

EMPLOYEE HANDBOOK



2025



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Section 1: Purpose of the Handbook

The North Platte City Council recognizes and declares the necessity of providing the most efficient and highest quality services for its citizens while providing a work environment for its employees that is both competitive within the community and equitable.

This Employee Handbook (“Handbook”) has been written to serve as a guide for the employer/employee relationship. This Handbook applies to all employees of the City of North Platte (“The City”) regardless of job title, level within the organization, or status. There are several things to keep in mind about this Handbook.

First, it contains only general information and guidelines. **It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general guidelines described.** For that reason, if employees have any questions concerning eligibility for a benefit, or the applicability of a guideline or practice, employees should address specific questions to Payroll and Benefits. It is primarily the employee’s responsibility to read and ask questions about a guideline which they do not understand. The City Council has the right to make final decisions concerning the interpretation and application of guidelines contained in this Handbook.

Second, the contents of this Handbook do not, in any manner, constitute terms or conditions of an employment contract, either implied or expressed, between the City and its employees. Employment remains “at-will”, which means that either the City or the employee may end the employment relationship at any time, for any legal reason, with or without notice. Additionally, no manager, supervisor, or representative of the City has the authority to enter into any agreement contrary to this Handbook or for employment for any specified time, and any such agreement or terms will be unenforceable, unless the agreement is in documentable communication – meaning letter, email, or text message – signed by the employee and the City Administrator.

Third, the City reserves the right to revise, modify, supplement, or rescind any and all policies and procedures, including those covered in this Handbook, at any time, in its sole and absolute discretion. Amendments or changes to this Employee Handbook, which the City Council approves, shall be recorded in the City Council minutes and kept on file with Human Resources and/or Payroll and Benefits. Copies of the amendments will be provided to each employee; however, such a notice of changes is not required for changes to be effective. It is the employee's responsibility to maintain their current copy of the Employee Handbook. Each Department Head shall be responsible for notifying their respective employees of authorized changes to the Employee Handbook and shall be responsible for keeping a current, up-to-date Employee Handbook at their offices.

Fourth, this Handbook is City property, and is to be returned to the City upon termination of employment, along with all copies of it.

Fifth, some of the topics described in the Handbook are covered in detail in official policy or plan documents. Employees should refer to these documents for specific information since this Handbook only provides a brief summary.

Finally, this Handbook becomes effective 12/17/2024 and supersedes all prior handbooks and prior oral and written policies where there is a conflict. This Handbook applies to existing employees and employees hired after the effective date. No verbal representations made by any member of staff and (or) any other person representing the City supersedes this Employee Handbook information and subsequent authorized written additions or changes.

After employees have had time to review the Handbook, they are to sign the Handbook Receipt and Acknowledgement form contained at the end of this Handbook and return the form to Payroll and Benefits. The Acknowledgement signifies that an employee has read the Handbook, understands the provisions contained herein, and agrees to abide by them as a condition of employment or continued employment.

In summary, this Handbook:

- *does not create a contract, express or implied, and consequently, creates no property interest.*
- *is not an all-inclusive set of guidelines.*
- *does not alter the At-Will relationship between employer and employee.*
- *does not guarantee employment for any definite period.*
- *applies to all full-time, part-time, temporary, and seasonal employees, exempt and non-exempt.*
- *supersedes any previous handbook or unwritten policies.*
- *shall be changed only in documentable communication and by approval of the City Council; and*
- *may be changed unilaterally by the City at any time with the consent of the City Council.*

1.0 Current Federal and State Law, Bargaining Agreements and Individual Employee Contracts

The provisions of this Handbook shall be followed except where these provisions conflict with existing and current Federal and Nebraska Law, collective bargaining agreements, and (or) any individual employment contracts. In such instances where a conflict exists, the current law, collective bargaining agreements, and (or) individual employment contracts shall take precedence over the provisions of this Employee Handbook. When a specific policy is not addressed in any of the above instances, the policies outlined within this Employee Handbook will take precedence.

1.1 Supplemental Personnel Regulations

Department Heads may establish such supplemental personnel regulations as are necessary for efficient and orderly administration and for ensuring the proper conduct and discipline of their employees.

Supplemental personnel regulations shall be subject to approval by the City Administrator and shall be consistent with these rules, other requirements of the Mayor and City Council, and administrative directives. Copies of supplemental personnel regulations shall be made available to employees in their departments.

Section 2: Definitions and Roles

2.0 Definitions

The following definitions shall apply in these regulations, unless the context clearly indicates otherwise:

Absence Without Leave. An absence from duty which was not authorized or approved.

Appeals. Procedures as described by these regulations for appealing disciplinary actions, employee evaluations, and other individual grievances.

Applicant. An individual who has applied in writing on a City application form for employment with the City of North Platte.

Appointment. The offer to and acceptance by a person of a position either on a regular or temporary basis.

Appointing Authority. The person or persons who are authorized to offer employment in the City's classified service. For the City Administrator, City Clerk, City Engineer, Finance Director, full-time paid firefighters, Fire Captains, Fire Chief, Assistant Fire Chief, Fire Training and Safety Officer it shall be the Mayor and City Council. For all sworn members of the police force it shall be the City Administrator. For all Department Heads, other than the City Clerk, City Engineer, Finance Director, and Library Director, it shall be the City Administrator, Mayor, and City Council. For the Library Director, it shall be the Mayor. For all other employees, it shall be the City Administrator.

Chain of Command. The chain of command is the formal line of authority, communication, and responsibility within an organization. The chain of command is usually depicted on an organizational chart, which identifies the superior and subordinate relationships in the organizational structure. According to classical organization theory, the organizational chart allows one to visualize the lines of authority and communication within an organizational structure and ensures clear assignment of duties and responsibilities. By utilizing the chain of command, and its visible authority relationships, the principle of unity of command is maintained. Unity of command means that each subordinate should report to one or only one superior. Unity of command is crucial to productive work schedules, the maintenance of a prioritized work schedule, and productive communications. It would therefore be expected that communications and requests for service flow both ways through chain of command.

Compensatory Leave. Time off work in-lieu of monetary payment of overtime worked.

Demotion. Assignment of an employee from one title to another which is a lower rate of pay and/or rank.

Department Head. A person trained to manage a specific area of City government such as Police, Library, etc. Department Heads are responsible for the general operation of the department and ensuring adequate performance levels from employees. Department Heads shall have full responsibility to recommend any personnel actions in accordance with the authority delegated to them by the Appointing Authority. All actions by Department Heads within their department are accountable to the City Administrator.

Disciplinary Action. Action taken by a supervisor, Department Head, or the City Administrator whenever an employee's performance, attitude, work habits, or personal conduct fall below a desirable level.

Dismissal. A type of disciplinary action which separates an employee from the City payroll.

Examination. The process of testing, evaluating, or investigating the fitness and qualifications of applicants and employees.

Grievance. An employee's feeling of differences, disagreements or disputes arising between an employee and their supervisor relative to some aspect of their employment, application, or interpretation of regulations and policies or some management decision affecting the employee.

Hire Date. The date upon which employment started with the City of North Platte for a specific employee. This date will be adjusted to exclude leave of absence without pay. This is the date upon which vacation accruals are based.

Immediate Family. Spouse, children, stepchildren, brothers, sisters, parents, in-laws, grandparents, grandchildren, or step-grandchildren.

Job Description. A written description of a job consisting of a title, a general statement of the level of work and of the distinguishing features of work, examples of duties, and qualifications for the job title.

Job Title. A group of positions which are sufficiently alike in general duties and responsibilities to warrant the use of the same title, class specifications, and pay range.

Lay-off. The involuntary non-disciplinary separation of an employee from a position because of shortage of work, materials, or funds.

Overtime. Authorized time worked by an employee for overtime work performed in accordance with Federal and State Regulations and this Handbook.

Promotion. Assignment of an employee from one job title to another which has a higher rate of pay and rank.

Reclassification. The action of changing a position by classifying it upward, downward or to a different classification on the basis of sufficient changes in the kind, development or responsibilities of work assigned to the position.

Reprimand. A form of guidance which may be oral or written, and which should be used not only to warn an employee, but also to guide, direct and instruct the employee in how to correct and avoid repeating a mistake, infraction, deficiency, or problem.

Seniority. Length of continuous service with the City as a regular employee.

Sick Leave. An absence approved by the Department Head or supervisor due to illness or injury.

Supervisor. An individual who has the authority to undertake or recommend tangible employment decisions affecting a particular employee; or an individual who has the authority to direct a particular employee's daily work activities.

Suspension. An enforced leave of absence for disciplinary purposes or pending investigation of charges made against an employee; may be with or without pay.

Transfer. Assignment of an employee from one position to another position of a different job title or work location.

Workday or Work Period. Scheduled number of hours an employee is required to work per day or per scheduled number of days as department policy.

2.1 Roles

2.1a Role of Mayor and City Council

The Mayor and City Council shall be the ultimate policy-making authority for all matters pertaining to personnel management in the City government and shall determine the amount and types of positions of employment.

2.1b Role of the City Administrator

The City Administrator shall be responsible for the proper administration of the personnel management system by:

- a. Ensuring appointments are based on merit and fitness.
- b. Recommending a sound pay plan and position plan.
- c. Equitably administering the pay plan.
- d. Ensuring the City as an Equal Opportunity Employer.
- e. Maintaining employee discipline.
- f. Ensuring high employee productivity.
- g. Maximizing employee development opportunities.
- h. Ensuring fair and effective appeal and grievance procedures.
- i. Fostering good employee relations.
- j. Issuing such administrative directives as are necessary to implement these rules.

2.1c Role of Department Heads

Department Heads shall have full responsibility for managing their assigned personnel and for taking or recommending any personnel actions in accordance with the authority delegated to them by the City Administrator and the applicable provisions of these rules.

Section 3: Workplace Culture

3.0 Open-Door Philosophy

The City's open-door philosophy is founded on the City's commitment to communicate openly with employees. This allows for constructive problem solving, open communication, and cooperation between the City and its employees. It is also designed to provide employees with resolutions to work-related problems.

Employees are encouraged to discuss any work-related issues, ideas, or concerns with their supervisor or Department Head. If an employee feels the matter has not been addressed appropriately after speaking with the supervisor, or if the supervisor is not an appropriate person to go to, employees are encouraged to speak with Human Resources.

3.1 Equal Employment Opportunity

The City is an equal employment opportunity employer and aims to provide equal opportunities to all employees and applicants for employment without regard to race, color, national origin, religion, sex (including pregnancy), disability, marital status, or any other basis protected or recognized by applicable federal, state, or local law. This applies to hiring and promotion (e.g., classification, recruitment, selection); compensation (pay and benefits); discipline (including termination); and other terms, conditions, and privileges of employment (e.g., training and development, relationships and associations, accommodation of disabilities and religious beliefs, freedom from workplace harassment). It is City policy to select the most qualified person for each position at the City, whether that is a new hire, a transfer to another position, or a promotion. Nothing in this policy shall require the City to act in a manner contrary to Federal, State, or Local Law.

3.2 Harassment, Discrimination, and Offensive Conduct

The City is committed to providing a work environment free of harassment and discrimination where all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the City expects that all relationships among persons in the office will be business-like and free of bias, prejudice, and harassment. All forms of harassment or discrimination directed to or suffered by any employee based on race, color, national origin, religion, sex (including pregnancy), disability, marital status, or any other basis protected or recognized by applicable federal, state, or local law is prohibited.

Each employee has the right to work in a professional environment that promotes equal employment opportunities and is free from discriminatory practices, including without limitation, harassment. Statements or actions employees make regarding fellow employees, whether done jokingly or otherwise, may create feelings of ill will and interfere with productivity. The desired standard of employee behavior is one of cooperation and respect for each other, despite any differences.

In general, statements, slurs, jokes, and other verbal or physical conduct relating to any of the protected classes, characteristics, or bases listed above, constitute unlawful harassment when they unreasonably interfere with the person's work performance or create an intimidating work environment. Such conduct is strictly prohibited. Prohibited conduct may include, but is not limited to the following:

- Epithets, racial "jokes", slurs or negative stereotypes, intimidating or hostile acts based upon protective classification, and/or written or graphic material that belittles or shows hostility or aversion to persons of a protected class that is posted or circulated on City property.
- Verbal harassment and unwelcome discussions relating to or motivated by a person's protected characteristic or class.
- Unwelcome requests or demands for sexual favors. This includes subtle or blatant expectations to engage in sexual relations and pressure for dates, especially when submission to such conduct is a condition of

employment, or when submission or rejection of such conduct is used as a basis for employment decisions affecting the individual.

- Unwelcome or unwanted sexual advances, such as patting, pinching, brushing up against, hugging, cornering, kissing, fondling, sexual flirtations, or any other similar contact.
- Using coercive sexual behavior to control or affect the career, salary, or performance review of another employee.
- Threats of safety or creating hostile work environment, including or excluding weapons.
- Verbal harassment or unwelcome kidding of a sexual nature, such as telling “dirty” jokes and comments about body parts, appearance, or clothing, where such comments go beyond mere courtesy or are unwelcome.
- Making threats of retaliation a term or condition of employment (explicitly or implicitly).

Of specific concern is sexual harassment, which is a violation of both state and federal law. It includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact and other verbal, physical, or visual forms of conduct of a sexual nature when submission to that conduct is either explicitly or implicitly made a term or condition of employment or is used as a basis for employment decisions or when the conduct has the purpose or effect of unreasonably interfering with an employee’s work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment does not have to involve conduct of a sexual nature in order to constitute improper behavior. For example, abusive, offensive, or demeaning behavior that is directed to members of one gender only (whether male or female) may be deemed a form of sexual harassment, even though the conduct was not motivated by sexual desire or gratification. In addition, harassment of a male by another male, or a female by another female also constitutes a form of sex discrimination. Likewise, disparate treatment motivated by any other protected characteristic is discrimination and will not be tolerated.

If there are questions about whether conduct is permissible under this policy, employees should refrain from the conduct. Any person found to be engaging in any type of discrimination or harassment may be subject to disciplinary action, up to and including termination of employment.

The City encourages reporting of all perceived incidents of discrimination or harassment. Employees can raise concerns and make reports without fear of retaliation. The City prohibits retaliation against any individual who reports discrimination, harassment, sexual harassment, or participates in an investigation of such reports. If an employee feels they have been retaliated against, report such conduct to Human Resources, immediately.

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the City (e.g., all outside vendors, consultants, or customers). In the instance of a City employee who experiences such harassment from a patron of City services, such instances will be handled, resulting in denying service to that patron.

Conduct prohibited by these policies is unacceptable in the workplace and any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

Any employee with questions or concerns about any type of discrimination or harassment in the workplace are encouraged to bring issues to the City’s attention by immediately reporting concerns or conduct to Human Resources.

3.3 Reporting Harassment, Discrimination, Sexual Harassment, and/or Offensive Conduct

All employees of the City have a responsibility to promote equal employment opportunities, and the City expects everyone to share this commitment. With that, the City encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. If an employee believes they have been subjected to any form of discrimination, harassment, sexual harassment, and/or offensive conduct, the employee must take the following action immediately:

Step 1: Ask the offending party to stop, unless confronting the offending party would be uncomfortable or place the employee in danger, and;

Step 2: Report the complaint to the employee's immediate supervisor, Department Head, the City Attorney, or Human Resources. If the employee's immediate supervisor is unavailable or if the immediate supervisor is the person responsible for the discrimination, harassment, sexual harassment, or offensive conduct, or if the employee believes it would be inappropriate to contact the immediate supervisor or would feel uncomfortable doing so, the employee must immediately report the complaint to Human Resources. All instances of harassment will ultimately be reported to Human Resources.

Note the complaint must be reported in accordance with Step 2, even if the offending party is asked to stop. The City will not know of the discrimination, harassment, sexual harassment, or offensive conduct unless it is reported and the City cannot correct it if the City does not know about it.

If an employee has reason to believe someone else has been subjected to discrimination, harassment, sexual harassment, or offensive conduct, the employee must report the conduct in accordance with Step 2 above.

The City takes all discrimination and harassment complaints seriously and will immediately investigate any concerns and/or complaints. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. The City will take appropriate disciplinary action under the circumstances after completion of an investigation, including but not limited to separation from employment. False and malicious complaints of harassment, discrimination, or retaliation as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action. The City will maintain confidentiality of all complaints to the extent possible when conducting an investigation.

If a party to a complaint does not agree with its resolution, that party may appeal to the City Administrator.

