

City of Stevenson Personnel Policy Manual

Revised 2018

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Personnel Policy for the City of Stevenson

0.0 Receipt of Personnel Policies

1. Purpose and Scope
 - 1.1 Introduction
 - 1.2 Intent of Policies
 - 1.3 Scope of Policies
 - 1.4 Changing of Policies
 - 1.5 Definitions
2. General Policies and Practices
 - 2.1 EEO Policy
 - 2.2 Disability Discrimination Prohibited
 - 2.3 Life Threatening/Communicable Diseases
 - 2.4 Anti Harassment Policy
 - 2.5 Sexual Harassment Prohibited
 - 2.6 Discrimination Complaint Procedure
 - 2.7 Employee Personnel Records
 - 2.8 Employment References
3. Recruiting and Hiring
 - 3.1 Recruiting
 - 3.2 Hiring
 - 3.3 Temporary Employees
 - 3.4 Trial Period
 - 3.5 Employment of Relatives (Nepotism)
 - 3.6 Promotions
4. Hours and Attendance
 - 4.1 Working Hours
 - 4.2 Hours of Work and Overtime
 - 4.3 Compensatory Time
 - 4.4 Attendance
 - 4.5 Unusual Conditions
 - 4.6 Breaks and Meal Periods
 - 4.7 Call Back
 - 4.8 Payroll Records
5. Compensation Policy
 - 5.1 Salary Classification and Grades
 - 5.2 Employee Pay Rates
 - 5.3 On Call Pay
 - 5.4 Paydays and Pay Periods
 - 5.5 Deductions
 - 5.6 Travel & Transportation Regulations

- 5.7 Compensation Upon Termination
- 6. Performance Evaluations and Training Policy
 - 6.1 Training
 - 6.2 Performance Evaluations
- 7. Benefits Policy
 - 7.1 Retirement Benefits
 - 7.2 Disability Benefits
 - 7.3 Health Insurance Benefits
 - 7.4 Continuation of Insurance Coverage
 - 7.4 Unemployment Compensation
- 8. Leave Policy
 - 8.1 Vacation leave
 - 8.2 Sick Leave
 - 8.3 Leave without Pay
 - 8.4 Jury and Witness Leave
 - 8.5 Administrative Leave
 - 8.6 Military Leave
 - 8.7 Family Leave
 - 8.8 Bereavement Leave
 - 8.9 Shared Leave Program
 - 8.10 Holidays
 - 8.11 Religious Holidays
 - 8.12 Benefits for Part-time and Temporary Employees
- 9. Employee Responsibilities and Conduct Policy
 - 9.1 General Code of Conduct
 - 9.2 Outside Employment and Conflicts of Interest
 - 9.3 Code of Conduct – Federal and State Grants
 - 9.4 Reporting Improper Governmental Actions
 - 9.5 Political Activities
 - 9.6 No Smoking Policy
 - 9.7 Personal Possessions and Electronic Communications
 - 9.8 Use of City Vehicles and Equipment
 - 9.9 Use of City Credit Cards
 - 9.10 Contact with News Media
 - 9.11 Drivers License Requirements
 - 9.12 Solicitations
 - 9.13 Safety
 - 9.14 Drug Free Workplace
 - 9.15 Drug and Alcohol Testing Policy & Procedures

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- 10. Discipline and Terminations
 - 10.1 Actions Subject to Disciplinary Action
 - 10.2 Possible Disciplinary Actions
 - 10.3 Pre-Termination Hearing
 - 10.4 Lay off
 - 10.5 Resignation or Retirement

- 11. Complaint Procedures Policy
 - 11.1 Complaint Procedures

Appendix List

- A.1 Drug Test Confidential Agreement
- A.2 Supervisor Guides
- A.3 Separation Agreements
- A.4 Cellular Telephone Policy and Guidelines
- A.5 Personal Cellular Phone Agreement
- A.6 Whistleblower Ordinance #879
- A.7 List of Agencies A.6
- A.8 Travel Reimbursement Rates & Forms
- A.9 Job Descriptions
- A.10 Internet/Intranet Personal Computer, Voice Mail and E-Mail Use Policy & Forms
- A.11 Use of Credit Cards

RECEIPT OF PERSONNEL POLICIES

All employees should read the following; then sign, date and return the form to your supervisor. The form will be placed in the employee's personnel file.

Enclosed are the City of Stevenson's personnel policies. It is your responsibility to read these policies, as they will acquaint you with your employee benefits, our personnel practices and rules, and some organizational philosophy.

It is important to understand that these policies do not create an employment contract or a guarantee of employment of any specific duration between the City and its employees. Although we hope that your employment relationship with us will be long term, we recognize that at times things do not always work out as hoped, and either of us may decide to terminate the employment relationship.

At Will Notice: Unless specific rights are granted to you in employment contracts, civil service rules, or elsewhere, all employees of the City are considered at-will employees and may be terminated from City employment at any time, with or without cause and with or without notice.

As the City grows and changes, personnel policies may change. The City, therefore reserves the right to revise, supplement, clarify or rescind any policy or portion of a policy when deemed appropriate by the Mayor or City Administrator. You will be notified of any such changes.

Please also understand that no supervisor, manager or representative of the City other than the Mayor or the City Administrator has the authority to make any written or verbal statements or representations which are inconsistent with these policies.

I hereby consent to deduction from my final paycheck of any amounts advanced to me that remain unearned when my employment with the City ends, including unearned vacation leave.

If you have any questions about these policies or any other policies of the City, please feel free to ask your supervisor, the Mayor or City Administrator.

I have read and understand the statements above.

Employee Signature

Date

Return one signed copy of this form to payroll.

CHAPTER 1

PURPOSE AND SCOPE

1.1 INTRODUCTION

These personnel policies serve as a general guide to the City's current employment practices and procedures. As such, we hope they will help you better understand how the City operates and what is expected of you as an employee. These policies also describe what the City provides you in terms of compensation, benefits and other support.

The City places the highest value on our employees and their well-being. We want to see that you are a satisfied worker, with the support necessary to achieve the objectives of your position. Only in this manner can your contribution to the City organization be the most productive.

It is our belief that when consistent and equitable personnel policies are known and communicated to all the choices for greater job satisfaction increase. We encourage you to read these policies. If you have any questions, please ask your supervisor. As you have ideas or suggestions for improvement, please do the same.

1.2 INTENT OF POLICIES

These policies are not intended to be a contract, expressed or implied, or any type of promise or guarantee of specific treatment upon which you may rely, or as a guarantee of employment for any specific duration. Although we hope that your employment relationship with us will be long term, we recognize that things may not always work out as hoped, and either of us may decide to terminate the employment relationship. Unless specific rights are granted to you in employment contracts, civil service rules, or elsewhere, all employees for the City are considered at-will employees and may be terminated from City employment at any time, with or without cause and with or without notice. Please understand that no supervisor, manager or representative of the City other than the Mayor or City Administrator has the authority to enter into any agreement with you for employment for any specified period or to make any written or verbal commitments contrary to the foregoing.

1.3 SCOPE OF POLICIES

These personnel policies apply to all City employees. In cases where these policies conflict with any City ordinance, Civil Service rules and regulations, the provisions of a collective bargaining agreement, state or federal law, the terms of that law or agreement prevail. In all other cases, these policies apply.

1.4 CHANGING OF POLICIES

As the need arises, the Mayor or City Administrator may modify these policies, except that the City Council, by ordinance, shall enact any changes in compensation or benefit levels. The Mayor or City Administrator may deviate from these policies in individual situations, particularly in an emergency, in order to achieve the primary mission of serving the City's citizens. Employees may request specific changes to these policies by submitting suggestions to their supervisor. Employees must be notified in writing of modifications or revisions to this policy within 30 days of adoption and provided a copy of the change.

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1.5 DEFINITIONS

Accident: An incident involving City owned vehicles which resulted in damages amounting to at least \$1,000.00.

Alcohol: The intoxicating element of whiskey, beer, wine and other fermented or distilled liquors.

Alcohol Use: The consumption of any beverage, mixture or preparation, including any medication, containing alcohol.

Child: Biological, adopted, foster or stepchild or legal ward under 18 or a child older than 18 incapable of self-care. (See 7.3 for unique definition of dependent child as it relates to health insurance coverage).

Class: A group of positions sufficiently similar in duties, responsibilities, authority, and minimum qualifications to permit combining them under a single title, and to permit the application of common standards for selection and compensation.

Commercial Driver: Any employee who has a commercial driver's license (CDL) and who may operate a commercial motor vehicle on a regular or intermittent basis at the direction of, or with the consent of the City, including, but not limited to full or part-time, regularly appointed employees, and temporary or intermittent employees.

Compensation Schedule: A schedule of salary ranges of all position classes in the service of the city, including single position classes, setting forth the salary range for each such position in accordance with the criteria and procedures set forth in these rules and regulations and also setting forth the salary rates by step in each range.

Compensatory Time Off: Time off from work to compensate the employee for overtime worked.

Controlled Substance/Drugs: Prohibited drugs are any illegal controlled substance including, but not limited to, marijuana (THC), cocaine, opiates, phencyclidine (PCP), and amphetamines, as well as any drug not approved for medical use by the USDA or the

USFDA. Illegal use includes use of or impairment by any illegal drug, misuse of legally prescribed or over the counter drugs or illegally obtained prescription drugs.

Department Head: An employee designated by the Mayor with confirmation of the City Council to be responsible for management and supervision of a Department

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Impaired. Under the influence of drugs or alcohol meeting or exceeding the standard of RCW 46.61.502(1), Driving Under the Influence, regardless of whether the employee is charged or convicted of the criminal conduct described therein.

