \* Workers' compensation insurance information
- \* State disability insurance/unemployment insurance information

If an employee desires to post an item of interest, he or she may do so by posting a notice on a designated bulletin board. Nothing of a derogatory or profane nature, nor anything which violates the

City's No Harassment policy may be posted. In addition, all postings must be removed within 90 days of posting.

## **610 Drug Testing**

Effective Date: 07/02/01

Revision Date:

It is the policy of the City that employees shall not be involved in the use, consumption, possession, sale, distribution or transfer of mind or behavior altering or illegal substances while on City premises, in City vehicles, or at any time while conducting City business. Employees may not use drugs (including marijuana) or narcotics in any manner which may affect their ability to perform assigned job duties or which otherwise adversely affects the City or its reputation. All applicants for employment must successfully pass a drug screen after a conditional employment offer has been made and before beginning employment with the City.

This policy does not prohibit the use of prescription drugs in a manner approved by the prescribing physician, but only if such use does not affect the employee's ability to safely perform his/her job duties. An employee taking a prescribed drug that could affect his/her mind or behavior while on City premises or while on duty must report this usage to their supervisor by appropriate documentation and prior to the start of the shift.

Employees are hereby put on notice that in order for the City to protect the safety of its employees, to ensure that job duties are properly performed, and to protect its property and resources that employees may be subject to unannounced screening at various times during their employment with the City. Employees may be required to submit to urine, blood, or other screening tests or testing methods on a random or other basis, as determined by the City in its sole discretion, to determine if substances, including but not limited to drugs or narcotics, are in the employee's system. These tests also will be conducted when there is reasonable suspicion that a specific employee is in violation of this policy. In addition, any employee inflicting or causing a work-related injury to themselves or to another individual that requires medical attention, will be required to undergo appropriate testing.

No employee will suffer loss of wages while undergoing such tests, and all costs involving transportation to and from a hospital or laboratory, if any, and any and all costs of examination and tests will be paid for by the City.

An employee's refusal to submit to such tests for mind or behavior-altering or illegal substances, including but not limited to drugs or narcotics, will be considered a refusal of a direct order and will result in discharge. In addition, if the laboratory or hospital's lab analysis report shows that any of the above-mentioned screening tests prove positive for any employee, the employee will be subject to discipline up to and including discharge.

Any unlawful use, consumption, possession, sale, distribution or transfer of mind or behavior-altering or illegal substances, including but not limited to drugs or narcotics, by an employee on City property or by an employee while on duty, including paraphernalia with the residue of such substances, including but not limited to drugs or narcotics, will subject an employee to discipline up to and including discharge. Any evidence obtained by the City of the unlawful use, consumption, possession, sale, distribution, or transfer of mind or behavior-altering or illegal substances may be turned over to appropriate enforcement agencies for prosecution.

It remains the policy of the City to encourage any employee with drug dependency problems to voluntarily seek professional assistance before the problem leads to an incident requiring disciplinary action. However, where a violation of the policy has occurred, the employee's subsequent request to submit to a rehabilitation program shall not serve to waive the application of disciplinary action deemed appropriate for the policy violation. The City will enforce this policy in an unbiased, nondiscriminatory manner.

## **611 Progressive Discipline**

Effective Date: 07/02/01

Revision Date:

The purpose of this policy is to state the City's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

The City's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with the City is based on mutual consent and both the employee and the City have the right to terminate employment at will, with or without cause or advance notice, the City may use progressive discipline at its discretion.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment. If more than 12 months have passed since the last disciplinary action, the process will normally start over.

The City recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct and Work Rules policy includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all-inclusive, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and the City.

## **612 Problem Resolution/Open Door Policy**

Effective Date: 07/02/01

Revision Date:

The City is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from City supervisors and management.