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

3.4 Employee Protection (Whistleblower) Policy

If any employee reasonably believes some policy, practice, or activity of the organization is in violation of the law, a written complaint must be filed by that employee with Human Resources.

Anyone filing a complaint or concern must do so in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

All employees are protected from victimization, harassment, or disciplinary action as a result of any disclosure, where the disclosure is made in good faith and is not made maliciously or for personal gain. All complaints will be kept as anonymous as possible, though in some situations it may not be possible.

If at any point in time an employee is not satisfied with the resolution of or response to their complaint, or if the complaint is not resolved in a timely manner, the employee should bring the matter to the attention of the City Administrator. If the City Administrator is unavailable or the complaint is about the City Administrator, the employee may go to the Mayor.

It should be emphasized that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial, or business decisions taken by the City.

3.5 Workplace Accommodations

The City complies with all applicable Federal, State, and Local Fair Employment Practice Laws and is committed to providing equal employment opportunities to qualified individuals with disabilities, including disabilities related to pregnancy, childbirth, and related conditions. Consistent with this commitment, the City will provide reasonable accommodations to otherwise qualified individuals where appropriate to allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship on the business.

If an employee requires an accommodation because of a disability, it is the employee's responsibility to notify a supervisor or Department Head. Employees may be asked to provide medical certification from the employee's doctor including relevant information such as: (1) confirmation the employee has a medical condition requiring an accommodation; (2) a description of the proposed accommodation; (3) the reason the employee needs an accommodation; (4) how the accommodation will help the employee perform the essential functions of their job; and (5) how long the employee may need the accommodation.

After receiving the request and/or medical certification, the City will engage in an interactive process with the employee to determine the precise limitations of the employee's disability and explore potential reasonable accommodations that could allow the employee to perform the essential functions of their job. All medical information received by the City in connection with a request for accommodation will be treated as confidential and only shared with those within the City who have a business necessity to know and only to the extent necessary.

The City encourages employees to suggest specific reasonable accommodations that the employee believes would allow them to perform their job. However, the City is not required to make the specific accommodation requested by the employee and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the City.

If an employee is not satisfied with the supervisor's response to the request for a reasonable accommodation, employees must bring the matter to the attention of Human Resources.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave under the federal Family and Medical Leave Act and/or any other City-provided leave where permitted by applicable state and federal law.

The City will not discriminate or retaliate against employees due to a disability, for requesting an accommodation, or for engaging in the interactive process.

Section 4: Employment Relationship

4.0 At-Will Employment

As stated in Section 1 of this Handbook, unless otherwise altered by written agreement signed by the employee and the City Administrator all employees are at-will employees. This means that either the City or the employee may end the employment relationship at any time and for any lawful reason, or no reason at all, with or without prior notice.

Disciplinary action noted through the Handbook is not all inclusive and does not restrict the City right to terminate employment at-will. Cause is not needed to terminate any employee.

Supervisory personnel do not have the authority to make any written or oral representations to employees or applicants concerning the terms or conditions of employment with the City that is inconsistent with policy and this Handbook.

4.1 Job Descriptions

The City attempts to maintain a job description for each position. If an employee does not have a current copy of their job description, the employee should request one from their immediate supervisor. Job descriptions are written by supervisors in conjunction with oversight from Human Resources.

Job descriptions prepared by the City serve only as an outline of job expectations. Due to organizational needs, employees may be required to perform job duties that are not within their written job description. Furthermore, the City may have to revise, add to, or delete from the employee's job duties per organizational needs. On occasion, the City may need to revise job descriptions with or without advance notice to employees.

If employees have questions regarding their job description or the scope of their duties, employees should speak with their immediate supervisor.

4.2 Introductory Period

All newly hired employees are required to complete an introductory period of 180 calendar days. This introductory period is intended to provide both the employee and the City with the opportunity to get to know each other. During this time, employees have the opportunity to demonstrate:

1. That the employee is capable of performing the job for which they were hired.
2. That the employee understands City policies and procedures.
3. That the employee is suitable for employment at the City; and
4. That the employee is able to establish a sound record of attendance and punctuality.

At the City's discretion, the introductory period may be extended beyond 180 calendar days.

Introductory employees may not be eligible for some benefits. The City may have specific policies explaining the benefits and eligibility for such benefits.

Neither the employee's employment during the introductory period nor the successful completion of the introductory period is a guarantee of employment for a specific duration. All employment at the City is at-will.

4.3 Position Changes

4.3a Promotions

Current employees eligible for a vacant position may be promoted to a higher-paying position of increased responsibility. Promotions may be intra-department or inter-department. The new position's pay rate shall be equal to, or more than, what the employee's rate would have been at their subsequent merit increase had they not taken

the promotion. Whenever more than one person is considered qualified and eligible for promotion to a vacant position, selection shall be made based on interview and, if necessary, competitive examination. Competitive examination may be used to compliment the overall hiring procedure and not as the sole determination of the successful applicant. An employee promoted to a higher classification must also complete a six (6) month introductory period. If the employee fails to successfully complete the introductory period, the City may offer the employee their former position (if it has not been filled) or terminate the employee from City service.

All Paid Time Off shall be transferred and accepted as a part of the record of the transferred employee. In the case of non-union employees hired as union personnel, all leave will be transferred proportionately to the union leave allotment. The reverse will also be true.

In the case of a part-time employee promoted to a full-time position, said employee's benefits date and evaluation date shall be effective the date of hire for the new position.

4.3b Promotions and Temporary Appointments

It may be necessary to promote on an interim temporary basis in some instances. Such promoted individual is entitled to remuneration of the pay line. If the promoted individual is currently paid at a rate higher than that of the temporary position, the appointee will be paid at the first step at which the position immediately exceeds the employee's standard rate of base pay. After the temporary interim period (not to exceed more than 180 days), the temporarily appointed individual will revert to their former position and former rate of pay.

4.3c Voluntary Demotion

The City does not allow voluntary demotion from a position of greater classification or pay to one of lower classification or pay. A City employee who wishes to obtain a lower classification or pay position must resign from the higher classified or paid position and resubmit a new employment application for the lower classified or paid position.

4.3d Transfers

Employees may be transferred between departments to positions in the same classification upon request of the employee and subsequent approval of the Department Heads involved and the City Administrator.

Employees may also be transferred between departments for the convenience of the City.

4.4 Employment Testing

4.4a Background Checks

All written offers of employment at the City may be contingent upon clear results of a thorough background check. Background checks may be conducted on candidates who have received a written offer of employment and on all employees, who are promoted, as deemed necessary.

4.4b Drug Testing

All candidates who have received a written offer of employment will be required to undergo testing for commonly abused controlled substances in accordance with this policy. The City also reserves the right to drug test at random, as well as drug test post-accident at the discretion of the City. Any employee who refuses to take or fails a random drug test when asked may be subjected to disciplinary action up to and including termination.

4.4c Physical Testing

All candidates who have received a written offer of employment may be required to undergo physical testing from a third-party vendor, at City expense, if their position requires such testing. Employees who are promoted or transferred into a position that may require physical testing may be asked to complete such testing for satisfactory results, as deemed necessary.

4.5 Personal Relationships at Work

The City strives to provide a work environment that is collegial, respectful, and productive. This policy establishes rules for the conduct of personal relationships between employees, including supervisory personnel, to prevent conflicts of interest, perceived favoritism, and maintain a productive, friendly work environment.

A “personal relationship” is defined as a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature.

An employee who is involved in a personal relationship with another employee may not occupy a position in the same department as, work directly for, or supervise the employee with whom they are involved.

The City reserves the right to take prompt action if an actual or potential conflict of interest arises concerning individuals who engage in a personal relationship that may affect terms and conditions of employment. Supervisors are prohibited from dating subordinates and may be disciplined for such actions, up to and including termination.

When a conflict or the potential for conflict arises because of a personal relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment, or terminated from employment. If such a personal relationship between employees develops, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to their supervisor or Human Resources. After discussion with an employee’s Department Head/Supervisor or Human Resources, a decision will be made at their discretion as to work assignments.

When a conflict or a potential for conflict affecting terms and conditions of employment arises because of the relationship, the individuals concerned will be given the opportunity to decide who is to be transferred to another position, or terminated, if no position is available. If no decision is made within thirty (30) calendar days of the offer to resolve the situation, the City will determine who is to be transferred, or if necessary, terminated from employment.

4.6 Employment of Relatives

The City is committed to a policy of employment and advancement based on qualifications and merit and does not discriminate in favor of or in opposition to the employment of relatives.

Due to potential for perceived or actual conflicts, such as favoritism or personal conflicts from outside the work environment, which can be carried into the daily working relationship, the City will hire relatives of persons currently employed only if: a) candidates for employment will not be working directly for or supervising a relative, and b) candidates for employment will not occupy a position in the same line of authority in which employees can initiate or participate in decisions involving a direct benefit to the relative. Such decisions include hiring, retention, transfer, promotion, wages, and leave requests. Relatives shall include spouse, children, stepchildren, parents, grandparents, siblings, and in-laws of the same relation.

4.7 Personnel Files and Information Changes

The City will keep all active employees' personnel and payroll files in a secured and locked location. Personnel and payroll files of terminated employees of the City will only be retained for five (5) years.

For accurate payroll and personnel records, all employees shall notify their respective Department Head and Personnel Office in City Hall about any changes in the following: address, telephone number, number of dependents, marital status, legal name, retirement plan beneficiary designation, direct deposit changes, and person to notify in case of an accident.

All employee files are confidential. No information about an employee will be disclosed to anyone outside the City except in the following cases:

4.7a Requests for information

In response to an outside party's request for verification of employee information, the City will verify only (1) dates of employment, (2) employee's position or job title, and (3) employee's current or final wages or salary rate. Per Article 3, Sec 2 (K), all requests for employment verification will be forwarded to the appropriate Department Head, who will reply to all such requests and log each instance that said information is released to the employee's personnel file.

4.7b Contractors who perform work for the City

Any outside firms that perform personnel-related services, such as payroll processing or benefits administration, will have access to any employee information needed to facilitate the performance of these services. All contractors, however, will be required to maintain the confidentiality of employee information.

4.7c Information disclosure required by law

The City will furnish employee information whenever legally required to do so, including:

1. Compliance with a legally valid administrative summons or judicial order, such as a subpoena or search warrant.
2. To respond to a government audit or investigation.
3. To comply with federal, state, or local laws or regulations; and
4. To respond to a law enforcement agency's request for an employee's home address and dates of work attendance.

4.7d Information needed in civil or grievance proceedings

The City reserves the right to disclose employee information in defense of any personnel-related matters.

4.7e Agreements with employee unions

The City will honor any provisions in collective bargaining agreements that concern the availability of employee information.

4.7f Medical emergencies

If necessary, to respond to an apparent medical emergency, the City will disclose employee information.

4.7g Disclosure authorized by an employee

Any disclosures beyond those described above will require the employee's written consent. The City will consider employee-authorized requests for information individually and reserves sole discretion to grant or refuse these requests, including performance-related information.

4.8 Performance Reviews

To ensure employees perform job functions to the best of their abilities, it is important employees are recognized for good performance and receive appropriate suggestions for improvement when necessary. To achieve this goal, the City evaluates employee performance on an ongoing basis and will attempt to give employees a written performance evaluation at least once per calendar year. If an employee has not received a performance review conversation in accordance with this time frame, it is the responsibility of the employee to notify their supervisor or Department Head to help the City ensure the appraisal process is administered in a timely manner. For more detailed information, employees are encouraged to reference their departmental performance review procedures.

A performance evaluation is not a contract or a commitment to provide a pay raise or other compensation adjustment, promotion, bonus, continued employment, or retention. Such an evaluation is but one of several factors the City may consider in making these and other employment decisions.

4.9 Progressive Disciplinary Process

It is the policy of the City to provide a system of progressive discipline, which allows the resolution of unsatisfactory employee performance or conduct. Except in the case of a Written Reprimand I and Written Reprimand II, such a system shall include an appeal procedure to assure the equitable and consistent application of discipline.

Discipline may begin with the least severe, appropriate disciplinary action and progress, if necessary, to more severe actions. The severity of the incident may warrant any level of initial disciplinary action to be appropriate for the offense.

4.9a Progressive Discipline

Progressive discipline is the successive application of increasingly severe disciplinary actions. In order of severity, these actions are Written Reprimand I and Written Reprimand II, probationary status, suspension, suspension and demotion, and discharge.

4.9b Written Reprimand I

A Written Reprimand I must be imposed by the employee's immediate supervisor for minor violations or incidents. The reprimand must inform the employee of the violation or incident, the required corrective action, and the consequences of a reoccurrence of the violation or incident.

A Written Reprimand I shall be placed in the employee's personnel file, and the immediate supervisor must retain a copy. The immediate supervisor must deliver a copy of the Written Reprimand I to the employee and the Payroll Department.

4.9c Written Reprimand II

A Written Reprimand II may be imposed by a Department Head, the City Administrator for repeated minor violations or incidents or a violation or incident of a more serious nature. The Written Reprimand II must inform the employee of the violation or incident, the required corrective action, and the consequences of a reoccurrence of the violation or incident. Copies of the Written Reprimand II must be delivered to the employee and the Payroll Department for placement in the employee's personnel file.

4.9d Probationary Status

Employees will be given probationary status if their conduct is deemed unacceptable by the supervisor and (or) Department Director and approved by the Department Head. The employee's performance and compliance with City rules and standards will be closely supervised during the probationary period. If at any time during the probationary period the employee's performance is unsatisfactory or the employee has failed to comply with City rules, they will be subject to immediate termination.

4.9e Suspension and Demotion

A suspension is when the employee is removed from the workplace without pay. Suspension is generally imposed for a disciplinary or dischargeable offense or for an employee's failure to take corrective action in response to a Written Reprimand I or II. A suspension may be imposed as initial discipline for a violation or incident of a serious nature.

A demotion is a change in status to a position subordinate that was held by an employee prior to the imposition of discipline. It may be imposed by the Department Head, the City Administrator, or in case of the City Administrator, the Mayor in conjunction with suspension for a violation of an incident of serious nature.

For non-exempt employees under the Fair Labor Standards Act (FLSA), a suspension, not to exceed five working days, may be imposed by the Department Head, the City Administrator, or the Mayor. For employees exempt from the FLSA, any suspension must be for a period of at least one workweek.

Prior to the imposition of suspension and (or) demotion as a disciplinary action, a written notice of suspension and/or demotion shall be prepared and signed by the Department Head, the City Administrator, or in case of the City Administrator, the Mayor subject to Council approval. The notice of suspension and or demotion must inform the employee of the following:

- a. A statement of the violation(s) or incident(s).
- b. A brief explanation of the evidence underlying the violation(s) or incident(s).
- c. The proposed discipline to be imposed.
- d. Any required corrective action by the employee.
- e. The consequences of a reoccurrence of the violation(s) or incident(s); and
- f. The employee's right to request an appeal hearing before the City Administrator.

A copy of the notice of suspension and (or) demotion shall be delivered to the employee, either personally or by delivery to the employee's last known place of residence at least seventy-two (72) hours, excluding Saturday, Sunday, and holidays, prior to the imposition of the disciplinary action. At the discretion of the person issuing the notice of suspension and (or) demotion, the employee may be suspended with pay immediately upon delivery of the notice pending implementation of the disciplinary action. A copy of the notice of suspension and (or) demotion must be delivered to the payroll department for placement in the employee's personnel file.

A proposed suspension (and demotion) may be appealed pursuant to the procedure set out hereafter.

4.9f Termination

The City Administrator may impose a discharge for an employee's failure to correct their workplace conduct in response to a suspension. A discharge may also be imposed as initial discipline for violation or incident of a serious nature.

Prior to the imposition of a discharge as a disciplinary action, a written notice of discharge shall be prepared and signed by the Department Head, the City Administrator, or in the case of the City Administrator, the Mayor. The notice of discharge must inform the employee of the following:

- a. A statement of the violation(s) or incident(s).
- b. A brief explanation of the evidence underlying the violation(s) or incident(s).
- c. A statement that discharge is to be imposed; and
- d. The employee's right to request an appeal hearing before the City Administrator.

A copy of the discharge notice shall be delivered to the employee, either personally or by delivery to the employee's last known place of residence at least seventy-two (72) hours, excluding Saturday, Sunday, and holidays, prior to the imposition of the disciplinary action. The employee shall be suspended with pay immediately upon delivery of the notice of discharge pending implementation of the disciplinary action or final determination by the City Administrator on the proposed disciplinary action following an appeal hearing. A copy of the discharge notice must be delivered to the Payroll Department for placement in the employee's personnel file.