Medical Review Officer: A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the City’s drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s confirmed positive test result together with his or her medical history of any other relevant biomedical information.

Overnight Travel: You must be more than 50 road miles from your home or work (one-hour travel time). Exceptions can be made by the supervisor in special circumstances such as:

- a) To avoid driving back and forth for back-to-back late night/early morning meetings.
- b) To avoid driving in inclement weather.

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Overtime. Time worked in excess of the regularly scheduled 40-hour workweek.

Parent: Biological parent or someone who was “in loco parentis” a legal term meaning a person or entity that stands in place of a parent.

Regular Full-Time Employee: An employee who has successfully completed a trial period as defined in these policies and who regularly works a minimum of forty (40) hours a week.

Regular Part-Time Employee: An employee who has successfully completed a trial period as defined in these policies and who regularly works less than forty (40) but at least twenty (20) hours a week.

Retirement: The separation from service with the City of an employee who is retiring under regulations for the Washington State Department of Retirement systems or upon eligibility for full age retirement or early retirement benefits under Title II of the Social Security Act. The employee shall select which of these criteria to use for determination of retirement.

Memo: PERS 2

65 with five service credit years
55 with twenty service credit years

PERS 3

65 with 10 service credit years
55 with 10 service credit years

Salary Range. The range of salary rates for a position as set forth in the compensation plan as established by the legislative body of the City.

Supervisor: An employee who is responsible for directing one or more departments or staff members.

Standby Pay: An employee is required to remain at a specific location or in an immediate vicinity of a specific location and be prepared to report immediately to work if the need arises, although the need may not arise.

Temporary Employee: Employees who hold jobs of limited duration due to special projects, abnormal workloads or emergencies. Temporary employees are not eligible for City benefits.

Trial Employee: Employees who have not yet completed their trial period in a regular position and who have not been certified to regular employment status. Unless otherwise specified, when regular employees are referred to in these policies, they shall include trial employees.

CHAPTER 2

GENERAL POLICIES AND PRACTICES

2.1 EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City is an equal employment opportunity employer. The City employs, retains, promotes, terminates and otherwise treats all employees and job applicants on the basis of job-related qualifications and competence. These policies and all employment practices shall be applied without regard to any individual's sex, race, color, religion, national origin, pregnancy, age, marital status, or disability.

2.2 DISABILITY DISCRIMINATION PROHIBITED

The City will not discriminate against qualified applicants or employees with a sensory, physical or mental disability, unless the disability cannot be reasonably accommodated and prevents proper performance of an essential element of the job. The City will reasonably accommodate qualified individuals with disabilities.

2.3 LIFE THREATENING/COMMUNICABLE DISEASES

Employees with life threatening illnesses or communicable diseases are treated the same as all other employees. They are permitted to continue working as long as they are able to maintain an acceptable level of performance and medical evidence shows they are not a threat to themselves or their co-workers. The City will work to preserve the safety of all of its employees and reserves the right to reassign employees or take other job actions, including discharge, when a substantial and unusual safety risk to fellow City employees or the public exists.

2.4 ANTI-HARASSMENT POLICY

It is the City's policy to foster and maintain a work environment that is free from discrimination and intimidation. Toward this end, the City will not tolerate harassment of any kind that is made by employees toward co-workers or to members of the public. Employees are expected to show respect to each other and the public at all times, despite individual differences.

Harassment is defined as a verbal or physical conduct that demeans or shows hostility or aversion toward another employee or members of the public. Examples of prohibited conduct include slurs or demeaning comments to employees or members of the public relating to race, ethnic background, gender, religion, sexual orientation, political ideology, age, or disability.

2.5 SEXUAL HARASSMENT PROHIBITED

Sexual harassment is a form of sex discrimination and is illegal. Sexual harassment is also inappropriate and offensive and will not be tolerated by the City.

Sexual harassment is behavior of a sexual nature which is unwelcome. Examples of sexual harassment include verbal behavior such as unwanted sexual comments, suggestions, jokes, or pressure for sexual favors; non-verbal behavior such as suggestive looks and leering; and physical behavior such as pats or squeezes, or repeatedly brushing against someone's body. Other conduct also may constitute sexual harassment depending upon given facts and circumstances.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct constitute sexual harassment when:

- It is part of a manager's or supervisor's decision to hire or fire;
- It is used to make other employment decisions like pay, promotion, or job assignments;
- It creates an intimidating, hostile, or offensive work environment.

Employees engaging in improper harassment are subject to discipline, including termination.

2.6 DISCRIMINATION COMPLAINT PROCEDURE

Each member of management is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their co-workers and others, including the citizens they serve. The following procedure outlines the steps to follow if you believe you have experienced harassment or discrimination on the job.

Should you believe that you have been harassed or are the victim of discrimination, you should try, if possible, to identify the offensive behavior to the harasser and request that it stop. In the event such informal direct communication is either ineffective or impossible, you should discuss your concern **immediately** with the Mayor or the City Administrator. No employee will suffer retaliation for reporting such concern. To the extent possible, complaints will be handled confidentially.

If an investigation shows the accused employee or member of the public did engage in improper harassment or discrimination, appropriate action will be taken, as in the case of any other serious employee misconduct. Such actions may include warnings, verbal and/or written reprimands, a letter to the employee's file or an employee transfer, demotion, suspension or termination.

2.7 EMPLOYEE RECORDS

A personnel file is maintained for each employee. An employee's personnel file(s) contains the employee's name, title and/or position held, job description, department to which the employee is assigned, changes in employment status, training received, performance evaluations, personnel actions affecting the employee, including discipline, and other pertinent information.

It is the City Administrator's responsibility to insure complete personnel files are maintained for each employee to demonstrate legal requirements have been satisfied; to provide a basis for personnel actions; and to document the attainments of each employee.

Employees have the right to review their file. An employee may request removal of irrelevant or erroneous information in his/her personnel file. If the City denies the employee's request to remove the information, employees may file a written rebuttal statement to be placed in their file.

Personnel files are kept confidential to the maximum extent permitted by law. Except for routine verifications of employment, no information from an employee's personnel file will be released to the public, including the press, without a written request for specific information as regulated by the Washington State Public Disclosure Act.

2.8 EMPLOYMENT REFERENCES

Only the Mayor, the City Administrator or the supervisor will provide employment references on current or former City employees. Other employees shall refer request for references to the appropriate person. References will be limited to verification of employment and salary unless the employee has completed a written waiver and release.

CHAPTER 3

RECRUITING AND HIRING

3.1 RECRUITING

Recruiting practices are conducted solely on the basis of ability, merit, qualifications and competence, without regard to race, color, religion, national origin, sex, marital status, pregnancy, physical handicap, disability or age.

Each applicant shall complete and sign an application form prior to being considered for any position. Resumes may supplement, but not replace, the City's official application.

Any applicant supplying false or misleading information is subject to immediate termination, if hired. All statements submitted on the employment application shall be subject to investigation and verification prior to appointment.

3.2 HIRING

When a position becomes vacant or is newly created and prior to any posting or advertisement of the vacancy, the supervisor shall review the position, its job description and the need for such a position. ~~The supervisor will prepare and submit a written request to fill the position to the City Administrator or the Mayor. The position will be posted in house and/or advertised only after the request is approved. All candidates for employment must file an employment application form with the City.~~

The City may administer pre-employment examinations to test the qualifications and ability of applicants, as determined necessary by the City, ~~pre-employment drug tests and certain background checks as needed.~~ Examples of such procedures include: requiring applicants/employees to show proof they are authorized to work in the United States, requiring applicants/employees who have unsupervised access to children or developmentally disabled adults to complete a disclosure statement ~~and background check, or requiring applicants/employees who handle money to pass a background check.~~

Residency within the City shall not be a condition of initial appointment or continued employment; provided, however, that an employee's selection of residence shall not interfere with the daily performance of his/her duties and responsibilities.

Applicants for positions in which the applicant is expected to operate a motor vehicle must be at least 18 years old and will be required to present a valid driver's license with any necessary endorsements. Driving records of applicants may be checked. Applicants with poor driving records, as determined by the City, may be disqualified for employment with the City in positions requiring driving.

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After an offer of employment has been made and prior to commencement of employment, the City may require persons selected for employment to successfully pass a medical examination which will include testing for alcohol and controlled substances. The purpose of the examination is to determine if the individual is physically able to perform the job and to ensure his/her physical condition will not endanger the health, safety or well-being of other employees or the public. The offer of employment may be conditioned on the results of the examination.

A candidate may be disqualified from consideration if: (1) found physically unable to perform the duties of the position (and the individual's condition cannot reasonably be accommodated in the workplace); (2) the candidate refuses to submit to a medical examination or complete medical history form; or (3) if the exam reveals use of alcohol and/or controlled substances.

3.3 TEMPORARY EMPLOYEES

Supervisors may use temporary employees to temporarily replace regular employees who are on vacation or other leave, to meet peak work load or emergency needs, or to temporarily fill a vacancy until a regular employee is hired. Temporary employees may be hired without competitive recruitment or examination, although all hiring processes must comply with state and federal laws.

Compensation/Benefits: Temporary employees are eligible for overtime pay as required by law. Temporary employees do not receive ~~vacation, health insurance, holidays or any other benefits during their employment.~~

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Temporary employees pay contributions to the Social Security system, as does the City on their behalf. Temporary employees will not normally be placed on the state PERS retirement system, although there are a few exceptions depending on PERS eligibility criteria.

3.4 TRIAL PERIOD

Upon hire or appointment, all employees enter a trial period that is considered an integral part of the selection and evaluation process. The trial period is designed to give the employee time to learn the job and to give the supervisor time to evaluate whether the match between the employee and the job is appropriate. An employee on probation may be terminated by their supervisor without cause and is notified of such action in writing.