The City strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. This policy applies only to current employees. No employee will be penalized, formally or informally, for voicing a complaint with the City in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

1. Employee presents problem to immediate supervisor within 15 calendar days after incident occurs. If supervisor is unavailable or employee believes it would be inappropriate to contact that person, employee may present problem to Department Head.
2. Supervisor responds to problem during discussion or within 10 calendar days, after consulting with appropriate management, when necessary. Supervisor documents discussion.
3. If not resolved through the process above, employee presents problem in writing to Department Head within 15 calendar days of the supervisor's response.
4. Department Head responds to problem during discussion or within 15 calendar days, after consulting with appropriate management, when necessary. Department Head documents discussion.
5. If not resolved, employee presents problem to City Administrator in writing within 15 calendar days of the Department Head's response if problem is unresolved.
6. City Administrator reviews and considers problem. City Administrator informs employee of decision within 30 calendar days, and forwards copy of written response to Human Resources to be placed in the employee's file. The City Administrator has full authority to make any adjustment deemed appropriate to resolve the problem. The City Administrator's decision will be final.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment, and helps to ensure everyone's job security.

## **701 Life-Threatening Illnesses in the Workplace**

Effective Date: 07/02/01

Revision Date:

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. The City supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, the City will make reasonable accommodations in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. The City will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. In addition, any employee who receives any medical information about any other employee must keep this information completely confidential. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact Human Resources or the City's Employee Assistance Program for information and referral to appropriate services and resources.

## **702 Recycling**

Effective Date: 07/02/01

Revision Date:

The City supports environmental awareness by encouraging recycling and waste management in its business practices and operating procedures. This support includes a commitment to the purchase, use, and disposal of products and materials in a manner that will best utilize natural resources and minimize any negative impact on the earth's environment.

Special recycling receptacles have been set up to promote the separation and collection of the following recyclable materials at the City:

- \* computer paper
- \* aluminum

The simple act of placing a piece of paper, can, or bottle in a recycling container is the first step in reducing demand on the earth's limited resources. Success of this program depends on active participation by all of us. Employees are encouraged to make a commitment to recycle and be a part of this solution.

The City encourages reducing and, when possible, eliminating the use of disposable products. Source reduction decreases the consumption of valuable resources through such workplace practices as:

- \* communication through computer networks with e-mail
- \* two-sided photocopying
- \* reusing paper clips, folders, and binders
- \* turning off lights when not in use

Whenever possible, employees of the City are encouraged to purchase products for the workplace that contain recycled or easily recyclable materials. Buying recycled products supports recycling and increases the markets for recyclable materials.

## **703 Suggestion Program**

Effective Date: 07/02/01

Revision Date:

As employees of the City, you have the opportunity to contribute to our future success and growth by submitting suggestions for practical work-improvement or cost-savings ideas.

A suggestion is an idea that will benefit the City by solving a problem, reducing costs, improving operations or procedures, enhancing customer service, eliminating waste or spoilage, or making the City a better or safer place to work. Statements of problems without accompanying solutions or recommendations concerning co-workers and management are not appropriate suggestions.

All suggestions should contain a description of the problem or condition to be improved, a detailed explanation of the solution or improvement, and the reasons why it should be implemented. If you have questions or need advice about your idea, contact your supervisor for help.

Submit suggestions to your supervisor.

## **704 Personnel Appeals Process**

Effective Date: 07/02/01

Revision Date:

This process and procedure is reserved for use by any employee (except Department Heads) who has been discharged, suspended for three (3) days or more, or demoted with a corresponding loss in pay. This policy describes the employee's right to a name-clearing hearing.

In each case in which the employee/former employee seeks to have a name-clearing hearing, the employee shall present a statement of his position to the City Administrator. The City Administrator shall then establish a committee for purposes of holding the hearing, which committee shall consist of three (3) Department Heads, none of whom will be the Department Head which took the action in question.

Within 30 days after the establishment of the committee, a hearing will be held at which time the employee/former employee may present any arguments or information as to why he/she believes the action taken should be modified. Within 10 days after the hearing, the committee shall provide the aggrieved individual with its resolution of the matter.

If the employee/former employee is not satisfied with the decision of the committee, he/she may appeal the decision to the City Administrator in writing. Within 30 days of receipt of the appeal, the City Administrator will meet with the aggrieved individual and give him/her the opportunity to present any additional arguments or evidence. The City Administrator will render his/her decision within 10 days in writing. The City Administrator's decision will be final.

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