A proposed discharge may be appealed pursuant to the procedures set out hereafter.

4.9g Appeal Procedure

A regular status, non-introductory, employee (with the exception of Fire and Police employees who are governed by Civil Service statutes, ordinances, and rules) may appeal a suspension, a suspension and demotion, or a discharge in accordance with the following procedure:

- a. Following the delivery of a notice of suspension (and demotion) or discharge notice, the employee shall have seventy-two (72) hours, excluding Saturday, Sunday, and holidays, to request an appeal hearing before the City Administrator. Such request shall be in documentable communication and delivered to the City Administrator's office within City Hall.
- b. Upon receipt of a request for an appeal hearing, the City Administrator shall within five (5) working days cause to be set a time and place for the appeal hearing, and written notice thereof shall be provided to the employee, the payroll department, and City Attorney. Unless otherwise agreed, the appeal hearing shall be held within fifteen (15) working days after receipt of the request for a hearing. The appeal hearing shall be conducted informally and recorded electronically.
- c. At the hearing, and (or) all appropriate parties shall present oral or written statements, reports, and documents supporting the disciplinary action.
- d. The accused employee, the employee's representative or attorney, or another person acting on the employee's behalf, may present oral or written statements, reports, and documents in response to the proposed disciplinary action.
- e. Each side shall be limited to a total time for making their respective presentations of one (1) hour or less.
- f. Upon conclusion of the appeal hearing, the City Administrator shall make a determination in documentable communication to dismiss, modify, or impose the proposed disciplinary action. The proceedings before the City Administrator at the appeal hearing shall constitute the sole basis for the City Administrator's determination. Modification may include any lesser disciplinary action than proposed, including Written Reprimand II, reduction in pay, demotion, or change in terms of suspension and (or) demotion. It may provide for a period of probation, counseling, treatment, or other corrective actions on the part of the employee.

A copy of the City Administrators' written determination shall be delivered to the employee, either personally or by delivery to the employee's last known place of residence. A copy of the City Administrators' written determination shall be delivered to the City Administrator, City Attorney, and the Payroll Department. The Payroll Department shall place a copy of the City Administrator's written determination in the employee's personnel file.

Should the employee be dissatisfied with the final determination, the employee may appeal to the District Court of Lincoln County, Nebraska, in accordance with procedures provided by the Statutes of the State of Nebraska. The filing of a petition in error by the employee or the service of summons upon the City shall not stay enforcement of disciplinary action. The City may do so voluntarily, or the City may comply with such stay ordered by the District Court of Lincoln County.

4.10 Separation of Employment

Employment with the City is at-will and may be terminated at any time by the employee or by the City with or without notice or cause. In the event an employee chooses to resign employment, employees are requested, but not required, to give fourteen (14) days advance notice.

Generally, the last day an employee works will be considered the employee's last day of employment and is used to determine all benefits. Prior to an employee's last day, the employee must return all equipment or property. Otherwise, a deduction for the value of any non-returned property/equipment and any other amounts the employee may owe the City may be made from the employee's final paycheck, as authorized by the employee in the Acknowledgement form of this Handbook. Final pay of wages or other compensation due to an employee will be made in accordance with applicable federal, state, or local laws.

4.10a Layoff and Recall

4.10aa Policy

Periodically, economic conditions may dictate the necessity for a reduction in force. Layoffs will be based on organizational necessity following a study of organizational needs by the City Administrator or designee. This policy shall apply to all employees, not in a collective bargaining unit.

4.10ab Layoff Procedure

Within each affected classification, all temporary employees shall be laid off before regular, part-time employees; all regular, part-time employees shall be laid off before regular, introductory employees; and all regular, introductory employees shall be laid off before regular, full-time employees.

4.10ac Notice

The City will endeavor to give two (2) weeks' notice of a layoff. Formal written notice of the layoff will be issued by the City Administrator or designee and will contain the following information:

- Notice of the last day to be worked.
- Benefit coverage and date of expiration of coverage.
- Reason for the layoff and estimated length of a layoff (if known).

A layoff notice shall be sent to the employee's last known address as reflected in the records of the personnel office by certified mail, return receipt requested.

In the case of a dismissal, the action may be made effective immediately, or the employee may be given two (2) weeks' notice at the Department Head's discretion.

4.10b Rehire Eligibility

Former employees (excluding temporary and part-time employees) of the City shall not be eligible for re-hire without prior approval from the Department Head. The Department Head can refer to Human Resources, or previous supervisor, for post-employment questions regarding dismissal.

Former employees who had a less-than-satisfactory work record will not be considered for rehire. This includes employees with a less-than-satisfactory performance and/or employees who terminated employment with an unresolved performance improvement plan.

Employees who were involuntarily terminated will not be considered for rehire.

4.11 Job Abandonment

Employees who have been a no call/no show for two (2) consecutive days without notifying the City may be considered, at the discretion of the City, to have voluntarily resigned from employment. Walking off the job mid-shift will also be considered a voluntary termination, and an employee may not be eligible for rehire.

4.11a Post-Employment Inquiries

All post-employment inquiries shall be directed to Human Resources, who will provide more information. Departing employees may be asked to participate in an exit interview so that the City can obtain suggestions for making the City a better place to work.

4.12 Grievance Procedure

Employees are encouraged to bring their work-related complaints to the attention of management. Employees will be provided with an opportunity to present their complaints and appeal managerial decisions through a formal complaint procedure. All complaints will be resolved fairly and promptly.

Supervisors are responsible for ensuring that the complaint is fully processed. No employee shall be retaliated against for using the City's complaint procedure.

Any complaint filed shall systematically follow the procedure outlined below and shall refer to the provision or provisions of City policy, practice, procedure, rule, or regulation alleged to have been violated, and shall adequately set forth the facts pertaining to the alleged violation.

4.12a Complaints

Complaints may be defined as *employees' feelings of dissatisfaction concerning conditions of employment or treatment by management, supervisors, or other employees*. Examples of actions that may be cause for complaint include, but are not limited to:

1. Application of City policies, practices, rules, regulations, and procedures believed to be to the detriment of an employee.
2. Treatment considered unfair by an employee, such as coercion, reprisal, harassment, or intimidation.
3. Alleged discrimination because of race, color, sex, age, religion, handicap, national origin, military reserve or veteran status, marital status, or any other non-merit factor; and
4. Improper or unfair administration of employee benefits or conditions of employment such as PTO, fringe benefits, promotions, retirement, holidays, performance review, salary, or seniority.

4.12b Procedure

Step 1:

The complaining employee shall present a complaint in documentable communication to their immediate supervisor. Discussions will be informal for the purpose of settling differences in the simplest and most direct manner. The immediate supervisor shall reach a decision and communicate it in documentable communication to the employee within three (3) working days from the date the complaint was presented.

Step 2:

If the complaint is not settled at the first step, the employee shall, within three (3) working days, forward the written complaint to the Department Head. Within five (5) working days, the Department Head shall meet with the employee and their supervisor to determine the facts of the case. The Department Head shall notify the employee of their decision, in documentable communication, within five (5) working days following the date of the meeting, unless such time is mutually extended in documentable communication.

Step 3:

If the complaint is not resolved at Step 2, the employee shall, forward the written complaint to Human Resources. Human Resources shall meet with the employee after receiving the complaint. Human Resources shall gather the

facts and forward recommendations to the City Administrator. The City Administrator shall consult with any parties involved and render a written decision to the employee.

Any time periods mentioned above may be extended in documentable communication by mutual agreement.

1. The decision of the City Administrator at Step 3 shall be final and binding on the parties, without further right to appeal.
2. A complaint must be brought forward as soon as it might reasonably become known to exist. If a complaint arises, the employee must submit it to their supervisor within five (5) working days.
3. The time limit at any stage of the complaint procedure may be extended by the written mutual agreement of the parties involved in that step.
4. Any complaint shall be on the form prescribed by Human Resources. It must be dated and signed by the employee presenting it. Any decision rendered shall be written to the employee and dated and signed by the City's representative at that step.
5. When a written complaint is presented, the City's representative shall provide a dated and signed receipt for it at that particular step.
6. A complaint not advanced to the higher step within the time limit provided shall be deemed permanently withdrawn and as having been settled based on the decision most recently given. Failure on the part of the City's representative to answer within the time limit set forth in any step will entitle the employee to proceed to the next step.
7. When a complaint is reduced to writing, there shall be set forth:
 - I. A complete statement of the complaint and facts upon which it is based.
 - II. The section or sections of the Employee Handbook alleged to have been violated; and
 - III. The remedy or correction requested.

Section 5: Employment Classification, Hour, and Wage Policies

5.0 Classification of Employment

5.0a Employment Classification Definitions

Employment classifications are established as part of the Fair Labor Standards Act (FLSA) as administered by the Wage and Hour Division of the Department of Labor (DOL). Depending on an employee's position, each position is designated as either "non-exempt" or "exempt" from the overtime provisions of the federal and state wage and hour laws under the FLSA.

Understanding the definitions of the employment classifications are important. These classifications do not guarantee employment for any specified period.

Non-Exempt (Hourly) Employees are typically paid by the hour and are entitled to overtime pay under the specific provisions of federal and state laws.

Exempt (Salary) Employees are typically paid by salary and are excluded from overtime provisions of federal and state wage and hour laws.

5.0b Employment Categories

(The workweek applicable to Police and Fire unions may vary according to negotiated labor agreements.)

Full-Time Employees are employees who work at least forty (40) hours per week, annually. Employees must work a minimum of thirty (30) hours to be considered benefits eligible.

Part-Time Employees are employees who work for the City fifty-two (52) weeks a year, for thirty (30) or fewer hours per week.

Permanent part-time employees are employees who have been employed with the City for one (1) year or more.

Temporary Employees are employees limited to no more than one (1) year of continuous employment. Benefits do not accrue for temporary employees.

Seasonal Employees are employees who have an expected duration of employment for six (6) months or fewer, and if the job typically starts and ends at approximately the same time each year.

5.1 Attendance and Punctuality

5.1a Definition of an Absence

The City defines an absence as failure to report for and remain at work as scheduled. The only exceptions to this definition of an absence are those approved in this Handbook.

5.1b Notifying Supervisor and/or Department Head

Regular attendance by all employees is an essential function of every position. An employee unable to report for work as scheduled must notify their supervisor as soon as possible. If the absence is excused, such notice must be given as far in advance as possible of the time assigned for reporting to work. Frequent, unexcused absence or tardiness may subject an employee to disciplinary action.

5.1c Expectations

A permanent attendance record for all employees is maintained. Attendance records are reviewed periodically and employees showing attendance problems will be counseled and/or disciplined by their supervisor. Regarding attendance, employees are expected to exercise good judgment with respect to contagious ailments which might have an adverse effect on other employees and attend to personal affairs during nonworking hours where possible.

5.1d Reporting Late or Leaving Early

All hourly employees must report to work on time and continue on duty for the entire period of their assigned workday unless their absence has been approved as provided elsewhere herein. If an employee cannot report for work at the assigned time due to illness or other causes, the employee must notify their supervisor as soon as possible, but in no case after the assigned start time. Failure to do so shall result in loss of pay for the period absent unless good cause can be shown for the failure to provide proper notice. Frequent tardiness may subject the employee to disciplinary action up to and including termination.

5.2 Meal and Rest Breaks

During the workday, an employee may take two (2) rest breaks, in no more than fifteen (15) minutes each, dispersed proportionately depending upon workload and staffing, not to interrupt service to the public. Employees are required to remain on City premises during paid rest breaks. If workload or staffing prevents an employee from taking a break(s), it shall not be carried over during the workday or another workday.

Depending on an employee's department and nature of work, they may receive thirty (30) minutes or one (1) hour each day as an unpaid lunch period unless otherwise scheduled. Employees are to be completely relieved from duty during their meal break. In accordance with state law, such time shall not be considered as hours worked and shall not be compensated. Depending on an employee's position in the City, they may be subject to collective bargaining agreements regarding lunch break requirements.

5.3 Recording Work Time

The standard work week refers to a forty (40) hour time period, within a seven (7) day period, beginning on Sunday and ending on Saturday, for employees who are defined as regular, full-time employees. Other work week time periods may be designated by the respective Department Heads to meet operational needs.

A full-time employee is expected to work at least a forty (40) hour week, which may comprise hours worked or paid leave. Under no circumstances will an employee be allowed to use unpaid leave if the said employee possesses leave on the books appropriate to the nature of the absence unless approved by the employee's Director. Unpaid leave, other than authorized leaves of absence and Family Medical Leave Act (FMLA) leave, will be allowed only up to a total of forty (40) hours per calendar year. Use in excess of this amount will be subject to progressive disciplinary action.

Employees are prohibited from engaging in any conduct to falsify their own or another employee's hours worked. Tampering, altering, or falsifying time records, or recording time for another employee is a serious infraction of policy and may result in disciplinary action, up to and including termination. Additionally, employees may only clock-in and out for themselves, never for another employee.

5.3a Exempt Employees

Exempt employees are not required to clock in and out during the workday. Exempt employees are, however, required to request time off for PTO and any other paid time off, outside of a previously agreed upon flexed schedule.

5.3b Non-Exempt Employees

All non-exempt employees are responsible for using their department's timekeeping system to record all time worked accurately, without exception, so they will be paid correctly. This includes paid time off. Working off the clock is not permitted. Rest breaks of 15 minutes or less and infrequent restroom breaks are considered time worked and should not be entered on an employee's timecard. Non-exempt employees must clock out at the start of their meal break and clock back in when finished.

Non-exempt employees should not begin working, or clock-in, before their scheduled start time and should not work beyond their scheduled end time without approval from their supervisor. Employees who begin their shift prior to scheduled or stay longer than scheduled without prior approval will be paid for all hours worked but may be disciplined for violating this policy.

5.4 Flextime Policy

Flexible working time is when employees request to shift their everyday schedule by starting the workday later or leaving work earlier. At their strict discretion, a Department Head may use a flextime policy to accommodate employees' work schedules to complete personal business that may arise and that cannot be reasonably accomplished outside of said employee's regular work hours, like parent-teacher conferences for example. The total of working hours does not change. Flextime may be denied if operational needs prohibit its use. The City allows eligible, full-time employees to "flex" their work schedules, with Department Head permission based on operational need, one-hour, provided they work at least seven of the eight-hour workday during their regularly scheduled workday (i.e., 8 a.m. – 5 p.m. employees may flex to 7 a.m. – 4 p.m. or 9 a.m. – 6 p.m.). The same principle applies to alternative work schedules (i.e., 10-hour shifts). Flextime must be used within the same pay period of the time earned.

Employees may be eligible for flexible work schedules on a case-by-case basis. Flexible schedules are not an expectation of replacement for a regular work schedule as determined by the department and City needs. Every employee requesting flexible work must show they can accomplish their core duties despite the altered schedule, at the same or higher level of performance, without reduction in quality. To be eligible, an employee must be in good standing and their core job duties won't be affected by the difference in the schedule.

Every employee requesting a flexible work schedule must meet with their immediate supervisor or Department Head to discuss and identify their individual eligibility requirements. Considerations for eligibility may include the impact on the department, whether the employee's duties require their presence in the office or during certain hours, and the employee's historical performance, among other factors.

Flextime is not permitted for all positions, in all settings, or for all employees. The nature of the employee's core duties and responsibilities must be conducive to a flexible work schedule without causing significant disruption to the City.

5.5 Overtime Pay

Periodically it may be necessary for employees to work other than their regularly scheduled hours. An employee is to notify their supervisor so adjustments may be made to the employee's work schedule within the same work week to maintain a work week consistent with the employee's hours. Overtime pay is subject to approval in documentable communication by the employee's immediate supervisor.

Unless otherwise required or exempted by law, overtime pay of one and one-half times an employee's regular rate of pay is paid for any hours worked in excess of forty (40) hours in a workweek. Non-worked holidays or unpaid leave does not count as time worked for the purposes of computing overtime.

Overtime hours must always be approved by the employee's supervisor or Department Head. PTO and holidays shall be counted as days worked when computing overtime. Those hours during a workweek for which an employee received sick leave or compensatory time will not be considered hours worked for the purpose of computing weekly overtime pay. Employees in non-exempt classifications shall be compensated at a rate of time and one-half of their regular rate of pay for all hours worked over forty (40) in the work week. Exempt employees are not eligible for overtime for hours worked more than forty (40) hours during the work week and are not allowed to accumulate compensatory time.