The normal trial period is six months from the employee's date of hire, rehire or promotion. The Mayor and/or the City Administrator may authorize the supervisor to extend the trial period for up to an additional six (6) months. An extension may be granted due to circumstances such as an extended illness, a continued need to evaluate an employee's performance, or the need to meet specific trainings and certifications.

Once the trial period is successfully completed, the employee may be certified to regular employment status. Satisfactory completion of the trial period does not create an employment contract or guarantee employment with the City for a specified duration.

Use of Sick Leave/Vacation During Trial Period: Trial employees may use their accrued sick leave from the beginning of their employment, but may not use vacation until they have successfully completed their trial period, at which time they will be credited for six days of vacation. Certain employees may have training and certifications to get that are required over an extended period of time. These employees will have access to their vacation at the 6-month period.

3.5 EMPLOYMENT OF RELATIVES (NEPOTISM)

No parent, child, grandparent, grandchild, spouse, significant other or sibling shall be employed in the City's service in the same department as a current employee with exception of temporary emergency employment.

3.6 PROMOTIONS

The City encourages promotion from within the organization whenever possible. All openings will be posted so that employees may become aware of opportunities and apply for positions in which they are interested and qualified.

Before advertising a position to the general public, the Mayor or the City Administrator may choose to circulate a promotional opportunity within the City. This will not apply for temporary employees.

The City reserves the right to seek qualified applicants outside of the organization at its discretion.

To be considered for promotion, an employee must be employed in their position for at least six (6) months, and meet the qualifications for the vacant position.

New Trial Period: After promotion to a new position, a new trial period of six (6) months must be completed, unless waived or reduced by the supervisor. In the case of unsatisfactory performance in a promotional situation, the employee may be considered for transfer back to the previous position held by the employee.

CHAPTER 4

HOURS & ATTENDANCE

4.1 WORKING HOURS

The City's standard work week consists of 40 hours with an unpaid lunch period. Due to the nature of the City's operation, longer hours may be necessary in some instances.

A normal working schedule for regular, full-time employees consists of forty (40) hours each work week. Different work schedules may be established by the City to meet job assignments and provide necessary City services. Each employee's department head will advise the employee regarding his/her specific working hours.

Flexible scheduling will be considered with the approval of the appropriate department head and City Administrator. All requests will be evaluated against the need for continuity in access by and service to the citizens and the facilitation of staff teamwork.

Part-time and temporary employees will work hours as specified by their department heads.

4.2 HOURS OF WORK AND OVERTIME

All City positions are designated as either "exempt" or "non-exempt" according to the Fair Labor Standards Act ("FLSA") and Washington Minimum Wage Act regulations. You will be informed of your status by the City.

For most City employees, the established work period is forty (40) hours within a seven (7) day work week. In some instances under the City's flexible scheduling the department head may define a work week/work period as something other than the standard Monday through Sunday. All personnel are responsible for accurately reporting all hours worked on forms supplied by the City. Employees failing to accurately record time worked are subject to discipline.

Non-exempt employees are entitled to additional compensation, either in cash or compensatory time off, when they work more than the maximum numbers of hours during a work period. All overtime must be authorized in advance by the employee's department head. Overtime pay is calculated at one and one-half times the employee's regular rate of pay for all time worked beyond the established work period. When computing overtime, *time taken as compensatory time off*, is not counted as hours worked.

Neither the federal FLSA nor the state Minimum Wage Act (Ch 49.46) requires payment of overtime for work on a holiday. It is the City's practice to allow on call field staff to charge a minimum of two (2) hours of overtime for any call outs when on call. When that

call out is on a holiday the rate of pay will be double time and a half (2 ½) rather than overtime for all call outs on a holiday.

Deleted: person on call out is allowed a minimum of four (4) hours overtime for the first regular callout on that holiday. Additional call outs will be compensated at normal overtime compensation practices

Exempt employees are not covered by the FLSA or Washington Minimum Wage Act overtime provisions and do not receive either overtime pay or compensatory time in lieu of overtime pay except as otherwise approved by City Council.

4.3 COMPENSATORY TIME

Non-exempt employees entitled to overtime pay may request compensatory time off instead of cash payment. This is approved on a case-by-case basis by the employee's department head. The City is not required to grant comp time instead of overtime pay. If the compensatory time option is exercised, the employee is credited with one and one-half times the hours worked as overtime. Annual maximum accruals of compensatory time shall be limited to forty (40) hours in a calendar year. A maximum of 40 hours can be taken in a calendar year. After maximum accrual, overtime compensation shall be paid.

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Employees may use compensatory time after getting approval from his/her department head. The use of comp time may be denied if such time used would disrupt City operations.

Employee comp time balances must be reviewed at least annually as part of the City's budget process.

4.4 ATTENDANCE

Punctual and consistent attendance is a condition of employment. Each department head is responsible for maintaining an accurate attendance record of his/her employees.

Employees unable to work or unable to report to work on time should notify their supervisor as soon as possible, ordinarily before the work day begins or within thirty (30) minutes of the employee's usual starting time. If an absence continues beyond one day, the employee is responsible for reporting in each day. If the supervisor is unavailable, the employee may leave a message on the answering machine stating the reason for being late or unable to report for work.

An employee who is absent without authorization or notification is subject to disciplinary action, including possible termination.

4.5 UNUSUAL CONDITIONS

WEATHER During times of inclement weather or natural disaster, it is essential that the City continue to provide vital public services. Therefore, it is expected that employees make every reasonable effort to report to work without endangering their personal safety.

PANDEMIC During pandemic flu or other community health emergencies the City Administrator shall identify a set of procedures to be approved by Council to maintain essential city functions while protecting the health of the staff. Those procedures shall be tailored to the specific health emergency and could include but are not limited to staggered work schedules, working from home (remote computer connections), allowing employees to use accrued leave or comp time, furloughing certain employees, and other appropriate actions.

4.6 BREAKS AND MEAL PERIODS

Employees may take one (1) fifteen-minute break for every four hours worked. All breaks shall be arranged so that they do not interfere with City business or service to the public. Meal periods shall be scheduled by the employee's supervisor. The scheduling of meal periods may vary depending on department workload. Meal periods are unpaid.

4.7 CALL BACK

All employees are subject to call back in emergencies or as needed by the City to provide necessary services to the public. A refusal to respond to a call back is grounds for immediate disciplinary action, including possible termination. An employee who is not fit to respond shall not accept a call back. Employees called back to duty will be paid their appropriate rate of pay for hours worked (the overtime rate for hours worked over the applicable overtime threshold).

4.8 PAYROLL RECORDS

The official payroll records are kept by the City Administrator. Each department head shall turn in, on a monthly basis, a signed work record for each employee within their department, noting hours worked, and leave taken and overtime worked. The Mayor shall sign work records for the City Administrator.

CHAPTER 5

COMPENSATION

5.1 SALARY CLASSIFICATION AND GRADES

The City Administrator, Mayor and City Council shall be responsible for the preparation and maintenance of the City's position classifications for salary purposes. Each position classification is designated a particular salary or salary range as shown on the City's salary and wage schedule, which is approved annually by the City Council. The City Administrator shall, every five years, conduct comparative studies to ensure the salaries are competitive and justified and to ensure that the City's position classifications and compensation plan are properly connected. The most current salary schedule and job classifications will be filed in Appendix 9.

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The City's salary and wage schedule (the compensation plan) consists of a series of salary ranges. Within each range there are a series of steps graduated by standard percentage increments.

5.2 EMPLOYEE PAY RATES

Employees shall be paid within the limits of the wage range to which their positions are assigned. Usually, new employees will start their employment at the minimum wage rate for their classification. However, a new employee may be employed at a higher rate than the minimum when the employee's experience, training or proven capability warrant, or when prevailing market conditions require a starting rate greater than the minimum.

Pay increases are contingent on satisfactory performance. If an employee's performance is consistently unsatisfactory, the supervisor may defer a scheduled pay increase for a stipulated period of time or until the employee's job performance is satisfactory.

The Mayor may propose and the City Council may grant an across-the-board pay adjustment (COLA) from time to time, raising the salaries of all positions by a specified amount within a defined group of classifications. Such adjustments, if any, will not change an employee's pay anniversary date.

Any employee promoted to a position in a higher classification and salary range shall receive the next highest available pay step in the new range.

5.3 ON CALL PAY

The City requires some employees to be "on-call" when needed to protect the health, safety and property of the City and its residents. To meet the needs of the City's utilities, employees with Water Plant Operator I and Wastewater Treatment Plant Operator I certifications will be required to be "on call" on rotating week-ends and holidays with other employees with these certifications. "On Call" requires that the employee will be

available for all emergencies by an effective means, to be determined by each employee (telephone, cell phone, pager, radio, etc.). The employee must be able to respond to a call within 30 minutes and shall not be impaired at any time while on call. If the scheduled employee cannot fulfill their standby obligation, it is their responsibility to find an employee to take their place.

As compensation for “on call” week-end coverage, “on call” pay will be paid to these employees as a part of their normal salary. Pay will be according to the Salary Key approved by City Council annually. It will be the responsibility of the Department Head to ensure that the stand-by days are equally shared among the responsible personnel.

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5.4 PAYDAYS AND PAY PERIODS

City employees are paid monthly on the last business day of each month. If a regularly scheduled payday falls on Saturday or Sunday, pay will be distributed on Friday.