5.6 Complaint Procedure Regarding Deductions/Overtime Eligibility

The City respects their obligations under the various Federal, State and Local Laws that govern the workplace, including the Fair Labor Standards Act (FLSA). Accordingly, the City strictly prohibits the making of improper deductions from the salaries of exempt employees. The City wants employees to be aware of this policy and that the City does not allow deductions that violate the FLSA.

In the event an employee believes the City has made an improper deduction from an employee's wages, the employee must promptly bring the matter to the attention of the supervisor and/or Department Head. If an employee is not satisfied with the City's handling of the complaint, the employee must bring the matter to the attention of Payroll and Benefits. Reports of improper deductions will be promptly investigated. If it is determined an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made.

5.7 Compensatory Time

If approved by a Department Head, an employee may take compensatory (comp) time, which is time and one half, instead of receiving overtime pay for hours worked above forty (40) per week.

Each hour of overtime worked will be credited at one and one-half (1-1/2) hours that can be taken off at a later date within the designated pay period. The use of compensatory time must be permitted by the Department's policies and meet the Department's needs. These hours must be recorded in the payroll system at the time of accrual and use. Employees are prohibited from accruing more than 120 hours of compensatory time per year. When allowed by the Department Head, an employee may carry no more than 120 hours of compensatory time in a calendar year. At the time of the employee's termination, resignation, retirement, discharge, or death, an employee shall be paid for any unused compensatory time at their final regular rate of pay. Compensatory time may be "cashed out" at any time during the employee's tenure with the City upon the City Administrator's approval. No more than 100 hours per employee per budget year may be cashed out. Employees are not eligible to cash out their compensatory time the same week in which it is earned. They must also let the Payroll Department know that they'd like to cash out their compensatory time the Friday prior to that payroll.

To determine overtime and compensatory time guidelines, public safety and service employees, employees should refer to the FLSA provisions and employees covered under a collective bargaining agreement should reference their respective agreements.

5.8 Call-Back

If a non-exempt, non-union employee is called back to duty from their home, they will be eligible to receive compensation at the rate of time-and-one-half (1-1/2) for the actual hours they are engaging in work. Call-back time is not continuous to the beginning or end of work shifts and, if work is continuous, it is not considered call back. Callbacks are permitted only during emergencies as determined by the respective Department Head. Every call back shall be individually acknowledged, in documentable communication by the respective Department Head, and filed with Payroll before being paid.

5.9 On-Call

Certain non-union positions may be required by their respective Department Heads to be on-call. On-call will be assigned in daily or weekly increments. Daily on-call assignments begin at 5 p.m. and end at the earliest of either (1) the standard assigned start of the next working day or (2) 5 p.m. the next day if the on-call period is on a weekend or a holiday. Weekly on-call begins at 5 p.m. on Friday and ends the following Friday at 5 p.m. and applies only to hours other than those regularly assigned as the employee's workweek. Employees assigned to on-call duty may be allowed to take a work vehicle home during their on-call duty period to expedite after-hours emergency operations. If determined applicable, the vehicle will be parked at the employee's home during the assigned duty period. The employee assigned to this duty may call upon their immediate supervisor when

additional help is required. Once called, the on-call employee will travel immediately from their home to the job site or to their respective office to retrieve equipment. All on-call hours worked must be recorded and submitted for approval in accordance with the working pay period.

Compensation for on-call duty will be a guaranteed one-hour of overtime pay per day the employee is assigned to on-call duty. When the on-call employee is called to work, the employee will receive a minimum of two (2) hours pay and will otherwise be afforded the same considerations set forth under the call-back policy. During the assigned on-call period, a call will be paid in lieu of the one-hour on-call guarantee for the day of the call.

The employee assigned to this duty shall be available by a means of communication provided by the respective Department Head during the assignment period. Failure to be available shall disqualify the employee for on-call duty compensation for the remainder of the affected pay period and that employee is subject to disciplinary action, up to and including termination. If a personal matter conflicts with the assigned employee's on-call period, it is the employee's responsibility to make arrangements with another qualified duty employee who will be available, as previously stated. The originally assigned employee also has the responsibility to notify the immediate supervisor so that the substitute employee is compensated for the on-call period and any calls answered during the said period.

Eligible employees will receive eight (8) hours of holiday pay on the day the holiday is being observed by the City. Employees who are on-call and are called-in to work outside of their normal schedule may receive overtime pay. If an employee does not work outside of their normal scheduled hours while on-call during a holiday, they will receive their regular pay and holiday pay.

5.10 Pay Period and Payroll Deductions

Employees will be paid for their work every other Friday. If a payday falls on a holiday, paychecks will be issued the day before the holiday. Federal and State law requires certain deductions to be taken from each employee's paycheck. These can include Federal Income Tax, State Income Tax, Medicare Taxes and Social Security (referred to as FICA), and any local tax withholdings, such as state disability or unemployment insurance. In addition, there may be other deductions that are mandated by court order such as garnishments, or child support payments, that the City will be required to deduct from an employee's paycheck. Employees who are terminated will be paid on the next regular payday or within two (2) weeks, whichever is sooner. Payment shall be tendered upon return by the employee of all City property within their possession.

5.10a Direct Payroll Deposit

Each employee of the City shall execute an authorization agreement for direct deposit authorizing the City to deposit the employee's paycheck directly to the employee's bank account. The authorization agreement shall authorize the City to initiate credit entries and initiate, if necessary, debit entries and adjustments for any credit entries in error to the employee's account for payroll purposes.

Employees opting out of direct payroll deposits, must physically pick up the paper paycheck during office hours. Only the employee in which the check is designated to may pick up and sign for the paper paycheck. The City will cover fees for the first two (2) paper paychecks. Any additional paper paychecks an employee requests beyond the first two (2), will result in a processing fee, the amount of which would be deducted from their paychecks. Employees must coordinate a designated time for paper paycheck pickup with City Hall. Paper paychecks will only be released to the designated employee with presentation of a valid form of identification.

5.10b Pay Administration

5.10ba Position Allocation

All City positions, whether occupied or vacant, are allocated to pay lines that have been derived through market analysis. Position comparability has been established using several positions' actual duties and responsibilities. There may be one or more positions on a pay line.

Position descriptions are not intended to reflect the personal characteristics and skills, or the lack of them, possessed by the incumbents of the several positions. Temporary, part-time, and vacant positions shall be created in the same manner as other positions.

5.10bb Maintenance of Position Descriptions and Pay Lines

The Department Heads have primary responsibility for maintaining the position descriptions and pay lines associated with each position. As the duties of positions change, they shall be reviewed for reallocation to different pay lines. Department Heads and supervisors have a duty to report substantial changes in the duties and responsibilities of positions under their control in order that changes may be made. Pursuant to such findings, the City Administrator and Human Resources shall periodically make recommendations to the City Council for needed revisions in the pay lines for positions throughout the City. Normally pay line changes associated with minimum and maximum rates for each position will be derived through market analysis.

5.10c Pay Lines

Each position's pay line has steps expressed in hourly amounts for nonexempt positions and biweekly for exempt positions. The percentage intervals (between steps) vary according to market averages; thus, no even, or linear pay intervals from position to position are found.

5.10d Starting Pay

New employees shall typically start work at the pay line allocated to their position.

In the event a candidate for employment has exceptional experience and qualifications for a vacant position, that individual may be employed initially above the minimum entry step up to the mid-point of the appropriate pay line. Such a practice must receive specific approval from the City Administrator.

Part-time employees shall start at the entry-level of the appropriate pay line to which their position is allocated unless specifically designated in the annual salary ordinance. Temporary employees shall be paid as outlined in the salary ordinance.

5.10e Merit Increases

Merit increases are not to be considered automatic. The City Administrator shall make the final decision on granting the increase.

The City shall not be obligated to grant merit increases if the funds are not available and budgeted.

5.10f Periodic Pay Increases

Contingent upon adequate budgetary appropriations, pay increases may be granted according to the following rules:

For Full-Time and Part-Time City Employees

- For part-time City employees, after completion of two thousand and eighty (2,080) hours of equivalent work. If an employee has worked fifty-two (52) weeks a year, twelve (12) months following the date of hire or entry into a new position. Both full-time and part-time employees must receive a recommendation of approval from their supervisor and Department Head and final approval from the City Administrator.

Other Pay increases

- Pay increases shall be one step along a position's pay line and are effective for full-time employees on their anniversary date or upon completion of two thousand and eighty (2,080) hours for part-time employees. An employee may receive a merit increase at the discretion of the Department Head and City Administrator based on previous exceptional quarterly performance ratings.

5.11 Longevity Pay

The City offers longevity pay designed to reward employees for their years of service as outlined below. The longevity pay will be paid out monthly in Cycle 2.

Years of Service	Monthly Longevity Pay Amount
5 Years – 9 Years	\$10.00 per Month
10 Years – 14 Years	\$20.00 per Month
15+ Years	\$30.00 per Month

5.12 Final Paycheck

Depending on an employee's last day and which payroll period their last day falls will dictate how the City handles insurance coverage and deductions. An employee is responsible for their portion of the insurance premium for the entirety of their last month of employment. If the employee works any time during the first part of the new month and will only receive one (1) paycheck for that month, the City will deduct health and any supplemental insurances at double the normal withholding rate. The City will cover the entire month of insurances for that employee, and the employee will cover their portion. If the employee works a larger portion of that month and will receive two (2) paychecks during that month, the City will withhold the insurances at the normal withholding rate. If the employee's second paycheck is not large enough to cover their portion of the insurances, the City will deduct from that employee's vacation balance paycheck.

Section 6: Work-Life Balance

6.0 City Telephone Use

City telephones are to be used for business purposes only. Employees are expected to exercise reasonable discretion in using City phones for personal use. Excessive incoming or outgoing personal calls during the workday can interfere with employee productivity and be distracting to others. Employees should make personal calls during non-work times (meal and break periods) and ensure that friends and family members are aware of the City's policy.

Employees should exercise proper etiquette when using City phones to conduct business activities as they are directly representing the City. This includes greeting incoming and outgoing phone calls in a positive manner, exercising patience and care on every call, and refraining from using any language that defames, harasses, intimidates, or threatens any other person.

Violations of these policies may lead to disciplinary action up to and including separation of employment.

6.1 Personal Mobile Device Use

While the City permits employees to bring personal cell phones and other mobile devices (i.e., smart phones, tablets, laptops) into the workplace, employees must not allow the use of such devices to interfere with their job duties or impact workplace safety and health.

Use of personal cell phones and mobile devices at work can be distracting, disruptive, and cause a loss of productivity. Employees should primarily use such personal devices during nonworking time, such as breaks and meal periods. During this time, employees should use such devices in a manner that is courteous to those in the area. Outside of nonworking time, use of such devices should be minimal and limited to emergency use only. If an employee has a device with a camera and/or audio/video recording capability, employees are restricted from using those functions on City property unless use is directly related to an employee's essential job function. Employees are expected to comply with City policies regarding the protection of confidential and proprietary information when using personal devices.

If an employee needs to make or receive a phone call while driving, the employee must pull off the road to a safe location unless the employee has the correct hands-free equipment compliant with applicable state laws. Employees are prohibited from texting or utilizing a mobile device while driving a personal or City-owned vehicle.

Employees may have the opportunity to use personal devices for work purposes. Before using a personal device for work-related purposes, the appropriate applications must be added to the phone and authorization must be received from immediate supervisor and IT Department. The use of personal devices is limited to certain employees and may be limited based on compatibility of technology. To ensure the security of City information, employees must follow this procedure.

Non-exempt employees must have a legitimate business need for a mobile electronic app (such as email) to be installed on their personal mobile device and the issuance of the same must be approved by their supervisor. The legitimate reasons employees may need an app related to business include frequent time away from their desk, frequent business travel, project deadlines, or for key personnel who must be immediately reachable during an emergency. All non-exempt employees are responsible for tracking time spent on business-related mobile applications (such as email) outside of normal working hours and submitting all time worked to their supervisor. Employees are required to submit any work time to their supervisor within the current working pay period. Employees may be subject to disciplinary action up to and including termination of employment for violation of this policy.

6.2 City-Owned Mobile Devices

Some employees may be eligible to receive City-owned mobile devices for business-related purposes, depending on their position and/or job functions. If issued a City-owned mobile device, it is that employee's responsibility to maintain good working condition of the device. If damages to an employee's City-owned mobile device is to occur – damages that are not job-related or did not occur while working – it is the employee's financial responsibility to cover those damages and repairs if applicable. If issued a City-owned mobile device, such as laptop, tablet, etc. employees are prohibited from utilizing this device for personal use. Personal use can involve, but is not limited to, utilizing City files or storage capacity on or within the mobile device. Any instances of utilizing City-owned storage capabilities, the property then becomes City-owned. If an employee is doing this, they will be subject to disciplinary action, up to and including termination.

6.3 Social Media Policy

The City recognizes that social media provides unique opportunities to participate in interactive discussions and share information. However, use of social media also takes certain risks and carries with it certain responsibilities. To minimize risks to the City, employees are expected to follow the guidelines for appropriate use of social media. This policy applies to all employees who work for the City.

6.3a Guidelines

For purposes of this policy, social media includes all means of communicating or posting information or content of any sort on the Internet, including to an employee's own or someone else's web log or blog, journal, or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether associated or affiliated with the City, as well as any other form of electronic communication.

City principles, guidelines, and policies apply to online activities just as they apply to other areas of work. Ultimately, employees are solely responsible for what they communicate on social media. The employee may be personally responsible for any litigation that may arise should they make unlawful defamatory, slanderous, or libelous statements against any customer, manager, owner, or employees of the City.

6.3b Know and Follow the Rules

Employees must ensure postings are consistent with these guidelines. Postings that include unlawful discriminatory remarks, harassment, and threats of violence or other unlawful conduct will not be tolerated and may subject an employee to disciplinary action up to and including termination.

Employees are strictly prohibited from utilizing a City-issued or City-tied email address to setup or maintain social media accounts of any kind. If an employee is to utilize a City email address for social media accounts, they may be subject to disciplinary action. City-issued or City-tied email addresses are permitted in using City-deemed sites.

6.3c Be Respectful

The City cannot force or mandate respectful and courteous activity by employees on social media during nonworking time. If an employee decides to post complaints or criticism, they must avoid using statements, photographs, video, or audio that reasonably could be viewed as unlawful, slanderous, threatening, or that might constitute unlawful harassment. Examples of such conduct might include defamatory or slanderous posts meant to harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, color, religion, creed, national origin, ancestry, sex, personal appearance, family responsibility, pregnancy, age, military, or veteran status, political affiliation, marital status, physical or mental disability, genetic information, or any other status or class protected by law or City policy. Employee's personal posts and social media activity should not reflect upon or refer to the City.

6.3d Maintain Accuracy and Confidentiality

When posting information:

- Employees must maintain the confidentiality of trade secrets, intellectual property, and confidential commercially sensitive information (i.e. financial or sales records/reports, donor records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) related to the City.
- Employees must not create a link from their personal blog, website, or other social networking site to a City website that identifies them as speaking on behalf of the City.
- Employees must never represent themselves as a spokesperson for the City if they are not authorized to do so. If the City is a subject of the content an employee is creating, they must not represent themselves as speaking on behalf of the City. Employees should make it clear in their social media activity that they are speaking on their own behalf.
- Employees must respect copyright, trademark, third-party rights, and similar laws and use such protected information in compliance with applicable legal standards.

6.3e Using Social Media at Work

Employees must not use social media while on their work time, unless it is work related as authorized by their supervisor or consistent with policies that cover equipment owned by the City.

6.3f Media Contacts

Only certain employees are authorized to speak on behalf of the City. Employees are prohibited to speak to the media on behalf of the City without prior authorization from a Department Head. All media inquiries for official City responses must be directed to the Department Head or immediate supervisor.

6.3g Retaliation of Employee Rights

Retaliation or any other negative action is prohibited against anyone who, based on a reasonable belief, reports a possible deviation from this policy or cooperates in an investigation. Those who retaliate against others for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Nothing in this policy is designed to interfere with, restrain, or prevent employees from communications regarding wages, hours, or other terms and conditions of employment, or to restrain employees in exercising any other right protected by law. All employees have the right to engage in or refrain from such activities.

6.4 Authorization for Use of Personal Vehicle

All employees required to operate a motor vehicle as part of their employment duties must maintain a valid driver's license, acceptable driving record, and appropriate insurance coverage. Employees who operate a vehicle for work must be willing to consent to a motor vehicle department check to validate an acceptable driving record upon request and proof of insurance. Any employee who must operate a motor vehicle must provide a copy of a current driver's license for the employee's personnel file. Any changes in a driving record, including but not limited to, driving infractions or changes to an insurance policy, must be reported to the City within twenty-four (24) hours of the infraction or change.

If employees use a personal vehicle in the course and scope of employment, employees may not operate such vehicle while:

- Under the influence of drugs, alcohol, or any other substance that might impair judgment or ability to drive; or

- Texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.

State law requires all motorists to carry auto liability insurance. It is against the law to drive without insurance. If employees use a personal vehicle as part of employment duties, employees must provide their Department Head with a current copy proof of insurance statement or card, then that will go on record in their personnel file. New proof of insurance is required every time a policy expires or renews. Note that personal auto insurance is the primary coverage for vehicles even while it is being used for business purposes.

6.5 Nursing Mothers Policy

The City will provide nursing mothers reasonable break time to express milk for their infant child(ren) for up to one (1) year following the child's birth.

Nursing mothers will be provided with a space, other than a restroom, that is shielded from view and free from intrusion from co-workers and the public.

Expressed milk can be stored in City refrigerators or personally owned coolers. Employees must sufficiently mark or label milk if placed in shared refrigerators to avoid confusion for other employees who may share the refrigerator.

Break time should, if possible, be taken concurrently with any other break time already provided. If an employee needs to express milk outside of an employee's scheduled break time, the employee should work with their supervisor and do so. Employees are encouraged to discuss the length and frequency of these breaks with their supervisor.

No provision of this policy applies, or will be enforced, if it conflicts with or is superseded by any requirement or prohibition contained in a federal, state, or local law.

6.6 Visitors in the Workplace

Visitors are welcome if it does not disrupt normal business operations. Visitors should not be left unattended at any time when on City premises. If the frequency, length, or nature of visits becomes problematic, the employee will be advised of the situation and will be expected to take corrective action.

6.7 Working Off-Site

Specific positions may allow for the ability to work from a remote location under certain extraordinary circumstances. This is discretionary based on the job role and prior approval from the Department Head.

6.8 Secondary Occupations

Outside employment that creates a conflict of interest or affects the quality or value of an employee's work performance or availability at the City is prohibited. The City does not prohibit additional employment during off hours, but in all cases, the City expects that any outside employment will not affect job performance, work hours, scheduling, or otherwise adversely affect an employee's ability to effectively and satisfactorily perform job duties.

An employee may hold other position(s) of paid employment outside of City employment unless the immediate supervisor finds that the nature of the other position(s) is such that it creates a possible conflict of interest with the City position or lessens the employee's ability to perform the requirements of their job description. If the employee's immediate supervisor is unavailable or unable to determine if there's a conflict of interest or not, employees may be referred to the City Administrator.

Employees may not use City equipment, supplies, or facilities for activities related to a second job. Failure to adhere to this policy may result in disciplinary up to and including termination.

Section 7: Employee Benefits

7.0 Benefit Programs Are Subject to Change

Where benefits are provided by the City to eligible employees, all such benefits shall be controlled by applicable plan documents. The information provided in this Handbook is summary only; detailed information on plans are set forth in plan documents. To the extent there is any discrepancy between plan documents and this Handbook, the plan document shall control.

Employees must opt out of federal participation of benefit coverage.

7.1 Group Insurances

Hospitalization, medical and dental insurance, and life insurance are available to non-union City employees, both regular full-time and part-time (who work at least thirty [30] hours a week), but not temporary employees. Employees shall become eligible on the first day of the month following thirty (30) days of continuous employment with the City. Part-time employees shall become eligible following the first year of service that they have worked at least thirty (30) hours per week without interruption. Dependent coverage is available and will be payroll deducted. Continuance of some benefits is available for retired employees. Details regarding employer contribution, as determined by the City Council, may be obtained from the Personnel Technician, Department Head, or the City Administrator or designee.

7.2 Retirement Benefits

Each eligible employee will have until the first day of the calendar month after thirty (30) days of eligible employment to affirmatively elect to make Participant 401(k) Contributions (either to have no Participant 401(k) Contributions made or to have a different amount of Section 401(k) Contributions made) before Participant 401(k) Contributions will be made on the participant's behalf. If the participant does not make an affirmative election, the City will withhold 1% of such Participant's compensation as a traditional before-tax 401(k) contribution as of the first day of the calendar month after thirty (30) days of eligible employment.

7.2a Retirement System – Non-union Employees

Non-union city employees are eligible to join a group retirement plan on the first of the month following thirty (30) days of employment and attainment of age twenty-one (21). Employees can defer one to six percent (1-6%) (Pre-tax), in whole percentages, of their pay into the retirement savings plan.

The City reserves the right to change the retirement savings plan in accordance with mandatory existing and future statutes or federal legislation or regulations.

Copies of the City plans are available for review in the Personnel Office.

For opt-out details, refer to the Retirement Benefit package.

7.2b Retirement Allotment Fund

After ten (10) or more years of service, and at the minimum age of 60, employees who retire from the City may be recognized.

For service to the City of ten (10) years, employees may receive \$50.00.

For service to the City of eleven (11) years to twenty-nine (29) years, employees may receive \$100.00.

For service to the City of thirty (30) years or more, employees may receive \$150.00.

7.2c Retirement System - Bargaining Unit Employees

Sworn Police and Fire Personnel are covered by state law and their respective collective bargaining agreements.

7.2d Request for Retirement

An employee who wishes to retire shall submit a letter of resignation to their respective Department Head to be forwarded to the appropriate City office. The letter of resignation should contain the date the employee requests their retirement to be effective. The request for retirement must be written and submitted at least two weeks before the retirement date. A lump-sum payment of paid time off will be paid at the time of retirement.

The employee's pension benefits, and retirement date shall in no way be affected by payment of any compensation earned and due to the employee as of the date the employee elects to retire.

7.2e Social Security

Except for sworn Fire Personnel, all employees are covered by the Federal Old-Age and Survivors Insurance (Social Security). Normally, the City and employee are required to pay matching amounts for this benefit. The employee's share is payroll deducted.

7.2f 457 Supplemental Retirement

Eligible employees may participate in a 401(a), a 401(k), and/or a 457 Retirement Plan on a supplemental basis. Plan information may be obtained from Human Resources.

7.3 Professional Development

7.3a Training

It is the policy of the City to encourage job training and educational opportunities for all employees. New employees shall receive appropriate orientation and training, including, at a minimum, an explanation on the introductory period, leave policies, job safety, reporting on-the-job injuries, and drug and alcohol policy from their immediate supervisor. Training aids and educational material shall be made available whenever possible, and all supervisors are encouraged to hold periodic meetings with their employees for training purposes.

Section 8: Leave Policies

8.0 Paid Time Off

8.0a Introduction

Paid time off (PTO) is granted to all eligible employees for the opportunity to rest and recreate at preapproved times during the year. Employees may use PTO for vacation, relaxation, time away from work, illness, appointments, or personal business. Employees may accrue a maximum of 1,040 hours of paid leave.

Permanent part-time employees who have been employed with the City for one (1) year to five (5) years, regardless of hours worked per week, may be eligible for one (1) week of PTO to be given on January 1st. For permanent part-time employees who have been employed with the City for more than five (5) years may be eligible for two (2) weeks of PTO on January 1st and may accrue a maximum of 200 hours of PTO. The PTO granted for both tiers will be based on an average of the hours that part-time employee worked each pay period in the past years' time.

Employees promoted to full-time status from another status will accrue PTO based upon the full-time status.

Temporary and seasonal employees are not eligible for PTO.

Non-Bargaining Units

PTO as it applies to personnel, not in the bargaining unit, and working the department standard work week will be in compliance with department rules and regulations as it relates to work schedules.

8.0b Eligibility

PTO is given to regular full-time employees on an accrual-based system. New employees are eligible to receive PTO at their first full pay period.

8.0c Accrual Rate/Cap

Years of Service	PTO Earned per Pay Period (Bi-Weekly)	Total PTO Earned per Year	Maximum Accrual Cap
Hire to 5 Years	5.85 Hours	152.1 Hours	1040 Hours
6 Years to 9 Years	7.38 Hours	191.88 Hours	1040 Hours
10 Years +	8.92 Hours	231.92 Hours	1040 Hours

Employees working thirty-nine (39) hours or less will receive a prorated accrual rate according to hours worked.

8.0d PTO Usage; No Use Before Accrual

PTO is paid at the employee's base rate of pay. A full week of PTO is typically equal to forty (40) hours, and a full PTO day may be considered an 8-hour day, depending on position or shift expectations. PTO may be taken in half (1/2) hour increments.

Employees may only use earned PTO. Employees may not "borrow" against unearned PTO. PTO shall not accrue during any period of leave of absence, unpaid time off, or suspension.

Employees will be required to take some or all their available PTO (if any) as part of their FMLA leave that would otherwise be unpaid. Upon exhaustion of available PTO, the remainder of the FMLA leave will be unpaid. Employees will accrue PTO on a pro-rated basis during a period of FMLA leave where partial PTO is applied. Employees will not accrue PTO on any unpaid FMLA leave.

Employees are prohibited from utilizing their accrued PTO two (2) week before their retirement date. If employees have remaining unused PTO after that timeframe, they will be paid for that remaining unused time.

8.0e PTO is Deemed Time Worked for Purposes of Computing Overtime

PTO will be deemed time worked for the purposes of computing overtime pay.

8.0f Management of PTO

Employees cannot earn additional PTO beyond the employee's respective maximum cap set forth above.

Once an employee has reached their maximum cap, they will not accumulate any more PTO until some of the time in their PTO account has been used to drop below the maximum cap. Only after the balance falls below the maximum cap will employees be able to earn PTO on the following applicable pay period. The City encourages employees to utilize available leave so they can continue to earn additional PTO.

If a holiday occurs during an employee's PTO leave, that day shall not be charged (or counted) as PTO.

8.0g Requesting and Approving of PTO

PTO is to be requested one (1) week in advance in cases when employees know they will be taking time off. This is especially important if an employee is requesting PTO for one (1) week or more at one time; they are required to request and receive prior approval. PTO requests must be made to the supervisor in charge. The City understands unforeseen circumstances do arise and, in those cases, employees should notify their supervisor with an established communication per their department requirements of their request and/or absence.

8.0h Pay in lieu of PTO

Employees are not entitled to pay in lieu of taking time off for PTO, except at the end of employment.

8.0i End of Employment

In the event of separation of employment, employees will be paid for all earned, unused PTO. This will be paid out in the final paycheck based on the employee's base rate of pay in effect at the time of separation.

8.1 Community Leave Bank

The Community Leave Bank is available to provide a means for City employees to give accrued PTO (depending on department, this may be PTO or Vacation and Sick) leave or annual leave to another City employee who, because of an unexpected or unplanned medical emergency, does not have sufficient paid leave to be away from the job for the period necessary to recuperate or recover.

8.1a Conditions for use:

The following conditions must be met by the donating employee wishing to give accrued PTO time or annual leave to another employee:

- The employee receives the approval of their Department Head.

The following conditions must be met by the employee receiving PTO time from another employee:

- The receiving employee has used all available paid leave.
- The receiving employee must be experiencing an unforeseen situation of extreme or emergency proportions. Routine illness, pregnancies, etc., do not qualify.
- The receiving employee shows intent to return to duty following leave.
- The receiving employee obtains the approval of their Department Head.

Leave under this policy is donated on an hour-for-hour basis and is not to be prorated by hourly rate or accrual rate.

The employee’s absence does not exceed twelve (12) weeks total, consecutive or intermittent, including all paid, unpaid, and donated times, unless expressly approved by the Department Head.

8.1b Procedure:

An employee wishing to donate accrued PTO or annual leave to another employee shall submit their request through the Payroll Department. All such donations shall remain confidential at the request of the donating employee and (or) the receiving employee. The Payroll Department shall review the request and ensure compliance by both employees with the conditions set forth above.

The Payroll Department will notify the employee involved of the decision. Use of time given or received through this policy shall be recorded on absence reports.

8.2 Holidays

Generally, if a holiday falls on a Saturday, it shall be observed on the preceding Friday for holiday leave purposes. If the holiday falls on a Sunday, it shall be observed on the following Monday. If a holiday falls on an employee's first regularly scheduled day off of the workweek, the holiday will be observed on the last workday scheduled prior to the holiday. If the holiday falls on an employee's second or third regularly scheduled day off of the workweek, the holiday will be observed on the first workday scheduled after the holiday.

8.2a Eligibility for Holiday Pay

An employee must be on authorized leave with pay or at work the day before and after a holiday to be eligible for holiday pay.

8.2b Pay for Holiday Work

If an employee working a regular forty (40) hour per week schedule is required to work hours on an authorized holiday, that employee shall, in addition to their regular pay, receive holiday pay, which is eight (8) hours. Employees working outside of regular scheduled hours above forty (40) hours on a city observed holiday, will receive regular pay, holiday pay, and time and one-half for the hours so worked.

Eligible full-time employees will receive eight (8) hours of straight time pay at their regular rate of pay for the observe holidays below:

New Year’s Day (January 1)	Labor Day (first Monday in September)
Martin Luther King, Jr. Day (third Monday in January)	Veteran’s Day (November 11)
President’s Day (third Monday in February)	Thanksgiving (fourth Thursday in November)
Memorial Day (last Monday in May)	Day after Thanksgiving
Independence Day (July 4)	Christmas (December 25)
Floating Holiday (depending on hire date)	

The City Council have final say in approving and declaring other holidays relevant to employees.

Some departments/positions may be required to work holidays, employees are encouraged to communicate with their Department Head or Elected/Appointed Official for expectations specific to their department.

8.2c Floating Holidays

With regards to floating holidays, the City observes a tiered system for floating holiday hour allotment based on month of hire during the first year of employment:

- Employees hired in the first four (4) months of the year (i.e., January, February, March, or April) – receive twenty-four (24) hours to utilize as floating holiday time.
- Employees hired in the fifth through the eighth months of the year (i.e., May, June, July, or August) – receive sixteen (16) hours to utilize as floating holiday time.
- Employees hired in the ninth through the eleventh months of the year (i.e., September, October, or November) – receive eight (8) hours to utilize as floating holiday time.
- Employees hired in December do not receive any floating holiday time until after the first of January.

Employees must note that there can be no accumulation beyond twenty-four (24) hours, and that floating holiday hours will not transfer or carryover into the following year. After an employee’s first year of employment, they will receive the full floating holiday hour allotment.

8.3 Family and Medical Leave Act (FMLA)

8.3a Basic Leave Entitlement

Under the Family and Medical Leave Act of 1993 (“FMLA”), employees may be eligible for up to twelve (12) weeks of unpaid leave. To be eligible for this leave, an employee must: (1) have been employed by the City for at least twelve (12) months; (2) have worked at least 1,250 hours during the twelve (12) months immediately preceding commencement of the leave; and (3) be employed at a location where fifty (50) or more employees are employed or a location where there are fifty (50) or more employees within seventy-five (75) miles of the employee’s location. This leave consists of up to twelve (12) weeks of unpaid leave during a twelve (12)-month period for any of the following reasons:

1. The birth of a son or daughter/to care for such son or daughter.
2. The placement of a son or daughter with an employee for adoption or foster care.
3. To care for a spouse, son, daughter, or parent with a serious health condition.
4. A personal serious health condition which makes the employee unable to perform their job.
5. To handle various non-medical “qualifying exigencies” arising out of the fact that an employee’s spouse, son, daughter, or parent is a “military member” on “covered active duty” or on call to “covered active-duty status”.

Examples of “qualifying exigencies” arising out of the covered active duty, which may qualify for this type of FMLA leave include, but are not necessarily limited to: (a) short-notice deployment (seven calendar days or less); (b) military events and related activities; (c) childcare and school activities; (d) making financial and legal arrangements; (e) personal counseling sessions, the covered military member or for a child or dependent; (f) up to fifteen days of leave to spend time with the covered military member who is on short-term, temporary rest and relaxation leave during the period of deployment; (g) post-deployment activities; (h) parental care leave to care for a military member’s parents who is incapable of self-care when the care is necessitated by the member’s covered active duty (including arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility); and (i) other events and additional activities that arise out of the military duty if we agree these qualify.