New monthly employees working less than a calendar month will be paid at a rate per hour determined by dividing the annual salary by 2080 hours for the actual day or hours worked. Permanent monthly employees after the probationary period is completed, who have used all accumulated sick leave and vacation leave will lose pay at a rate determined by dividing the annual salary by 2080 hours on the basis of eight hours for each day lost.

Part time employees shall be paid on an hourly basis. The hourly wage will be determined by dividing the annual salary by 2080 or will be set by contract in the case of contracted employees.

5.5 DEDUCTIONS

Some regular deductions from the employee’s earnings are required by law; other deductions are specifically authorized by the employee. The city will withhold from the employee’s paycheck those deductions required by law and any voluntary deductions authorized by the employee or by statute.

5.6 TRAVEL AND TRANSPORTATION REGULATIONS

Responsibilities: The Mayor, City Administrator or Director of Public Works are primarily responsible for ensuring that any cost incurred pursuant to this chapter are directly work related, *obtained within the state rate*, and are both critical and necessary for city business. Prudent judgment is to be exercised in approving these costs. Receipts showing proof of payment will be required for all expense except for per diem meal reimbursements.

Deleted: Council approval is required for any travel requiring overnight stays.

Travelers: A traveler on official city business is expected to exercise the same care in incurring expenses and accomplishing the purposes of the travel that a prudent person would exercise if traveling on personal business. Excess costs, circuitous routes, delays

or luxury accommodations unnecessary or unjustified in the performance of official city business travel are not considered acceptable as exercising prudence. Travelers are responsible for excess cost and additional expenses incurred for personal preference or convenience.

General:

Travelers are to receive prior approval by the Mayor, City Administrator or Director of Public Works before embarking on any out of city travel for city business. Local travel within the Gorge and to the metropolitan area of Portland/Vancouver requires verbal permission of the appropriate Department Head. The City has established a set of guidelines for the handling of expenses while on city business:

Deleted: Overnight travel requires permission of the City Council.

Mileage: City owned vehicles should be used when traveling by automobile whenever possible for City business. If, however, there is reason to use a privately-owned automobile and the employee expects to be compensated for expenses (i.e., mileage allotment), prior approval must be obtained. In this case the rate of mileage reimbursement will be based on the standard mileage rate approved by the US Internal Revenue Service. The City Administrator will update the City's Travel Guide Sheet with the most current reimbursement rate on file with this policy. Each employee who drives a private vehicle on City business must have liability insurance on said vehicle. Carpooling is encouraged. Either state mileage charts or odometer readings can be used for calculating mileage reimbursement.

If public transportation is used, reimbursement shall not exceed the dollar amount of a round trip air fare at the coach rate on a licensed common carrier, plus auto rental or taxi fare at point of destination, and any associated parking fees.

Lodging: The reimbursement for lodging and associated travel expenses (such as parking fees) incurred on official city business in all areas of the Continental USA is to be on an actual expenses basis for lodging and other travel expenses, as evidenced by a receipt, up to a specified maximum. Generally, the maximum for reimbursement for lodging expenses (before tax) shall not exceed the maximum allowable as stated in Schedule A or Schedule B of the State of Washington Policies, Travel and Transportation Regulations and Procedures Issued by the Office of Financial Management (as updated). The single rate should be clearly indicated on all receipts. If the employee is accompanied by another, it will be the employee's responsibility to pay the additional charges for the second person.

It is recognized that on certain occasions it will be necessary to exceed the adopted guidelines when an alternate reasonable accommodation is not available. This will require council approval with full documentation of the situation.

Meals: Meal reimbursements for all overnight trips incurred on official city business will be set on a per meal entitlement basis for subsistence (per diem). When the travel includes a partial day, the reimbursement will be prorated if the departure or return exceeds three hours either before or after the normal work day. The reimbursement

amounts in both non-high cost and high cost areas of the USA shall not exceed the maximum allowable per diem rates stated in Schedule A or Schedule B, except as authorized by Subsection 4.2.7.2.2 of State of Washington Policies, Travel and Transportation Regulations and Procedures Issued by the Office of Financial Management. Annually, the City Administrator will update the City's Travel Guide Sheet with the most current reimbursement rate on file with this policy. It is recognized that it may be necessary on certain occasions (banquets @ a conference) to exceed the above guidelines. Prior permission will be needed and receipts will be required. If a meal is included in the tuition or registration during a conference, training or other form of official city business, no meal reimbursement will be made if the employee opts to eat elsewhere. Breakfast compensation does not need to be reduced if continental breakfasts are provided with the lodging rate.

On occasion employees of the City must attend a seminar or conference as a City representative in the local area that will include a meal. A request for reimbursement for these meals must include date, place, meeting attended, and the specific reason for attendance. Receipts will be required.

5.7 COMPENSATION UPON TERMINATION

When an employee's employment with the City is terminated, the employee will receive the following compensation on the next regularly scheduled payday:

- (1) Regular wages for all hours worked up to the time of termination which has not already been paid.
- (2) Any overtime or holiday pay due.
- (3) A lump sum payment of any accrued but unused vacation and compensatory time.
- (4) Unused accumulated sick time will be compensated at the rate of 25% of the total remaining balance on retirement or separation after twenty-five years.

CHAPTER 6

TRAINING AND PERFORMANCE EVALUATIONS

6.1 TRAINING

The City seeks, within the limits of available resources, to offer training to increase an employee's skill, knowledge and abilities directly related to City employment to obtain or maintain required licenses and certifications, and to develop staff resources. Opportunities may include, but are not limited to: on-the-job training, in-house workshops, and seminars sponsored by other agencies or organizations.

6.2 PERFORMANCE EVALUATIONS

To achieve the City's goal to train, promote and retain the best qualified employee for every job, the City conducts periodic performance evaluations for all positions. The City Administrator is responsible for developing and maintaining the City's performance evaluation program. Employees are to be evaluated by their supervisor prior to completion of their trial period and usually once every year thereafter.

CHAPTER 7

Benefits Policy

7.1 RETIREMENT BENEFITS

The City makes contributions on behalf of all eligible employees to the Social Security System in addition to those contributions made by the employee through FICA payroll deductions.

All regular and part-time employees are covered under the Public Employees Retirement System (PERS). Benefit levels, membership qualifications and contribution rates are set by the State of Washington.

Employees intending to retire should notify their supervisor of their intent to retire at least three months prior to the date of retirement.

The City is a member of a deferred compensation plan which allows employees to make deferred deposits up to certain dollar limits defined by the IRS.

7.2 DISABILITY BENEFITS (WORKERS COMPENSATION)

When an employee is absent for one or more days due to an on-the-job accident, he/she is required to file a claim for Workers' Compensation. If the employee files a claim, the City will continue to pay (by use of the employee's unused sick leave) the employee's regular salary pending receipt of Workers' Compensation benefits.

Coordination of Benefits: When the employee receives Workers Compensation benefits, he/she is required to repay to the City the amount covered by Workers' Compensation and previously advanced by the City. This policy is to ensure that employees will receive prompt and regular payment during periods of injury or disability so long as accrued sick leave is available, while ensuring that no employee receives more than he/she would have received had the injury not occurred. Upon the repayment of funds advanced, the appropriate amount of sick leave shall be restored to the employee's account.

The City may require an examination at its expense, performed by a physician of its choice to determine when the employee can return to work and if he/she will be capable of performing the duties of the position.

7.3 HEALTH INSURANCE BENEFITS

Regular full-time employees, their spouses (including Domestic Partners as defined by City policy) and their dependents are eligible to participate in the City's various insurance programs on the first day of the month following employment. The programs and criteria for eligibility will be explained upon hire. The City contributes toward the cost of premiums in the amounts authorized by the City Council. The remainder of the premiums, if any, shall be paid by the employee through payroll deduction. For the purposes of medical insurance, the term dependent child includes children below the age

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of 23; for children 23 to 25 the employee may choose to pay for coverage through the City's medical program. The City reserves the right to make changes in the carriers and provisions of these programs when deemed necessary or advisable, with prior notice to affected employees.

Part time employees may participate in the City's various insurance programs. Part time employees will contribute toward the cost of premiums based on a pro rata system established by the City Council for each position.

Employees may opt for pay in lieu of their medical benefits provided they have medical coverage through other means (spouse, domestic partner, Veteran's benefits, etc).

Temporary employees will normally not be eligible for insurance coverage.

Both retired and disabled employees shall have access to health insurance after leaving employment with the City. Eligible participants wanting to continue participation in the health plan will be responsible to pay the full cost of the medical coverage.

The City offers a Health Reimbursement Arrangement (HRA) benefit. The terms of the HRA are governed by the HRA VEBA policy as adopted by council.

7.4 CONTINUATION OF INSURANCE COVERAGE

Workers Compensation Leave: An employee receiving Workers Compensation benefits continues to accrue vacation leave and sick leave for up to six (6) months. The City also continues to pay for the employer's portion of health insurance premiums, provided that the employee continues to pay their share of premiums, if any. After six (6) months, the employee's benefits shall cease unless the Mayor or City Administrator makes an exception in individual situations pursuant to Section 1.4 criteria of these policies. The employee may continue health care benefits by self-paying insurance premiums for the remainder of the time he/she receives Workers Compensation benefits.

COBRA Rights: Upon an employee's termination from City employment or upon an unpaid leave of absence, at the employer's option and expense, the employee may be eligible to continue City health insurance benefits to the extent provided under the federal COBRA regulations. An administrative handling fee over and above the cost of the insurance premium may be charged to the employee or his/her dependents who elect to exercise their COBRA continuation rights.

Termination, Retirement, Leave of Absence: For eligible employees who terminate, retire or are on an approved leave of absence, the City will pay the premium for the month the employee is leaving if the employee works less than 80 hours in the month. If the employee works more than 80 hours in the month of termination, the City will pay the premium for the month following their departure.

Deleted: provided the employee is on paid status the first ten (10) days of the month

7.5 UNEMPLOYMENT COMPENSATION

City employees may qualify for State Unemployment Compensation after termination from City employment depending on the reason for termination and if certain qualifications are met.

CHAPTER 8

LEAVES

8.1 VACATION LEAVE

Each regular full-time employee is entitled to vacation leave as follows:

<u>Years of Employment</u>	<u>Vacation Hours Earned</u>
0- 5 years	8 hours/month
6 years +	add 8 hours per year but not to exceed 240 hours per year.

All new employees must satisfactorily complete their 6-month trial period to be entitled to the accrual and use of vacation leave. (After satisfactorily completing the probation period, the 48 hours will be accrued.) Regular part-time employees will receive vacation on a pro-rata basis. Temporary employees are not eligible for any vacation benefits. Employees do not accrue vacation benefits during a leave without pay.

Each department is responsible for scheduling its employees' vacations without undue disruption of department operations. All requests for vacation must be approved by the department head and leave requests should be submitted at least two weeks prior to taking vacation leave. In the event of a conflict, the department head's decision will be guided by "first in" and seniority.

240 is the maximum number of vacation hours which may be accumulated. In cases where City operations have made it impractical for an employee to use vacation time, the department head with the approval of the Mayor may authorize additional carryover and/or a buyout. Minimally the employee must use or have a plan to use 80 hours of vacation within a full year of employment and the employee must have a minimum of eighty (80) hours remaining in the leave bank. Cash out will be at the rate of pay in effect on the date of the cash out payment. Vacation leave compensation may be part of the negotiations for employment for exempt employees. Employees will be paid for unused vacation time upon termination of employment.

8.2 SICK LEAVE

All full-time regular employees accrue sick leave benefits at the rate of 8 hours for each calendar month of continuous employment. Regular part-time employees may accrue sick leave benefits on a pro-rata basis according to hours worked, with a minimum rate of 1 hour for every 40 hours worked. Sick leave compensation may be part of the negotiations for employment for exempt employees. Temporary employees will accrue sick leave benefits at the rate of 1 hour for every 40 hours worked. Employees do not

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accrue sick leave benefits during a leave without pay. Such leave shall be accumulated up to a maximum of 1,440 hours.

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Allowable uses of Sick Leave: Sick leave covers those situations in which an employee is absent from work due to:

1. Employee's own health condition (illness, injury, physical or mental disability, including disability due to pregnancy or childbirth);
2. The need to care for the employee's dependent children under the age of 18 who are ill.
3. To care for a spouse, child, parent, parent-in-law, or grandparent with a health condition requiring treatment or supervision, or for emergency purposes.
4. Medical or dental appointments for the employee or dependent child, provided that the employee must make a reasonable effort to schedule such appointments at times which have the least interference with the work day.
5. Exposure to a contagious disease where on the job presence of the employee would jeopardize the health of others;
6. Use of a prescription drug which impairs job performance or safety;
7. Additional leave beyond bereavement leave for a death in the immediate family, to be authorized by the Mayor.
8. When the employees' workplace or their child's school or place of care has been closed by a public official for any health-related reason.
9. For absences that qualify for leave under the state's Domestic Violence Leave Act.

A doctor's certificate may be required when an employee is absent for a period in excess of 3 days. The City may also request the opinion of a second doctor at the City's expense to determine whether the employee suffers from a chronic physical or mental condition which impairs his/her ability to perform the job. Employees who are habitually absent due to illness or disability may be terminated if their disability cannot be reasonably accommodated and/or when the employee's absenteeism prevents the orderly and efficient provision of services to the citizens of the City.

Employees who use all their accumulated sick leave and require more time off work due to illness or injury may, with their department head's approval, request a leave without pay. (See Leave Without Pay Policy.)

Employees will be paid for unused sick leave as stipulated in section 5.7 Compensation upon termination.

Deleted: upon retirement only. The payout will be on a 1 to 4 basis.

8.3 LEAVE WITHOUT PAY

The Mayor or City Administrator may grant leaves of absence without pay for absence from work not covered by any other type of leave or if other leave balances are exhausted. Examples of situations for which leave without pay may be granted include

time off work for personal reason, such as a prolonged illness, parenting, caring for an ill relative, or pursuing an education.

8.4 JURY AND WITNESS LEAVE

It is the civic obligation of each employee to serve on a jury if he is called. While on jury duty or while appearing as a legally required witness, an employee will receive full pay from the city but the city shall deduct or the employee shall sign over the amount equal to jury fees actually received by the employee.

8.5 ADMINISTRATIVE LEAVE

On a case-by-case basis, the City may place an employee on administrative leave with or without pay for an indefinite period of time. Administrative leave may be used in the best interests of the City (as determined by the Mayor) during the pendency of an investigation or other administrative proceeding.

8.6 MILITARY LEAVE

We provide all employees leave while performing military service in accordance with federal and state law. Regular full-time and part-time employees receive paid military leave of up to 15 working days per year for military service. In general, if military service extends beyond 15 working days, the additional leave will be unpaid. Exempt salaried employees who serve longer than two weeks should contact the City Administrator to discuss whether further paid leave will be provided. All employees who are not eligible for paid military leave are provided unpaid leave for a period of their military service. Military service includes active military duty and Reserve or National Guard training. You are required to provide your supervisor with copies of your military orders as soon as possible after they are received. Reinstatement upon return from military service will be determined in accordance the applicable federal and state law. Health insurance will be paid for the first 30 days of active duty and Cobra-like benefit will be available to continue insurance coverage beyond the 30-day period.

During a period of military conflict as defined by SB 6447 an employee who is the spouse of a member of the armed forces of the United States, national guard, or reserves who has been notified of an impending call or order to active duty is entitled to a total of fifteen days of unpaid leave per deployment as described in SB 6447.

8.7 FAMILY LEAVE

The City complies with the federal Family and medical Leave Act of 1993 (the FMLA) and all applicable state laws related to family and medical leave. This means that, in cases where the law grants you more leave than our leave policies provide, we will give you the leave required by law.

Family Leave Eligibility: The FMLA provides up to 12 weeks of unpaid, job-protected leave every 12 months to eligible male and female employees for certain family and

medical reasons. To be eligible you must have worked for us for at least one year, and for 1,250 hours over the previous 12 months.

Reasons for Taking Leave: Unpaid FMLA leave is granted for any of the following reasons:

- To care for your child after birth or placement for adoption or foster case.
- To care for your spouse, son, daughter or parent who has a serious health condition.
- For a serious health condition that makes you unable to perform the essential functions of your job.
- To care for a spouse, child, parent, or next of kin injured in the line of duty as a member of the Armed Forces and who is undergoing medical treatment, recuperation, or therapy for serious injury or illness incurred in the line of active duty for up to a total of 26 weeks (12 weeks as outlined above plus an additional 14 weeks) of protected leave within a 12-month period.
- To address a “qualifying exigency” arising out of the employee’s spouse, child, or parent in the Armed Forces serving on active duty.

Leave to care for a child after birth or placement for adoption or foster care must be concluded within 12 months of the birth or placement.

Under some circumstances, FMLA leave may be taken intermittently – which means taking leave in blocks of time, or by reducing your normal weekly or daily work schedule. FMLA leave may be taken intermittently if medically necessary because of a serious health condition. FMLA leave may be taken by victims of domestic violence, sexual assault or stalking to take “reasonable” or intermittent leave from work to obtain legal or law enforcement assistance, medical treatment or counseling. If FMLA leave is for birth or placement for adoption or foster care, use of intermittent leave is subject to our approval.

Substitution of Paid Leave: At your request or ours, certain kinds of paid leave may be substituted for unpaid FMLA leave. Accrued vacation may be substituted for any type of FMLA leave. Accrued sick leave may be substituted only in the circumstances where our policies or state law allow you to use that paid leave. This means, in general, that sick leave may be used only for leave taken because of your own health condition or a spouse, child, parent, parent-in-law, or grandparent with a health condition requiring treatment or supervision, or for emergency purposes.

If you have any sick leave available that may be used for the kind of FMLA leave you are taking, it is our policy that you must use that paid sick leave as part of your FMLA leave. Use of vacation time for FMLA leave, however, is at your option.

If you use paid leave for a purpose for which FMLA leave would be available, it is our policy to designate your paid leave as counting against your FMLA leave allowance.

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You are required to notify us if you use paid leave for a reason covered by the FMLA so that we may properly account for the leave.

Advance Notice and Medical Certifications: We require that you provide us with advance leave notice, with medical certification, of the need for a leave related to a health condition, and with medical certification of your fitness to return to duty after medical leave. Taking leave, or reinstatement after leave, may be denied if these requirements are not met.

You must give us at least 30 days' advance notice of your request for leave if the reason for the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment. If 30 days' notice is not practicable, you must give us notice as soon as practicable, usually within one or two business days of when the need for leave becomes known to you. If you do not give us 30 days' advance notice, and if the need for the leave and the approximate date of the leave were clearly foreseeable by you, we may deny your request for leave until at least 30 days after the date you give us notice.

We require that you provide a medical certification to support a request for leave because of a serious health condition (your own or your child's, spouse's or parent's) whenever the leave is expected to extend beyond five consecutive working days or will involve intermittent or part-time leave. We may require second or third opinions, at our option, at our expense.

We require that you provide a medical certification of your fitness for duty to return to work after a medical leave that extends beyond 10 consecutive working days, that involves a mental disability or substance abuse, or where the medical condition and your job are such that we believe you may present a serious risk of injury to yourself or others if you are not fit to return to work.