A husband and wife who are eligible for FMLA leave and are employed by the City are limited to a combined total of twelve (12) weeks of leave during any 12-month period if the leave is taken to care for the employee’s parents with a serious health condition, for the birth of the employee’s son or daughter or to care for the child after the birth, or for placement of a son or daughter with the employee for adoption or foster care or to care for the child after placement.

FMLA leave for the birth of a child or placement of a child for foster care or adoption must be completed within 1 year after the birth or placement.

8.3b Servicemember Family Leave

Additional leave time may be provided for the spouse, son, daughter, parents, or next of kin of an injured or ill “covered servicemember” or “covered veteran” who is undergoing medical treatment, recuperation, or therapy, is otherwise on outpatient status, or is otherwise on the temporary disability retired list, for a “serious injury or illness”.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember or covered veteran may be entitled to a total of twenty-six (26) workweeks of leave during a single 12-month period to care for the injured or ill servicemember or veteran. Leave to care for an injured or ill covered servicemember, when combined with other FMLA qualifying leave, may not exceed twenty-six (26) weeks in a single 12-month period.

For Servicemember Family Leave, the 12-month period begins on the first day of the leave.

8.3c The 12-Month Period

In calculating entitlement to FMLA leave, the 12-month period is determined on a “rolling” basis, measured backward from the date an employee uses any FMLA leave. Under this method, each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the twelve (12) weeks which has not been used during the immediately preceding twelve (12) months.

For examples, if an employee uses four (4) weeks beginning February 1, 2021, four (4) weeks beginning June 1, 2021, and four (4) weeks beginning December 1, 2021, the employee would be entitled to four (4) weeks of leave on February 1, 2022, and on June 1, 2022, they would be entitled to an additional four (4) weeks, etc.

8.3d Concurrent Use of PTO & Worker’s Compensation

Employees will be required to take some or all their available PTO (if any) as part of their FMLA leave that would otherwise be unpaid. Upon exhaustion of available PTO, the remainder of the FMLA leave will be unpaid. Employees will accrue PTO on a pro-rated basis during a period of FMLA leave where partial PTO is applied. Employees will not accrue PTO on any unpaid FMLA leave.

Employees will be required to use some or all of their available PTO to cover the employees’ portion of benefit premiums while on FMLA leave.

Employees on leave for a condition or injury covered by Worker’s Compensation will be required to take FMLA leave concurrently with that Worker’s Compensation leave.

8.3e Notice

In the case of foreseeable leave, employees must provide 30 days advance notice, if possible. If 30 days’ notice is not possible, notice must be provided as soon as possible.

Notice must be provided either in documentable communication (for foreseeable leave only) or by calling (for either foreseeable or unforeseeable leave). When requesting leave for the first time for a FMLA-qualifying reason, the employee must provide sufficient information for the City to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization, or continuing treatment by a health care provider. Calling in “sick” is not enough and additional information should be provided so that the City is informed that FMLA leave is being requested or may otherwise apply.

Employees must also inform the appropriate City representative if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

8.3f Certification

In the case of leave due to the serious health condition of an employee or their spouse, child, or parent, they will be required to provide appropriate medical certification. This certification must include information such as the date the serious health condition commenced; the probable duration of the condition; the appropriate medical facts within the knowledge of the health care provider regarding the condition; and, in the case of their own serious health, a statement from a health care provider that the employee is unable to perform their job duties. In addition, if their leave is to care for a family member, the health care provider must indicate that they are needed to care for the family member and provide an estimate of the time they will be needed.

In the case of servicemember family leave, the employee must provide appropriate certification to confirm the family member is a “covered servicemember” or “covered veteran”. This certification must include information such as the date the serious injury or illness commenced, the probable duration of the serious injury or illness, and the appropriate medical facts within the knowledge of the health care provider regarding the condition. In addition, the health care provider must indicate that the employee is needed to care for the covered servicemember and provide an estimate of the time they will be needed, and if the individual is a covered veteran, confirmation that the military member is a veteran, the date of separation, and whether the separation was other than dishonorable.

In the case of military “qualifying exigency” leave, employees will be required to provide appropriate documentation and certification of the need for leave and certain details related to the leave, including but not limited to, where applicable, a copy of the military member’s Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member’s leave.

8.3g Failure to Provide Notice/Certification

Failure to provide required notices or certifications may result in a delay in the leave of absence or loss of the protections provided by the FMLA. It is vital that employees comply with all notice and certification requirements in a timely manner. The City will do the same with its requirements.

8.3h Response by The City

The City will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required as well as the employee’s rights and responsibilities regarding FMLA leave. If an employee is not eligible, the City will provide a reason for the ineligibility.

The City will generally notify an employee within five (5) business days whether they are eligible for FMLA leave.

The City shall notify the employee in documentable communication if the medical certification is incomplete or insufficient, and state the information needed to cure the deficiency. The employee shall have seven (7) calendar days to cure the deficiencies.

8.3i Regular Reporting

While on FMLA leave, employees must keep the City informed of their plans to return to work. As a general rule, the employee must first contact their Department Head at least once every two (2) weeks. The Department Head will then contact Payroll and Benefits and Human Resources. Other reporting schedules may be agreed on between the employee and the Department Head based on the employee’s individual circumstances. Reasonable

notice (at least two [2] business days, and more if possible) is required prior to returning to work on any date other than the originally scheduled return date.

8.3j Scheduling Treatment and Intermittent Leave

If it is necessary for employees to take leave to obtain planned medical treatment, they must make a reasonable effort to schedule the treatment, so it does not disrupt the city's operations. In some cases, employees may need leave on only an intermittent basis. In those cases, they may be assigned to an alternative position which better accommodates their intermittent absences.

8.3k Benefits

Any group insurance an employee had prior to leave, if any, will continue during the term of their leave on the same basis as if they were not absent from work, including their obligation to pay their normal portion of the premium. Employees are financially responsible for the premiums upon exhaustion of paid leave and must repay what was covered by the City upon return. Please note that if the employee fails to return from their leave, the City may recover from them the cost of any premiums paid on their behalf to continue insurance coverage, as allowed by law.

8.3l Return to Work

Upon return from the employees leave, the City will reinstate them to their former position or to an equivalent position. Their seniority and benefits will not continue accruing during any unpaid period of their leave. If they are returning from a leave due to their own serious health condition, they must provide a note indicating that they may return to work and that they can perform all the essential functions of the position, with or without accommodation. For intermittent leave, the City may require a fitness for duty certification as often as every thirty (30) days if the health condition involves a contagious disease, or could reasonably affect the employee's, a coworker's, or third party's safety.

An employee who is unable or declines to return to work upon expiration of FMLA leave, has exhausted all other leave, and is not entitled to any leave under any other applicable law, including the ADA, will be considered to have voluntarily resigned.

8.3m Additional Questions?

It is impossible to cover all aspects of the family medical leave act in this policy. Therefore, when an employee determines that they will need to take leave under this policy, please contact Human Resources for additional details. For further information, employees may also refer to the Federal Department of Labor's "Employee Rights and Responsibilities" notice.

8.4 Unpaid Leave of Absence

An unpaid leave of absence is an approved absence without pay. Anything over forty (40) consecutive hours of unpaid time off from work requires a leave of absence. Leaves of absence must be requested in documentable communication and will be granted only for special reasons. Employees will not be eligible for holiday pay during a leave of absence.

Leaves of absence will be considered on the basis of City requirements and hardships caused hereby, the employee's performance record, the reason for the request, and the employee's length of service with the City. The determination of whether the request shall be granted rests solely within the discretion of the City Administrator and Human Resources, unless required to provide a leave of absence under applicable federal, state, or local law.

All such requests shall take into account the employee's length of service, performance quality, and the urgency of need.

A leave of absence may be granted for personal (non-medical) reasons without pay for a period not to exceed thirty (30) days. Whether a leave of absence will be granted beyond thirty days for a medical reason will depend on whether such leave is a reasonable accommodation under applicable federal, state, and local law. Employees must use all available paid leave time (including compensatory time) before requesting an unpaid leave of absence.

A leave of absence without pay under this policy may also be granted for illness, injury, or pregnancy disability for a period of time deemed to be a reasonable accommodation and does not pose a hardship for the City.

If needed to determine restrictions or engage in discussion about reasonable accommodations, an employee may be required to present a certificate from the employee's physician and/or a physician of their own choosing as to the fact of the illness, injury, or pregnancy disability, so that the City can determine the ability of the employee to safely perform essential duties with or without reasonable accommodation.

The length of absence may be extended at the discretion of the City Administrator upon further application in documentable communication by the employee prior to the expiration of the initial period. If an employee's leave of absence is in excess of thirty (30) days, an employee's return is subject to job availability. If the employee's position is not available at the end of the employee's leave, the City will make a reasonable effort to return the employee to a substantially similar position.

It will be the responsibility of the employee who has been granted a leave of absence in excess of thirty (30) days to pay monthly premiums for any continued group insurance coverage(s), if applicable. Employees should submit payment to the City by the fifteenth of each month. If paid leave is being substituted for unpaid leave, premiums will be deducted in accordance with the normal payroll cycle. In the absence of such payment, coverage may be terminated. Failure to return to work on the date scheduled by the City will result in termination of employment.

8.5 Military Leave

Employees required to be absent from employment for military service, training, and/or examination in the Uniformed Services, as defined by law, will be granted a paid and/or unpaid military leave of absence in accordance with the law. Employees taking such leave must give the City advance notice of the need for military leave unless such notice is impossible, unreasonable, or is prevented by military necessity.

Continuation of health insurance benefits, if any, is available as required by law based on the length of the leave and subject to the terms, conditions, and limitations of the applicable plans for which the employee is otherwise eligible. The amount of paid leave depends on how many hours an employee normally works and is normally scheduled to work in three consecutive weeks, as summarized below:

Military members who work or are normally scheduled to work in three consecutive weeks:	Required Paid Military Leave
159 hours or more and includes working 24-hour shifts	168 hours each calendar year
120 hours or more but less than 159 hours	120 hours each calendar year

Less than 120 hours	Equal to the number of hours the military member normally works or is normally scheduled to work, whichever is greater, in 3 consecutive weeks
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The City will comply with all laws regarding the re-employment of employees who serve in the Uniformed Services.

8.6 Bereavement Leave

The City strives to provide employees with time to heal to be with their family and friends following the loss of a loved one. An employee requiring Bereavement Leave shall notify their immediate supervisor or Department Head prior to or on the first day of such leave.

Full time employees will be granted up to three (3) days off with pay in the event of the death of immediate and non-immediate family members. Immediate family members include parent, stepparent, spouse, child, stepchild, brother, sister, stepbrother/sister, grandparent, step-grandparent, grandchild, step-grandchild, in laws (parent, son, daughter, brother, sister, grandparent), or legal guardian. Non-immediate family members include aunts, uncles, nieces, and nephews.

In addition to the use of funeral Bereavement Leave as set forth hereafter, medical, or additional leave may be granted at the discretion of the Department Head and City Administrator for the death of a member of an employee’s immediate family because of unusual circumstances. Employees must promptly notify their supervisor or Department Head of their intention to take additional time off for this purpose.

To attend the funeral of someone other than immediate and non-immediate family, an employee shall take PTO.

In the event of the death of a current or past City employee, the member’s of that individuals department may be granted leave from scheduled work hours to attend the funeral or memorial services, with prior approval from the Department Head and City Administrator. City employees from other departments may also be granted leave to attend the services depending on minimum staffing requirements and with prior approval of the Department Head and City Administrator.

8.7 Jury Duty and Witness Duty Leave

The City recognizes that jury duty is a civic responsibility. If an employee receives a jury duty summons, the employee should immediately advise their supervisor and provide a copy of the jury summons. If an employee is selected, during the period of actual service on the jury, and are called to serve during normally scheduled business work hours, under Nebraska Law, employees will sign over the compensation received from jury duty to the City. The City will then pay the full amount an employee is due.

The City encourages employees to appear in court for witness or other court-ordered duty when subpoenaed.

If an employee receives a subpoena, the employee should immediately advise their supervisor.

Under either circumstance, employees are expected to report for regular duties promptly on any day the employee is excused from attendance in court.

City employees who are summoned for jury duty should notify the County Court personnel or the District Court personnel on the first morning of jury duty that they are City employees and are not to be paid jury fees.

8.8 Voting Leave

Any employee whose work schedule conflicts with the opening and closing hours of the polls will be given time off to vote. Employees are entitled to two (2) consecutive hours when the polls are open to vote. If an employee does not have two (2) consecutive hours outside their working day to vote, the employee should contact their supervisor to request leave time that, when added with non-working hours when the polls are open, will total two (2) hours. An employee's supervisor may specify the approved period of absence. If the request is made before or on Election Day, there will be no deductions from an employee's wages. The City reserves the right to set the hours during which employees may be absent. Retaliation against employees who request leave under this policy is prohibited.

8.9 Public Service Leave

An employee who responds to public emergencies as a member of organizations like the Civil Air Patrol and Volunteer Fire Department during their regular working hours for the City shall be entitled to full pay and benefits and shall not be required to use PTO or time off without pay for the time away from their job. Attendance at "non-emergency" meetings or other gatherings of the Volunteer Fire Department during an employee's workday shall not be considered the type of participation which would entitle the employee to "time off with pay," but rather, would be subject to the standard rules and procedures governing time off. It will be the responsibility of each Department Head to ascertain when an employee's response to public emergencies and service with the Volunteer Fire Department can be permitted and accommodated on City time.

Any type of volunteering will be unpaid, unless otherwise specified, and is not to be taken on City time.

8.10 Inclement Weather Leave

It is the policy of the City to keep City Hall open to the public, even during inclement weather. City Hall shall be open from 8:00 a.m. to 5:00 p.m., Monday through Friday.

When the decision to close City Hall has been determined during regular business hours (8:00 a.m. to 5:00 p.m.), a Citywide notice will be sent notifying the employees of the closure and announcements made via public news media and all other City-used communication platforms.

The Department Head will determine who is essential and who is not and will confirm this decision within the employee's job description or verbally during the event.

The employees' pay will be handled in the following manner:

- If City Hall is closed on the employee's regularly scheduled workday, the employee is paid regular pay for their scheduled hours for that day. For employees still required to work during closures they may receive time and one half. If City Hall is open for any part of the day and the employee chooses not to come in, they will use their PTO, or if the employee does not have available PTO to use, the scheduled hours will go unpaid.

When the decision to close City Hall has been determined during non-regular business hours, employees will be notified through an announcement made via public news media and all other City-used communication platforms. All personnel determined essential by the Department Heads will report to work.

Per Department Head discretion, make up hours during an inclement weather week may be permitted.

8.11 Educational Leave

Attendance at schools, workshops, seminars, and conferences for job-related career development may be granted, with prior approval of the Department Head and the City Administrator or designee, provided funds have been budgeted by the particular department involved. Persons attending meetings receive their normal compensation.

8.11a Job-Related Education Courses

All city employees who desire to take additional job-related courses offered by an institution may be eligible for reimbursement by the City up to 50% of tuition and 50% of course-required materials per fiscal year. Reimbursement for 50% of course-required materials will have a maximum reimbursement amount of \$1,000. A request for such reimbursement must be submitted to the City Administrator and Human Resources. They will determine that the course is job-related or related to future advancement within the organization and must do so in a manner equitable to all employees. If approved, the City shall reimburse costs for tuition. However, if the employee fails to complete the class or achieve a grade of "C" or better, the employee will not be reimbursed by the City. To be reimbursed, the employee must submit their final grade to their Department Head and HR within two (2) weeks of the end of the semester during which the course was taken. Should an employee be reimbursed for education-related expenses, the employee agrees to remain a full-time employee of the City for a period of one (1) year. Should an employee separate from the City prior to completing one (1) year of service, the employee shall reimburse the City for a prorated portion of the tuition.

8.11b Employer-Directed Educational Assistance

Training for basic job skills may be directed by the employer. The City will pay for such training, including fees, travel, and per diem (when necessary). Failure to successfully complete basic job skills training may result in disqualification and removal from a position.

All requests are approved at the discretion of the City Administrator.