Periodic Reporting: If you take leave for more than two weeks, we require that you report to us at least every two weeks on your status and intent to return to work.

Health Insurance: If you are covered by our group health plan (medical, dental or vision), we will continue to provide paid health insurance during FMLA leave on the same basis as during regular employment. But if you don't return to work after the leave, you will be required to pay us back for our portion of the insurance premiums unless your failure to return was beyond your control.

Other Insurance: If you are covered by other insurance plans through us, such as life or disability insurance, those coverage's will continue during paid leave on the same basis as during regular employment. If you take unpaid FMLA leave, you will be responsible during the leave for the premiums you normally pay plus the premiums we normally pay for you. If you don't pay these premiums, we may choose to pay them for you, to keep your coverage from lapsing, but you will be responsible for repaying us whether or not you return to work.

Couples Employed by Us: If both you and your spouse work for us and you request leave for the birth, adoption or foster care placement of a child, to care for a new child, or to care for a sick parent, the total annual FMLA leave available to you as a couple for those purposes is 12 weeks.

Determining Leave Availability: FMLA leave is available for up to 12 weeks during a 12-month period. For purposes of calculating leave availability, the “12-month” period is a rolling 12-month period measured backwards from the date you use any FMLA leave.

Leave Related to Pregnancy: If you take leave for the disability phase of pregnancy or childbirth while you are physically unable to work, this time is counted against your annual 12-week FMLA leave allowance. For example, if you take six weeks of FMLA leave for childbirth to recover from childbirth, you are entitled to only six weeks of FMLA leave after that to care for you new child.

You are entitled to unpaid leave for the full period of your physical disability resulting from pregnancy and childbirth, even if you are disabled for more than 12 weeks, and even if you don’t qualify for leave under the federal law.

8.8 BEREAVEMENT LEAVE

We provide regular, full-time and part-time employees with paid leave for up to three (3) days in the event of the death of an immediate family member. An immediate family member is defined as parent, child, grandparent, grandchild, sibling, spouse or significant other.

8.9 SHARED LEAVE PROGRAM

The Mayor or Administrator may authorize employees to donate their accrued vacation leave to another City employee who is suffering from or who has an immediate family member suffering from an extraordinary or severe illness, injury, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or to terminate his/her employment. The following conditions apply:

- To be eligible to donate vacation leave, the employee who donates leave must have at least ten days of accrued leave. In no event shall a leave transfer result in the donor employee reducing his/her vacation leave balance to less than ten days. Transfer of leave will be in increments of one day of leave. All donations of leave are strictly voluntary.
- The employee receiving donated leave shall have exhausted all his/her accumulated vacation and sick leave.
- While an employee is using shared leave, he or she will continue to receive the same treatment, in respect to salary and benefits, as the employee would otherwise receive if using vacation or sick leave.

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8.10 HOLIDAYS

The following are recognized as paid holidays for all regular full-time and part-time employees:

New Year's Day	January 1
MLK Day	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1 st Monday in September
Veteran's Day	November 11
Thanksgiving	4 th Thursday in November
Day after Thanksgiving	Day after Thanksgiving
Christmas Day	December 25
Personal Day (16 hrs)	Optional

Any holiday falling on Saturday will be celebrated on the preceding Friday. Any holiday falling on Sunday will be celebrated on the following Monday.

Non-exempt regular full-time or part-time employees will be paid for the holiday plus 1½ times their regular rate of pay for any time worked on the holiday. Such time must be pre-authorized by the department head. An employee substituting paid sick/vacation for unpaid FMLA leave is entitled to any holiday pay that would be normally paid.

Temporary employees will be paid at their regular straight-time rate for hours worked on a holiday.

8.11 RELIGIOUS HOLIDAYS

If an employee's religious beliefs require observance of a holiday not included in the basic holiday schedule, the employee may, with his/her department's head's approval, take the day off using vacation, compensatory time, floating holiday or leave without pay.

8.12 BENEFITS FOR PART-TIME AND TEMPORARY EMPLOYEES

Unless noted otherwise in these policies, benefits for regular part-time and temporary employees are as follows:

Regular Part-Time Employees: All leaves, including holidays, and insurance premiums are pro-rated. Pro-rated means the ratio between the number of hours in the employee's normal work schedule and 40 hours per week.

Temporary Employees: Temporary employees are not eligible to receive benefits, including leaves other than Sick Leave, holidays and insurance.

CHAPTER 9

EMPLOYEE RESPONSIBILITIES & CONDUCT

9.1 GENERAL CODE OF CONDUCT

It shall be the responsibility of all employees to represent the City to the public in a manner which shall be courteous, efficient, and helpful.

The City is a relatively small organization. To function as efficiently as possible, we may ask you to perform seemingly “menial” duties outside your regular assignments. It is no reflection on your worth to the City but a necessary arrangement for most small organizations.

To make the most efficient use of personnel, the City also reserves the right to change your work conditions and the duties originally assigned. If these arrangements become necessary, we expect your best cooperation.

9.2 OUTSIDE EMPLOYMENT AND CONFLICTS OF INTEREST

The City of Stevenson allows its employees to engage in outside work subject to certain restriction. Employees are required to disclose outside work, other jobs, contractual commitments or self-employment to their department head and obtain prior approval to perform outside work or hold another job.

Employees shall not, directly or indirectly, engage in any outside employment or financial interest which may conflict, in the City’s opinion, with the best interests of the City or interfere with the employee’s ability to perform his/her assigned City job. Outside work will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours.

9.3 CODE OF CONDUCT

From time to time employees will be asked to participate in the selection, award or administration of a contract supported by federal and/or state grant funds. The employee shall NOT participate in the selection, award or administration of the contract if there is a conflict of interest, real or apparent, such as:

- The employee, elected official, or agent;
- Any member of his/her immediate family;
- His/her partner; or
- An organization that employs, or is about to employ any of the above, has a financial or other interest in the firm selected for award.

Furthermore, the employee shall not solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

9.4 REPORTING IMPROPER GOVERNMENTAL ACTION

In compliance with the Local Government Employee Whistleblower Protection Act, RCW 42.41.050, this policy is created to encourage employees to disclose any improper governmental action taken by City Officials or employees without fear of retaliation. This policy also safeguards legitimate employer interests by encouraging complaints to be made first to the City, with a process provided for speedy dispute resolution. (See Appendix #A-6, A-7)

9.5 POLITICAL ACTIVITIES

City employees may participate in political or partisan activities of their choosing provided that City resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign on City time or in a City uniform or while representing the City in any way. Employees may not allow others to use City facilities or funds for political activities. No person may solicit on City property for contributions to be used for political subdivisions.

Any City employee who meets with or may be observed by the public or otherwise represents the City to the public, while performing his/her regular duties, may not wear or display any button, badge or sticker relevant to any candidate or ballot issue during working hours. Employees shall not solicit, on City property or City time, for a contribution for a partisan political cause. Except as noted in this policy, City employees are otherwise free to fully exercise their constitutional First Amendment rights.

For persons employed by the City in positions which are financed primarily by federal grant-in-aid funds, political activity will be regulated by the rules and regulations of the United States Civil Service Commission.

9.6 NO SMOKING POLICY

For health and safety considerations, the City prohibits smoking by employees in all City facilities, including City owned buildings, vehicles, and offices or other facilities rented or leased by the City, including individual employee offices.

9.7 PERSONAL POSSESSIONS AND ELECTRONIC COMMUNICATIONS

The City furnishes desks, closets, and/or lockers for security of employee coats, purses, and other personal possessions. We do not, however, assume responsibility for any theft or damage to the personal belongings of employees, and we reserve the right to search employee desks, lockers, and personal belongings brought onto City premises, if necessary.

The City also furnishes computers for use in conducting City business. Because the computers are for City business, the City reserves the right to review the contents of any files or documents on the computer including contents of any electronic mail. City

Department heads may and will intermittently monitor internet usage. Receipt of a public records request for public employees' internet usage places all internet usage subject of public disclosure without prior consent or notice. City computers are not for personal use. See appendix A-4 and A-5 for policy, procedures and agreements regarding Cell Phones and A-10 for policy, procedures and agreement regarding Internet.

9.8 USE OF CITY VEHICLES AND EQUIPMENT

Use of City phones for local personal phone calls should be kept to a minimum; long distance personal use is prohibited. Other City equipment, including vehicles, should be used by employees for City business only. An employees' misuse of City services, telephones, vehicles, equipment or supplies can result in disciplinary action including termination.

It is important to clarify the use of City vehicles to better interpret City policy and maintain community confidence in the wise use of city resources. City vehicles may not be used for personal use including personal errands such as banking, shopping and etc. City-owned vehicles/equipment are restricted to City business and are for employee use only. Children or individuals not engaged in a direct City business activity are not permitted. Any driver of a City vehicle will not consume alcohol or illegal drugs while conducting City business.

City vehicles may be used to attend business functions, for out of town travel, and to travel between the job site and lunch or break sites when working in the field. There is a group of employees who are required to drive motorized vehicles in the performance of their jobs and who have been assigned first responder responsibilities. These activities require emergency duties. For those City staff that live in the City limits or within Skamania County Fire District #2 and who serve as first responders for emergency calls and/or are assigned stand-by duty, City vehicle use may be authorized for commuting between the place of residence and place of work both for regular work hours and after work hour periods.

9.9 USE OF CITY CREDIT CARDS (Ref. Resolution No. 132)

Gas Credit Cards – An employee whose job responsibilities would be facilitated by the use of a credit card will be assigned a gas credit card to be used in the day to day operations of his/her department. Cash Advances, purchases of food or other non-automotive related items are not authorized.