Section 9: Standards and Expectations

Code of Ethics for City Employees

1. Employees shall not hold financial interests that conflict with the performance of their official duties.
2. Employees shall not engage in financial transactions using non-public governmental information or allow the improper use of such information to further any private interest.
3. An employee shall not, except as may be otherwise provided by law, solicit, or accept any gift or other item from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency or department, or whose interests may be substantially affected by the performance of the employee's duties.
4. Employees shall not use public office for unauthorized private gain.
5. Employees shall act impartially and not give any organization or individual preferential treatment, except as law provides (i.e., bidding preferences).
6. Employees may not, in any way, disrupt or interfere with their job or workplace through speech, statement, or action that are personal grievances and not matters of public concern. Employees also may not initiate or participate in slander, libel, or defamation of the City. Employees who do may be subject to disciplinary action, including termination.
7. Employees shall protect and preserve City property and not use it for *anything* other than authorized activities.
8. Employees are expected to disclose waste, fraud, and corruption to appropriate authorities.
9. Employees shall adhere to all laws and regulations that mandate equal opportunity and treatment regardless of race, color, religion, sex, national origin, political affiliation, age, disability, or marital status.
10. Employees shall abide by all rules and regulations of the City, including all ordinances of the City.

9.0 Supervisory Employee Standards of Conduct

This policy is intended to keep employees who supervise and management aware of their responsibility of setting clear expectations through open communication to enable a positive and productive work environment. This policy applies to all City employees who supervise others.

Professionalism and Integrity: Supervisors are expected to uphold the highest standards of professionalism, honesty, and integrity. They should act as role models and promote ethical behavior within the organization.

Fairness and Equality: Supervisors should treat all employees with fairness, respect, and equality, regardless of their race, gender, age, religion, sexual orientation, or any other protected characteristic. Discrimination, harassment, and favoritism will not be tolerated.

Communication and Transparency: Supervisors should maintain open and transparent communication with their team members. They should listen attentively, provide clear instructions, and encourage open dialogue. Information should be shared promptly and accurately, ensuring employees are informed about matters affecting their work.

Accountability and Responsibility: Supervisors should take responsibility for their actions and decisions. They should be accountable for meeting their commitments, honoring deadlines, and delivering results. Managers should also hold their team members accountable for their performance and conduct.

Confidentiality and Privacy: Supervisors must respect the confidentiality and privacy of employee information, including personal and sensitive data. Confidential information should be handled with utmost care and disclosed only on a need-to-know basis and within the bounds of legal requirements.

Conflict Resolution: Supervisors should proactively address conflicts and disagreements in a fair and constructive manner. They should encourage open dialogue, actively listen to all perspectives, and strive to find mutually beneficial solutions. Escalation procedures should be followed when necessary.

Employee Development and Support: Supervisors should foster the professional growth and development of their team members. They should provide regular feedback, guidance, and support to help employees enhance their skills, knowledge, and performance. Supervisors should also promote a positive work environment that values well-being and work-life balance.

Compliance with Policies and Laws: Supervisors must comply with all applicable laws, regulations, and internal policies. They should be familiar with and ensure their team's adherence to these policies, including those related to safety, diversity and inclusion, data protection, and other relevant areas.

Conflict of Interest: Supervisors shall conduct City business with the highest standards of integrity and shall not officially act in regards to any contract, transaction, or other matter in which the employee may have a personal interest, individually or through a family member.

Continuous Improvement: Supervisors should strive for personal and professional growth. They should actively seek opportunities to enhance their leadership skills, stay updated on industry trends, and contribute to the overall improvement of the organization.

By adhering to this Code of Conduct, supervisors will contribute to a positive work environment, foster employee engagement, and uphold the organization's values and reputation. Failure to comply with this policy may result in disciplinary action, up to and including termination of employment.

9.1 Dress Code

Employees are expected to maintain a clean and well-groomed appearance in keeping with their job and conducive to good public relations. They must comply with the requirements of their respective departments related to wearing apparel, personal appearance, hygiene, and safety. Office staff may wear jeans in good condition on Fridays or as approved by the City Administrator. All clothing and shoes need to be clean and professionally appropriate for an employee's working environment. Each department's dress code, including shoe policies, may vary.

Employees are expected to uphold a professional appearance and integrity on duty and off duty, while wearing a City uniform.

If an employee wears a uniform, the uniform should be worn properly and kept well maintained. The uniform identifies them as City employees, and proper care of the uniform reflects favorably on them and the City. Employees are prohibited from altering City uniforms in any fashion.

Department Heads and Supervisors are responsible for ensuring that staff meets the dress code as stipulated. Staff wearing inappropriate clothing will be required to leave work and change into appropriate attire without compensation.

Any employee who does not meet the standards of this policy shall be required to take corrective action, which may include leaving the premises. Non-exempt employees will not be compensated for any work time missed because of failure to comply with this policy. Violations of this Dress Code Policy shall result in disciplinary action.

9.1a Clothing and Non-Union Uniform Allowance

A. Clothing Allowances

A clothing allowance, equal to the current, respective collective bargaining agreement, will be provided for the following non-union police and fire personnel: Police Chief, Deputy Police Chiefs, Police Lieutenants, Fire Chief, Assistant Chief, Fire Marshal, and Deputy Fire Marshal.

B. Uniform Allowance

As budget allows, and as deemed appropriate by the Department Head, each employee will be allowed a uniform expenditure. These allowances shall be available only after successfully completing an initial introductory period.

Each Department Head will determine the type, color, style, and the number of uniform items. Departments are expected to standardize, as much as possible, the color, type, and the number of uniform items to assure a good image.

Uniforms should be worn while on duty and to and from work. Uniforms should not be worn during other off-duty hours except as authorized by the Department Head.

Employees are expected to keep their uniforms in clean, presentable, well-repaired condition and wear all such apparel every workday.

9.2 Fragrance-Free Workplace

To ensure that the City has a fragrance-free workplace, employees are prohibited from bringing onto the premises natural or artificial scents that could be distracting or irritating to others. Scented personal products (such as fragrances, colognes, lotions, and powders) that are perceptible to others should not be worn by employees. Other scented products (candles, potpourri, and similar items) are also not permitted in the workplace.

Employees required by medical necessity to use products that contain odors perceptible to others may request a reasonable accommodation from their Department Head or the Human Resources (HR) Department.

Any employee with a concern about scents or odors should contact a supervisor, manager, or the HR Department.

9.3 Tobacco Use

The City is proud to be a tobacco-free workplace and believe it is critical to provide a safe and healthy environment for all employees, customers, and visitors. All work areas of the City, including jobsites, vehicles, and City-owned equipment, are to be considered non-smoking areas, except those specifically designated for smoking, identified by "Smoking Permitted" signs, for those who choose to use tobacco products. Product examples include, but are not limited to, cigarettes, cigars, cigarillos, pipes, bidis, electronic cigarettes, and tobacco free cigarettes (vaping). This applies to all City employees as well as customers and visitors. Any unauthorized tobacco uses on City property is not permitted. Employees who engage in the use of any tobacco, or illegal drugs, on City property may be subject to disciplinary action.

9.4 City Equipment

City equipment or facilities shall be used for official purposes only and shall not be used by any employees for personal use. All equipment such as computers, phones, manuals, desks, cabinets, copy machines, data files and software, are to be used for business related purposes only and will remain the property of the City and must be returned upon separation of employment. Anything and everything employees do or store on the City's computers, systems and other property may be monitored or searched. Employees should expect zero privacy with respect to use of City property, systems, and equipment.

9.5 IT Security Policy

This voicemail, email, and internet policy is intended to provide employees with guidelines associated with the use of the City's voicemail/email/internet system. This policy applies to all employees and others accessing and/or using the system through onsite or remote terminals.

9.5a General Provisions

The system, and all data transmitted or received through the system, is the exclusive property of the City. Employees should not have any expectation of privacy in any communication over this system. If employees are permitted to have access to the system, they will be given a voicemail, email, and/or Internet address and/or access code and will have use of the system consistent with this policy.

The City reserves the right to monitor, intercept, and/or review all data transmitted, received, or downloaded over the system. Any individual who is given access to the system is hereby given notice that the City will exercise this right periodically and as needed, without prior notice and without the prior consent.

The interests of the City in monitoring or intercepting data include, but are not limited to: protection of City trade secrets, proprietary, and similar confidential commercially-sensitive information (i.e. financial or sales records/reports, donor records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.); managing the use of the computer system; conducting internal investigations and/or assisting employees in the management of electronic data during periods of absence.

The computer email, interoffice, and regular mail systems are information sharing and processing functions for the benefit of the City. Therefore, there is no personal right to privacy for any City email account, nor is mail received by employees in the course of business guaranteed confidentiality by any express or implied privacy consideration. Employees should not interpret the use of password protection as creating a right or expectation of privacy. To protect everyone involved, no one can have a right or expectation of privacy regarding the receipt, transmission, or storage of data on the City's system. Further, City employees who wish to receive personal mail at work do so with the understanding that there is no express or implied guarantee of privacy by the City.

9.5b Internet Code of Conduct

Access is provided solely for the benefit of the City and allows employees to connect to information resources around the world. Every employee has a responsibility to maintain and enhance the City's public image and to use the Internet in a productive manner. To ensure all employees are responsible, productive Internet users, and are protecting the organization's public image, the City has established guidelines for using the Internet.

Employees accessing the Internet are representing the City. All communications using the City's system should be for professional reasons. Employees are responsible for using the Internet in an effective, ethical, and lawful manner. Databases may be accessed for information as needed.

The Internet should not be used for personal gain or advancement of individual views. Solicitation of non-City business or any use of the Internet for personal gain is strictly prohibited. Use of the Internet must not disrupt the operation of the City's network or the networks of other users. It must not interfere with productivity.

Each employee is responsible for the content of all text, audio, or images that they place or send over the Internet. Fraudulent, harassing, or obscene messages are prohibited. For any City business, the employee's name must be attached in the copy of the communication transaction. No messages should be transmitted under an assumed name and users may not attempt to obscure the origin of any message. Information published on the Internet should not violate or infringe upon the rights of others. No maliciously false, harassing, violent, threatening, and abusive language should be transmitted through the system. Employees who wish to express personal opinions on the Internet should be encouraged to obtain their own usernames on other Internet systems.

Any employee who violates this policy may be subject to corrective action, up to and including termination of employment. If necessary, the City will also advise law enforcement officials of suspected or actual illegal conduct.

9.6 Conflicts of Interest

A conflict of interest is defined as a situation in which a person has a duty to more than one person or organization but cannot do justice to the actual or potentially adverse interests of both parties. A conflict of interest arises where an employee's personal interests or concerns conflict (or gives the appearance of a conflict) with the employer's interests or concerns. The City is concerned with conflicts of interest that create actual or potential job-related concerns, especially in the areas of confidentiality, customer relations, safety, security, and morale. If there is any actual or potential conflict of interest between an employee and a competitor, supplier, distributor, donor, or contractor to the City, the employee must disclose it to an immediate supervisor. If an actual or potential conflict of interest is determined to exist, the City will take such steps as it deems necessary to reduce or eliminate this conflict. Use of City information or equipment for personal gain is strictly prohibited.

9.6a Private Business Activities

An employee shall not engage in private business activities during their working hours and shall not use City property or facilities for such activities unless authorized by the employee's job description or salary ordinance.

9.6b Political Activities

City employees have the right of any citizen to express their political views; however, no employee shall use their office or position, City equipment, uniform, or City work time to express those views.

9.7 Non-Solicitation and Distribution

Unless authorized by Department Heads, at their discretion, the City prohibits solicitation and distribution on its premises and through campus mail by non-employees. Prohibited acts include but are not limited to: soliciting funds or signatures, conducting membership drives, posting information, distributing literature or gifts, offering to sell or to purchase merchandise or services (except by representatives of suppliers properly identified), or engaging in any other solicitation, distribution, or similar activity on City premises.

Additionally, employees are prohibited from: soliciting and distributing literature or other materials to other employees during their working time of the person being solicited; and distributing literature or other materials in working areas during their non-working time. Non-working time is defined as time not on the clock, including breaks and lunches.

9.8 Gifts, Gratuities, and Business Courtesies

The City is committed to competing solely on the merit of their products and services. Employees must avoid any actions that create a perception that favorable treatment of outside entities by the City was sought, received, or given in exchange for personal business courtesies or gifts.

Business courtesies include gifts, gratuities, meals, refreshments, entertainment or other benefits from persons or companies with whom the City does or may do business. Employees must neither give or accept business

courtesies that constitute, or could reasonably be perceived as constituting, unfair business inducements that would violate law, regulations or policies of the City or customers, or would cause embarrassment or reflect negatively on the City's reputation.

Employees may accept unsolicited gifts, other than the courtesies mentioned above, that conform to the reasonable ethical practices of the City and marketplace, including:

- Flowers, fruit baskets and other modest presents that commemorate a special occasion.
- Gifts of nominal value, such as calendars, pens, mugs, caps and t-shirts, or other novelty, advertising, or promotional items.

Employees with questions about accepting business gifts and courtesies should talk to their supervisor or the Human Resources prior to accepting a gift or immediately upon receiving one.

9.9 Reporting Criminal Activity, Criminal Charges, Child Abuse Complaints, Etc.

Involvement in criminal activity during employment, whether on or off City property, may result in disciplinary action including suspension or termination of employment. Disciplinary action depends upon a review of all factors involved, including whether or not the action was work-related, the nature of the act, or circumstances that adversely affect attendance or performance. Any disciplinary action is not dependent upon the disposition of any case in court and will be based on information reasonably available. This information may come from witnesses, police, or any other source if the City has reason to view the source as credible.

Employees are expected to be on the job, ready to work when scheduled. Inability to report to work as scheduled as a result of an arrest may lead to disciplinary action, up to and including termination of employment for violation of an attendance policy or job abandonment.

9.10 Expense Reimbursement

9.10a Mileage and Travel Pay

Generally, time spent traveling is compensable, unless it is normal home-to-work commute time, or when travel requires an overnight stay, and the time spent traveling as a passenger falls outside of the employee's normal work hours. If travel needs to occur outside of normal working hours, or on a weekend, flex time may be permitted during the same pay period in which the travel occurred. Flex time must be approved and set prior to an employee's travel.

The City will pay mileage, for travel outside City limits, at the rate allowed by Nebraska Revised Statute § 81-1176 or actual travel expense if travel is authorized by commercial or charter means. Employees are requested to pool rides if more than one employee attends a specific school, seminar, or conference.

Certain Department Heads and other persons authorized to use their personal vehicle to conduct City business shall receive compensation, plus mileage at the rate allowed by Nebraska Revised Statute § 81-1176 or actual travel expense if travel is authorized by commercial or charter means.

9.10b Meetings and Conferences

Employees seeking reimbursement for any work-related meetings or conferences should incur the lowest reasonable travel expenses and exercise care to avoid impropriety or the appearance of impropriety.

Reimbursement is allowed only when reimbursement has not been, and will not be, received from other sources. If a circumstance is not covered explicitly in this travel policy, then the most conservative course of action should be taken.

9.10c Overnight Stays

Staff travel must be authorized. Employees should verify that planned travel is eligible for reimbursement before making travel arrangements. Within fourteen (14) days of completing a trip, the employee must submit a travel reimbursement form and supporting documentation to obtain reimbursement of expenses.

The cost of overnight lodging (room rate and tax only) will be reimbursed to the traveler if the travel is approved by the employees Department Head and/or the City Administrator.

The City will reimburse lodging expenses at reasonable, single occupancy or standard business room rates. When the hotel or motel is the conference or convention site, reimbursement will be limited to the conference rate.

The City Administrator will review exceptions to this policy.

9.10d Meals

Employees on approved overnight lodging will receive a pre-determined stipend for meals at the discretion of the City Administrator.

9.10e Parking

When appropriate, parking fees and costs will need to be submitted for reimbursement within fourteen (14) days.

Parking lot stubs are to be turned in for reimbursement of expenses related to parking a vehicle. Itemized listing of any cabs (only when there is no less expensive alternative), buses, or other transportation must be submitted for reimbursement. Any tips or gratuities will be the employee's responsibility and are not reimbursable by the City.

9.11 Use of City Owned Credit Card

Employees who are asked to make a purchase on a City credit card should use good judgement in purchasing decisions. All receipts for purchases made on employer issued credit card should be turned in promptly to the City Administrator/Finance Director. Any unauthorized use of a City credit card will be subject to disciplinary action, up to termination of employment.

9.12 Use of City Vehicles/Mileage

The use of any City-owned vehicle for personal use is strictly prohibited. Employees traveling within the City will utilize a City vehicle, if available. It is the responsibility of employees to see that those City vehicles they are operating or have been assigned are used only for City business. City employees who drive a City-owned vehicle must have a valid Nebraska driver's license, accompanying the person when operating City vehicles. All drivers and passengers must wear safety belts and comply with all traffic and safety laws.

Smoking is not allowed in City vehicles. Employees who smoke in City vehicles may be subject to disciplinary action, including termination. Furthermore, the employee will be responsible for the cost of disinfecting the vehicle.

The City requires employee's to wear seatbelts at all times while in or operating a vehicle. Employees found to not be wearing their seatbelt as required may be deemed negligent and workers' compensation coverage may not apply.

9.12a Accidents

If an accident involving an employee occurs while an employee is on duty, they must:

A. Notify the Police Department and their Department Head immediately.

If the accident is a motor vehicle accident, employees must remain at the scene until the Police arrive (unless the employee is injured or needs medical care).

- B. Notify their Department Head immediately and file a "First Report of Alleged Occupational Injury or Illness" form if any injury is sustained while performing duties for the City. Department Heads must then notify Human Resources to complete the form.
- C. If a City vehicle is disabled as a result of an accident, or if a City vehicle breaks down and becomes inoperable, employees shall report in accordance with City policy.

When employees are covered by Department of Transportation regulations, these federal policies shall be obeyed, including steps for mandated drug and alcohol testing.

9.13 Vehicle Allowance

Eligible employees, including Department Heads and other authorized employees, may receive a monthly allowance of \$180.00, plus mileage at the rate allowed by the Nebraska Revised Statute § 81-1176 when travel is outside of City limits. Employees would also receive travel expense reimbursement should the travel qualify according to section 9.10. Employees are to send the mileage tracking form to the finance department.

Section 10: Health, Safety, and Security Policies

Safety is important to the City and all of its employees. The City intends to provide a safe workplace for all employee's protection. The City's policy aims to minimize exposure to health or safety risks of employees and visitors at the City's facilities.

In order to accomplish this, each employee is expected to obey safety rules and exercise caution in all work activities. The City and certain departments have established safety rules, regulations, and procedures. Employees are expected to know and observe all such rules, regulations, and procedures. Employees are expected to observe all traffic laws. Employees are also expected to adhere to any other department-specific policies and procedures.

Employees must immediately report any unsafe condition to their supervisor. Employees that violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations may be subject to disciplinary action up to and including termination of employment.

The City has a safety committee comprised of employees and management to help ensure a safe and healthful workplace. This committee is responsible for coordinating all Citywide safety activities, analyzing Citywide accident trends, and recommending procedures that may improve safety in all departments.

The City does not prescribe employee conduct off the job. However, any conduct on or off-the-job which affects the employee's credibility, effectiveness, performance, or ability to fully carry out the responsibilities of City employment or any conduct which is prejudicial to the interests, reputation, or operations of the City are subject to disciplinary action, up to and including termination.

10.0 Workplace Accidents and Injuries

The City strives to maintain an environment of safety. In addition, the City is required to keep an accurate record of all work-related accidents and to report accidents to their insurance carrier. All workplace accidents or injuries (including near accidents) of visitors and employees must be reported immediately to their immediate supervisor and recorded within twenty-four (24) hours. If a workplace accident or injury occurs, it must be reported, and an "Incident/Injury Report" must be documented completely and signed by the person(s) involved and by the immediate supervisor and turned into Human Resources to ensure proper care is administered and prompt reporting to the insurance provider. In case of motor vehicle accidents occurring on duty, employees must notify the Police Department and their Department Head or Department Supervisor immediately and remain at the scene until the Police arrive (unless the employee is injured and in need of medical care).

10.1 Worker's Compensation

Under the Worker's Compensation Act and the Worker's Occupational Diseases Act, the City covers all employees under worker's compensation insurance. This insurance covers all reasonable medical expenses required to cure or relieve the effects of a work-related injury or illness. Workers' compensation insurance may also provide partial payment of the injured employee's wages until the employee has reached Maximum Medical Improvement (MMI). Timely reporting of work-related injury or illness will be considered in determining eligibility of benefits. Employees may not receive Worker's Compensation if they were willfully negligent at the time of receiving such injury.

10.1a Worker's Compensation - Fire and Police

Sworn Police and Fire Personnel covered by bargaining unit contracts should refer to state statutes for exact terminology and specific details.

10.1b Worker's Compensation - Non-union Employees

Non-union employees may receive worker's compensation benefits if injured on the job or if they contract an employment-related disease. Worker's compensation benefits shall not be received if the employee was willfully negligent at the time of injury or under the influence of drugs or alcohol.

Upon notice, all employees shall report all such incidents of work-related injuries to their supervisor in order to obtain proper medical treatment and to complete the required forms. Eligibility for worker's compensation benefits is determined based on an accurate report of the incident and the time frame in which it is reported.

An employee determined to be disabled and unable to work due to a work-related injury will be compensated at an amount determined by the worker's compensation laws in effect at the time of the injury or disability.

10.2 Return to Work After a Workplace Accident or Injury

The City strives to assist employees to return to work at the earliest possible date following a workplace injury or illness. However, this policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation or covered under the ADA.

When possible, transitional positions will be made available to injured workers to minimize time lost from work. The City cannot guarantee a transitional position and is under no obligation to offer, create or encumber any specific position for purposes of offering placement to such a position.

The City will work with employees who are on leave because of workplace injury or illness and receiving worker's compensation benefits to modify work assignments within the worker's physical ability, knowledge, and skills until Maximum Medical Improvement (MMI) is achieved. Employees will be required to provide periodic status updates from the attending physician regarding their medical restrictions.

If an employee is on leave due to a non-work-related injury or illness, they will be unable to return to work until they have reached Maximum Medical Improvement (MMI) and receive doctor's authorization to return to the essential job functions without restrictions.

10.3 Disaster Recovery Procedures

The City strives to ensure employees are trained and aware on what to do in cases of disaster such as, tornados, fire, an active shooter, power outages, etc. Employees shall refer to the Safety Guide for guidance on what to do in cases of disaster.

10.4 Building Security

10.4a Use of Official Badge or Credentials

Officials or employees who wear a badge or other official insignia or who bear credentials as evidence of their authority and (or) identity shall not permit such badge or insignia to be used or worn by any other person or otherwise leave their possession. An employee shall not use an official badge or credentials for personal use.

10.4b Keys

Employees may be provided keys upon hire and are responsible for the key upon issuance. Only City employees may utilize the keys. Any unauthorized entry to City buildings or on City premises by employees or non-employees may result in disciplinary action.

10.5 Drug and Alcohol-Free Workplace

The City is committed to protecting the safety, health, and well-being of its employees and all those who encounter its employees. Drug and alcohol abuse pose a direct and significant threat to these goals, and to the goal of a

productive and efficient working environment in which all employees have an opportunity to reach their full potential. The City is committed to ensuring a drug and alcohol-free working environment for all employees and compliance with this policy is a condition of employment. Violations of the policy may lead to disciplinary actions up to and including termination.

All employees are prohibited from using, selling, or possessing illegal drugs or unauthorized (drugs not prescribed to the employee using it) prescription drugs on City premises or while performing any work for the City. The City reserves the right to conduct an individual drug test, in accordance with applicable law, where there is reasonable suspicion that an employee may be under the influence of alcohol or illegal drugs at work or following a job-related accident or injury.

Furthermore, each employee who observes or has knowledge of other employees in a condition that poses a hazard to the safety and welfare of others is expected to report such conditions promptly to the immediate supervisor, or Human Resources.

Any off-duty activities, including drug or alcohol related activities that lead to an employee's arrest or harms the City's reputation may be grounds for disciplinary actions up to and including termination. All employees are required to report to their jobs in a fashion that allows them to safely and satisfactorily perform the essential functions of their job.

Substance and alcohol abuse are illnesses that can be treated. Employees who have an alcohol or drug abuse problem are encouraged to seek appropriate professional assistance. Employees may inform their supervisor for assistance in seeking help to address substance abuse. Employees who are seeking treatment may be entitled to leave to provide time away from work.

To the extent of any provision of this policy conflicts with any federal, state, or local law, the City will fully comply with the applicable law in the interpretation and application of the policy.

10.6 Drug and Alcohol Testing Policy

In compliance with the Drug-Free Workplace Act of 1988, the City has a longstanding commitment to provide a safe, quality-oriented and productive work environment. Alcohol and drug misuse poses a threat to the health and safety of City employees and to the security of the City's equipment and facilities. For these reasons, employees who unlawfully use, attempt to possess, or use, manufacture, distribute, dispense, or participate in the transfer, sale, offering, or possession of unauthorized alcohol, illegal drugs, prescription drugs, or other controlled substances while on the job or on City premises (including parking lots), will be subject to severe disciplinary action, up to and including termination.

Employees who are under a physician's care and taking medication that may affect their ability to work safely are responsible for informing their supervisor of their condition before beginning work.

Employees who are off duty and have been drinking or are under the influence of drugs are obligated to refuse any emergency calls.

Applicants being considered for employment with the City in safety-sensitive positions, including positions classified as temporary, will be required to submit to drug testing prior to gaining employment with the City. Similarly, employees in safety-sensitive positions may be subject to drug and alcohol testing on a random basis.

Employees in safety-sensitive positions that are involved in any work-related accident or incident involving the violation of any safety or security procedures may be required to submit to drug and alcohol testing. This applies

even if the incident did not result in injury to any person or any property damage. Refusal to submit to a search or test may be considered to be insubordination and is subject to discipline, up to and including termination.

For the sake of this policy, safety-sensitive positions include positions that involve holding a CDL and employees who operate City equipment or machinery.

When there is reasonable cause to suspect possession, influence, or use of alcohol or drugs on the job, or following an accident, employees may be required to submit to an alcohol or drug test. Refusal to submit to a search or test may be considered to be insubordination and is subject to discipline, up to and including termination.

Should an employee fail a City-requested drug test, whether reasonable suspicion, post-accident or random, the City will deduct costs for the failed test from an employee's wages on the next corresponding payroll.

10.7 Workplace Violence Prevention Policy

The City is committed to creating and maintaining a work environment that is free from violence. The City has a zero-tolerance policy for violence in the workplace. Civility, understanding, and mutual respect toward fellow City employees, applicants, vendors, and customers are intrinsic to the existence of a safe and healthful workplace. The City prohibits verbal harassment, violent acts, threats of violence, or any other behavior which by intent, action, or outcome harms another person. Prohibited conduct includes, but is not limited to:

- Injuring another person physically.
- Using, possessing, or threatening to use weapons, firearms, or other dangerous or hazardous devices or substances.
- Engaging in behavior that creates reasonable fear of injury to another person.
- Engaging in behavior that subjects another individual to extreme emotional distress.
- Intentionally damaging property.
- Threatening to injure an individual or to damage property.
- Committing injurious acts motivated by, or related to, protected class status.
- Any other behavior that causes others to feel unsafe.
- Retaliating against any employee who, in good faith, reports a violation.

It is the responsibility of all City employees to:

- Help maintain a violent-free work environment.
- Report all threatening behavior to management and/or Human Resources immediately.

All employees should promptly report any workplace violence to Human Resources. Each allegation of violence will be taken seriously, and an investigation will be conducted by Human Resources. The City prohibits retaliation against an employee for reporting a potentially violent situation.

10.8 Sundry Provisions

10.8a Age Requirements

According to the Secretary of Labor, an individual must be at least sixteen (16) years of age to work in most non-farm jobs and at least eighteen (18) years of age to work in non-farm jobs declared hazardous. However, individuals fourteen (14) and fifteen (15) years of age may work for the City so long as employment complies with all local, state, and federal rules and regulations regulating child labor.

Prohibited Jobs: Employees under the age of 18 are prohibited from performing hazardous activities, such as using power driven machines such as circular saws, band saws, guillotine shears, hoisting equipment or wood-working machines. Driving a commercial mower on public streets is prohibited for employees under the age of

18. No employee under 18 years may serve as an outside helper on a motor vehicle. An outside helper is any individual, other than a driver, whose work includes riding on a motor vehicle outside the cab for the purpose of assisting in transporting or delivering goods.

Employees under 18 years of age may only drive a vehicle if the following requirements are met: The driving is limited to daylight hours;

- The 17-year-old holds a state license valid for the type of driving involved in the job performed;
- The 17-year-old has successfully completed a state approved driver education course and has no record of any moving violations at the time of hire;
- The automobile or truck does not exceed 6,000 pounds gross vehicle weight;
- The automobile or truck is equipped with a seat belt for the driver and any passengers and the employer has instructed the youth that the seat belts must be used when driving the vehicle; and
- The driving is only occasional and incidental to the 17-year-old's employment. This means that the youth may spend no more than one-third of his or her workday and no more than 20 percent of his or her work time in any workweek driving.

In addition, the driving may NOT involve:

- Towing vehicles;
- Any other vehicle than an automobile or truck (i.e. bus, motorcycle, ATVs, golf cart);
- Route deliveries or route sales;
- Transportation for hire of property; goods, or passengers;
- Urgent, time-sensitive deliveries;
- Urgent, time sensitive deliveries are trips which, because of such factors as customers satisfaction, the rapid deterioration of the quality or change in temperature of the product, and/or economic incentives, are subject to time-lines, schedules, and/or turn-around times which might impel the driver to hurry in the completion of the delivery.
- Prohibited trips would include, but are not limited to, the delivery of materials under a deadline (such as deposits to a bank at closing); and the shuttling of passengers to and from transportation depots to meet transport schedules. Urgent, time-sensitive deliveries would not depend on the delivery's points of origin and termination and would include the delivery of people and things to the employer's place of business as well as from that business to some other location.
- Transporting more than three passengers, including employees of the employer;
- Driving beyond a 30-mile radius from the youth's place of employment;
- More than two trips away from the primary place of employment in any single day to deliver the employer's goods to a customer (other than urgent, time-sensitive deliveries which are prohibited);
- More than two trips away from the primary place of employment in any single day to transport passengers, other than employees of the employer.

ACKNOWLEDGMENT

This Employee Handbook is not intended to create any contractual right in favor of the employee or the City of North Platte. The City reserves the right to change any section of this Employee Handbook at any time.

Section 11: Handbook Receipt, Acknowledgement, and Consent

I have received the City’s Employee Handbook and have either read it or had it read to me carefully. I understand all its rules, policies, terms, and conditions, and agree to abide by them, realizing that failure to do so may result in disciplinary action up to and including termination of employment. I also understand that this Handbook supersedes all previous inconsistent written and unwritten policies, and any previous handbooks or manuals.

I further understand that the Handbook is not a contract and does not in any way constitute a contract of employment but is instead intended to provide employees with a better understanding of their responsibilities, benefits, and the general policies and philosophy of the City. I understand that the City may change, modify, or eliminate any or all the guidelines/policies in this Handbook, in its absolute discretion.

I acknowledge that unless altered by a separate written contract signed by me and an officer at the City, my employment with the City is "at will" and may be terminated by myself or the City at any time and for any lawful reason, without prior notice or cause. Nothing contained in this Handbook provides me an expectation of continued employment.

I further certify and acknowledge that:

- I know how to access the City Employee Handbook.
- I understand it is my responsibility to read the Handbook, to understand it, and do my best to comply with its provisions.
- I understand that I should contact my supervisor or the Department Head, for interpretation or clarification of any guideline which I do not understand.
- I understand that the Handbook contains information on harassment, discrimination and retaliation which outlines my responsibilities and obligations and provides a grievance method for me to use in case of unlawful harassment, discrimination, or retaliation.
- I understand that the City may monitor my computer files and activity, internet activity, electronic communications, and voice mail messages for various reasons, and I consent to the same. The City may also disclose such activity and messages to a third party without my consent when it deems such action necessary. I have no expectation of privacy in the use of the City’s information systems, or in information or items stored or kept on City premises.
- I understand that upon termination of my employment for any reason I must return all City materials, property, uniforms, and equipment issued to me and pay the City any money that I may owe the City and agree that upon my failure to promptly do either of these the City can withhold corresponding amounts from my final paycheck and take whatever action the City deems necessary to recover such amounts from me.

Consent to Use Name and Image

I authorize the City to use my name and/or images in its marketing materials, including on its website or social media outlets. I understand I can opt out later if I authorize this practice now. If I wish to opt out now, I have checked the box below.

I opt out of such practice.

Print Name

Employee Signature Date