Other Credit Cards – Other credit cards may be used by City employees for advanced payment of expenses associated with authorized travel such as registration and tuition fees, lodging expenses and transportation expenses. The credit cards may also be used for official government purchases and acquisitions, including supplies, small tools and equipment. Credit cards shall not be used for cash advances. The employee is expected to submit a fully itemized expense voucher for the charges. The employee will be responsible for repayment for disallowed charges.

9.10 CONTACT WITH THE NEWS MEDIA

The City Administrator shall designate the person to be responsible for official contacts with the news media during working hours, including answering of questions from the media. The City Administrator may designate specific employees to give out procedural, factual or historical information on particular subjects.

9.11 DRIVER'S LICENSE REQUIREMENTS

As part of the requirements for certain specific City positions, an employee may be required to hold a valid driver's license with the appropriate endorsements. If an employee's license is revoked, suspended or lost, or is in any other way not current, valid, and in the employee's possession, the employee shall promptly notify his/her supervisor and will be immediately suspended from driving duties. The employee may not resume driving until proof of a valid, current license is provided to his/her supervisor. Depending on the duration and the employee's duties, the license suspension, revocation or other inability to drive, an employee may be subject to disciplinary action, including termination. From time to time the City may review the driving record of any employee whose job requires them to drive City vehicles. It is the responsibility of the employee to inform his/her supervisor if a physical condition or medical treatment might impair their driving ability.

9.12 SOLICITATIONS

Most forms of selling and solicitations are inappropriate in the workplace. They can be an intrusion on employees and citizens and may present a risk to employee safety or to the security of City or employee property. The following limitations apply:

1. Persons not employed by us may not solicit, survey, petition, or distribute literature on our premises at any time. This includes persons soliciting for charities, salespersons, questionnaire surveyors, labor union organizers, or any other solicitor or distributor.
2. Employees may not solicit for any purpose during work time. Reasonable forms of solicitation are permitted during non-work time, such as before or after work or during meal or break periods. Soliciting employees who are on non-work time may not solicit other employees who are on work time. Employees may not distribute literature for any purpose during work time or in work areas. The employee lunchroom is considered a non-work area under this policy.

9.13 SAFETY

The City Administrator recognizes the need for the development of safe working conditions and practices for every employee and desires to promote on-the-job safety by encouraging the proper design and use of buildings, equipment, tools, and other design

and use of buildings, equipment, tools, and other devices. Responsibility for development, promotion and coordination of the safety program throughout the various City departments shall be a primary function of the supervisors of each department.

Administration of the safety program is the responsibility of supervisors. Supervisors and employees should be constantly on the alert to observe and report unsafe working practices or existing hazardous working conditions with the aim of immediate correction. Each supervisor shall insure that the employees under his supervision are well acquainted with existing safety rules and shall make certain that the rules are uniformly enforced. Each employee will be personally responsible for keeping informed and being constantly aware of all the latest State Industrial Safety guidelines as they are presented by the City. Safety education of all employees shall be promoted by supervisors adhering to all safety rules. Any employee who habitually or purposely ignores or fails to comply with established safety rules, as outlined by the State Industrial agency, or the City, will be subject to suspension, without pay, or dismissal as deemed necessary by the supervisor.

9.14 DRUG-FREE WORKPLACE

The City will strive to educate and increase employee awareness of the dangers of drug abuse in the workplace, the City's commitment to maintaining a drug-free workplace, the penalties that may be imposed upon employees for drug violations in the workplace, and the City's commitment of support for employees undergoing treatment and rehabilitation for chemical dependencies.

The City recognizes maintenance of a drug-free workplace as essential to the safety and welfare of its employees and the public. This policy establishes programs and practices that promote and support a drug-free working environment and brings the City into compliance with the Drug-Free Workplace Act of 1988.

- The manufacture, distribution, dispensation, possession and use of unlawful drugs or alcohol on City premises or during work hours by City employees are strictly prohibited.
- The use of prescription and over-the-counter drugs which compromise safety in the workplace or the quality of the employee's work product is prohibited. It is the employee's responsibility to check with his/her physician as to whether or not a prescription or over-the-counter drug will impair performance and to notify his/her supervisor of the physician's opinion.
- As a condition of employment, all employees must notify their supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction.

Violation of this policy can result in immediate disciplinary action, up to and including termination. The employee may be required to participate satisfactorily in an alcohol or drug abuse assistance or rehabilitation program.

The City will utilize available City resources, including drug education programs to educate employees about the dangers of drug abuse.

All complaints and reported violations for these policy provisions will be strictly confidential, except as required by public disclosure laws or court order.

9.15 DRUG & ALCOHOL TESTING POLICY & PROCEDURES

The City of Stevenson provides vital public services to our community. In an effort to ensure that services are delivered safely and efficiently, we are intent on providing and maintaining a drug and alcohol free working environment. It is the City of Stevenson's policy to:

- Create a workplace free from the adverse effects of drugs and alcohol abuse or misuse;
- Assure that all employees have the ability to perform assigned duties in a safe, healthy and productive manner.
- Comply with all regulations applicable to City employees under the federal Omnibus Transportation Employee Testing Act of 1991 and the Drug Free Workplace Act of 1988.

SCOPE

This policy outlines the City's position relative to alcohol and drug control in the workplace and applies to all employees at all levels of the City of Stevenson. The City will not tolerate use of this policy to harass or intimidate employees.

- The following policy has been adopted not only to protect the health and safety of all employees, but to encourage any employee with a drug or alcohol dependence problem to help him/herself by voluntarily seeking professional assistance. The City is committed to helping employees deal with any drug or alcohol abuse problem they may have.
- The City recognizes that each employee has a desire to maintain a degree of privacy and that this desire should be respected. The City believes that the provision of this policy, in conjunction with its general commitment to helping individuals with a drug or alcohol dependency problem, creates a balance between the interest of the City and the rights and needs of its employees.
- The City will assist any employee, who voluntarily seeks help for a drug or alcohol abuse problem, in initial intervention and referral. Employees who voluntarily seek assistance for an alcohol or drug related problem before it becomes a subject of formal discipline will not be subject to disciplinary action. Rehabilitation, however, is the responsibility of the employee.
- Employees shall be subject to random testing for the purpose of discovering possible drug or alcohol abuse and as mandated by state or federal law.

PROHIBITED BEHAVIOR

All employees are prohibited from behavior which is outlined in the City of Stevenson's Drug Free Workplace Policies and Procedures. Federal regulation (Title 49, CFR subtitle B, Chapter III, part 382 subpart B) prescribes prohibited behavior for employees subject to those regulations. Prohibited behavior includes:

- Alcohol concentration: Reporting for duty or remaining on duty while having a blood alcohol concentration of 0.04 or greater
- Alcohol Possession: Possession of alcohol while on duty or operating a commercial motor vehicle.
- On Duty Use of Alcohol: Use of alcohol while on duty. (This includes alcohol that may be in medications.)
- Pre-duty Use of Alcohol: Performance by an on call employee of safety sensitive functions within four hours after using alcohol. (If called out, pre-duty use of alcohol must be discussed with supervisor.)
- Use Following Accident: Use of alcohol within eight hours following an accident or before undergoing a post-accident alcohol test, whichever occurs first.
- Use of Controlled Substances (Drugs): Reporting for duty or remaining on duty after having used any controlled substance, except when the use is pursuant to the instructions of a physician who has advised that the substance does not adversely affect the employee's ability to safely perform their duties.
- Refusal to Submit to a Required Test: Refusing to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or controlled substances test as directed pursuant to this policy.
- Positive Drug Test: Reporting for duty, or remaining on duty, after having tested positive for a controlled substance.

City supervisors and managers shall not permit employees to remain on duty when they engage in any of the above prohibited behavior.

PROCEDURES

- As required by the federal Omnibus Transportation Employee testing act of 1991, all employees who are required to have a valid Commercial Driver's License (CDL) must be randomly tested for the presence of controlled substances. As of February 15, 1994, alcohol testing has been added to the requirements. The City is required to randomly test 25% of CDL holders for alcohol and 50% for controlled substances.
- All employees may be subject to testing prior to employment in permanent full-time positions, for reasonable suspicion, and prior to return after failing a test or upon the completion of substance abuse treatment.

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- All City employees who have a permanent, full-time status will be subject to testing on a random, unannounced basis on the same frequency as CDL holders and following an on-duty accident.
- City employees may be requested to undergo a drug screen test if the City has reasonable suspicion that an employee is under the influence of alcohol or a controlled substance. "Reasonable suspicion" shall mean that articulable facts or information exists which appears reliable and discloses facts or circumstances which, when taken together, would convince an ordinary, reasonable person that the suspected person is under the influence of a controlled substance. Test results gathered under this policy will not be used in a criminal investigation or prosecution.
- Following an accident in a City owned vehicle the employee(s) involved must immediately submit to an alcohol or drug screen test if such test is required by the supervisor. The test must be taken within 8 hours following the accident or incident, if the employee's performance either contributed to the accident, or cannot be discounted as a contributing factor. The term "accident" is defined as an incident involving City owned vehicles which resulted in damages amounting to at least \$1,000.00.
- No alcohol or drug test shall be conducted without the consent of the employee, but refusal by the employee to submit to a drug screen test will be deemed an admission of violation of this policy, thus subjecting the employee to the risk of discipline, including termination.
- The City may request that a specific employee submit to a search of his/her person or possessions if the City has probable cause that the employee has any drugs and/or alcohol concealed in a particular place on City property.
- A medical Review Officer (MRO) shall be utilized to review and interpret positive test results. The MRO must examine alternate medical explanations for any confirmed positive test result. This action may include conducting a medical interview with the addicted employee, review of the employee's medical history and review of any other relevant biomedical factors. The MRO must review all medical records made available by the tested employee when a confirmed positive test could have resulted from legally prescribed medication.
- The City recognizes that a flexible approach will be necessary in handling violations of this policy. As a result, the measures taken in response to a particular violation will depend on a number of factors including the nature of the violation, the risks to health and safety created by the violation, the employee's willingness to take steps toward rehabilitation and the employee's length of service and employment record. **All employees should be aware that any violation, by any employee, may result in termination of employment.**
- Employees who violate this policy may be subject to progressive discipline. Normally, a first offense will result in requirement that the employee successfully complete a course of rehabilitation if such course is suggested by a counselor. An employee may be suspended during such rehabilitation depending on the facts of each case. Upon completion of a course of rehabilitation following a first offense, the employee will sign an agreement (form attached), agreeing to submit to random testing at the City's expense and on City time during the six calendar

months following the employees return to work. During this period, failure to submit to the appropriate drug screen test will result in immediate termination. However, if there are mitigating circumstances and the employee has 2 yrs. of service with the City and a work record which is otherwise good, a second rehabilitation may be attempted. A third violation will result in immediate termination. See Appendix A-1 for agreement.

- Related records will be maintained by the employer as prescribed in the City's Records Retention Guidelines and file.

TRAINING

- The City will ensure that all employees will receive material explaining the City's policy on alcohol and drug use and misuse.
- All supervisors must receive training on alcohol misuse and drug abuse within the first year of employment with the City. Training must address skills needed to determine "reasonable suspicion".

CONFIDENTIALITY

Confidentiality is to be maintained throughout the drug/alcohol testing process. All positive test results shall be first forwarded to a Medical Review officer (MRO) for review. The MRO shall review the individual medical history and afford the employee an opportunity to offer any clarifying information that would explain the positive test. The City will maintain results in the strictest of confidence in a medical file separate from the official personnel file. In cases where disciplinary action results from a positive test, such information shall be shared only with those in a supervisory capacity involved in that action. The City of Stevenson will carry out this policy in a manner which respects the dignity and confidentiality of those involved.

CHAPTER 10

DISCIPLINE AND TERMINATIONS

10.1 ACTIONS SUBJECT TO DISCIPLINARY ACTION

Our success in providing excellent service to our citizens and maintaining good relationships with the community depends on our employees. We have therefore provided for your guidance certain conduct which, if engaged in, would be detrimental to our objective and could lead to disciplinary action including discharge. The following specified conduct is illustrative and not comprehensive.

1. Misrepresentation or withholding of pertinent facts in securing employment.
2. Unauthorized use or possession of the City facilities/property.
3. Unauthorized use of position with the City for personal gain or advantage.
4. Accepting unlawful gratuities or bribes.
5. Lying.
6. Smoking in any unauthorized posted area or creating fire hazards in any area.
7. Violation of the City's telephone use policy.
8. Failure to report an occurrence causing damage to City, customer, or public property.
9. Failure to properly secure the City facilities or property.
10. Loitering after completing day's work which results in the disruption of the City's business or the work effort of other employees.
11. Vending, soliciting, or collecting contributions for any purpose whatsoever during working time on the premises without the permission of the supervisor.
12. Unauthorized operation or using machines, tools, or equipment to which the employee has not been specifically assigned.
13. Unauthorized recording of another employee's time record. Both employees can be subject to disciplinary action.
14. Habitual lateness for work.
15. Absence without prior notification to immediate supervisor, excessive absenteeism, or insufficient reasons for absenteeism.
16. Loitering, goofing off, failing to assist others in a work situation.
17. Making malicious, false, or derogatory statements that are intended or could reasonably be expected to damage the integrity or reputation of the city or our employees, on or off premises.
18. Disorderly conduct, including fighting on the premises.
19. Rudeness, discrimination, intimidation, coercion, use of obscene language, gesture or lack of courtesy to the public or fellow employees.
20. Immoral conduct while on duty.
21. Intentional falsification of records/paperwork required in the transaction of the City business.
22. Inability, inefficiency, negligence, or insubordination, including a refusal or failure to perform assigned work.
23. Concealing defective work.

24. Failure to observe safety practices, rules, regulations, and instructions.
25. Negligence that results in injury to others.
26. Failure to wear required safety clothing and equipment.
27. Failure to promptly report to your immediate supervisor an on-the-job injury or accident involving an employee, equipment, property, or visitor.
28. Failure to obtain necessary certifications.
29. Dishonesty or theft, including deliberate destruction, damage, or removal of the city's or other's property from the premises, or any job site.
30. Possession, use, sale, or being under the influence of alcohol and controlled substances while on the city business (including standby duty). The only exception to this rule shall be for an employee using or possessing a controlled substance prescribed by a doctor if such employee has given his/her supervisor prior notice of such use and/or efficient work performance.
31. Possession of explosives or weapons on the premises or at any job site.
32. Conviction of a gross misdemeanor or felony.

10.2 POSSIBLE DISCIPLINARY ACTIONS

In the event that discipline is necessary, the following types of disciplinary actions may be used, depending on the particular situation:

1. Oral Warning.
2. Written Reprimand.
3. Suspension
4. Demotion.
5. Termination.

Progressive discipline is the preferred alternative when appropriate. This system gives the employee an opportunity to correct problems. The choice of what discipline to apply in any particular case is solely the City's. Employees who are exempt from overtime laws will not be suspended without pay for disciplinary purposes for periods less than a full workweek, unless the infraction involves violation of safety rules of major significance. Serious misconduct may result in immediate discharge of any employee.

Employees shall comply with all existing rules that are not in conflict with the express terms of this policy, provided that reasonable notice has been given of the existence of the rule. Any unresolved complaint as to the reasonableness of any new or existing rule, or any complaint involving discrimination in the application of new or existing rules shall be resolved through the complaint procedure. The City will make a good faith effort to enforce rules uniformly. (Supervisors reference [Appendix A-2](#) for guidelines.)

10.3 PRE-TERMINATION HEARING

In the case of termination or demotion of an employee (other than trial employees), the city will conduct a pre-termination or pre-demotion hearing. The pre-termination or pre-demotion hearing serves as a check against mistaken decisions and as an opportunity for

an employee to furnish additional facts before a termination or demotion decision is finalized. Thorough investigation is critical to comply with all constitutional safeguards and rules of just cause.

In the event a supervisor desires to terminate an employee, the employee shall be provided with a written notice of the recommendation for termination. The notice shall include an explanation for the charges on which the recommendation is based, and the time, place and date for a pre-termination hearing. If the employee fails or refuses to appear, the termination may proceed.

Pre-termination hearings will be presided over by the Mayor or a designated representative. The hearings are intended to be informal. The employee may show cause why he/she should not be terminated. The employee may bring one person to the hearing as a representative.

Usually within two (2) working days after the pre-termination hearing, the Mayor will issue a decision on whether there are reasonable grounds to believe the charges against the employee are true and support termination. A longer review period may be required in more complex situations.

10.4 LAYOFF

The Mayor may lay off employees for lack of work, budgetary restrictions, reorganization or other changes that have taken place.

Temporary employees or employees who have not completed their trial period will be laid off before regular employees are affected. In determining who is to be laid off, consideration will usually be given to individual performance and the qualifications required for remaining jobs. Seniority will be considered when performance and qualifications are equal, as determined by the City. Employees who are laid off may be eligible to be re-employed, if a vacancy occurs in a position for which they are qualified.

10.5 RESIGNATION OR RETIREMENT

An employee should provide at least 2 weeks written notice of resignation or retirement. This time limit may be waived by the employee's supervisor or the Mayor. A Separation Agreement will be signed upon departure from City employment (Appendix A-3).

CHAPTER 11

COMPLAINT PROCEDURES

11.1 COMPLAINT PROCEDURES

The City recognizes that sometimes situations arise in which employees feel that they have not been treated fairly or in accordance with City policies. The complaint could be a dispute or misunderstanding between the employee and his/her direct supervisor concerning the application or interpretation of specific provisions of this policy. For this reason, the City provides its employees with procedures for resolving complaints. Use of this procedure will not reflect unfavorably on the employee or the employee's immediate supervisor.

Step 1: Employees should first try to resolve any problem or complaint with their supervisor.

Step 2: If the employee is not satisfied with the response from the supervisor, the employee may submit the problem, in writing, to the Mayor or City Administrator. The written complaint must contain, at a minimum:

1. A description of the problem, identifying the facts and identity of involved parties;
2. A specific policy or procedure which the employee believes has been violated or misapplied;
3. The date of the circumstances leading to the complaint or the date when the employee first became aware of those circumstances;
4. The remedy sought by the employee to resolve the complaint.
5. The date the written complaint was submitted.

The written complaint must be filed within 10 working days of the occurrence leading to the complaint, or 10 working days after the employee becomes aware of the circumstances.

As a part of the inquiry or investigation, the Mayor or City Administrator may meet with the parties, either individually or together to compile the facts necessary to reach a decision. The Mayor or City Administrator will usually respond in writing to the aggrieved employee within ten working days of the meeting. The Mayor's or City Administrator's response and decision shall be final and binding.

Under no circumstances shall an employee have the right to utilize both this process and any other complaint or appeal procedure that may be available to an employee.

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Step 2: When normal communication between an employee and the supervisor is not successful, or when an employee disagrees with the application of City policies and procedures, the employee should attempt to resolve the problem with his/her supervisor. The supervisor will usually respond to the employee in writing within five working days after meeting with him/her, if possible.¶

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