



**City of Willard**

# **EMPLOYEE POLICY MANUAL**

Adopted \_\_\_\_\_  
date

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## 1. PURPOSE

The intent of these Personnel Policies is:

**1.1** To provide for more effective City administration through the use of standardized personnel policies and procedures applicable to all City personnel;

**1.2** To provide a standardized system of position classification and compensation based on the complexity and the responsibility of the principal tasks assigned to each position in City service;

**1.3** To recruit, hire, assign, advance, compensate and retain individuals on the basis of their qualifications and performance, and to treat those individuals equally in these and all other respects without regard to race, color, religion, creed, sex, age, national origin, sexual orientation, marital status, or physical, mental or sensory disability not directly related to job performance.

## 2. ADMINISTRATION

**2.1** The City shall, from time to time, promulgate appropriate rules, regulations or amendments to these Policies to promote a fair and effective administration of personnel in the City's service.

**2.2** The City shall appoint a designee, who shall be the City Administrator, who will be responsible for the interpretation and administration of these Policies and amplifying rules, regulations, benefits and policies; all subject to review by the Board.

**2.3** These Policies, procedures and standards are established to achieve the stated purpose, and apply to all employees of the City under the direct and indirect jurisdiction of the City except as otherwise provided herein.

**2.4** These rules supersede all and any previous City policies, procedures and standards with respect to personnel except as otherwise provided

## 3. DEFINITIONS

The words and phrases used in this Policy shall have the following meanings:

**3.1** "Anniversary Date" is the date of hire of an employee.

**3.2 "Appointing Authority"** means that person or body with legal authority to appoint or dismiss employees; in the case of the City Administrator and City Clerk positions, that authority is the Board; in the case of all other employees of the City, that authority is the City Administrator.

**3.3 "Board"** means the Board of Aldermen of the City of Willard as duly elected from time to time.

**3.4 "Class"** means positions in one occupation or profession which have approximately the same duties and responsibilities and share the same job title. The education, experience, knowledge, skills and abilities needed to fulfill the position are the same, and the same tests may be used to qualify.

**3.5 "Class Series"** includes all classes at all levels of difficulty and responsibility in the same occupation.

**3.6 "Class Specification"** means a description of a class, including the duties and responsibilities, education and experience required and the knowledge, skills and abilities necessary to fulfill a position in the class.

**3.7 "Classification Banding"** means a banding of classifications to encompass the full scope of employment opportunities available to each employee upon the recommendation of the City Administrator and the approval of the Board. The City Administrator will decide when an employee will move to a more experienced level. The movement is not a promotion or a reclassification and does not require budget approval. The movement will not change the employee's current rate but will change the top of the range. The City Administrator's signature on the personnel action form will certify that the employee meets the journey level experience to move.

**3.8 "Classification Plan"** consists of all the classes established within the City, their class specifications and the rules for maintaining the plan.

**3.9 "Classification Study"** means investigation of a position to determine its proper class.

**3.10 "Classified Positions"** means all positions regulated by the City Personnel Policy. Each will be assigned a class in the classification plan and will be defined by a class specification.

**3.11 'Compensation Schedule'** means a listing of the pay ranges and steps within the range to which each classification is assigned.

**3.12 "Days"** unless otherwise specified means consecutive calendar days.

**3.13 "Demotion"** means movement of an employee to a class in a lower pay range than the employee's currently assigned classification for disciplinary or voluntary reasons.

**3.14 "Department"** means a unit of the City under a department head other than the City Administrator, and any unit of the city created by action of the City by ordinance or otherwise.

**3.15 "Department Head"** means those individuals serving as the head of a City department reporting directly to the City Administrator.

**3.16 "City"** means the City of Willard, Missouri.

**3.17 "Effective Date"** means the date of specific action.

**3.18 "Eligible"** means a person who may fill a position. Determination is made by an individual applying and meeting the requirement of the position.

**3.19 "Emergency Appointment"** means that under extraordinary circumstances, including but not limited to loss of life, incapacitating illness, or termination, an appointing authority may make an appointment without regard to the rules on certification or appointment.

**3.20 "Employee"** means a person legally holding a position in the City's service.

**3.21 "Entry Level"** means the class at which a person enters a class series or occupation. An employee is eligible for promotion to the next higher level in the same class series when she or he meets the qualification for the higher level.

**3.22 "Exempt"** means an employee who is not eligible for overtime.

**3.23 “Grade”** is equivalent to range. A grade designates the pay scale from minimum to maximum.

**3.24 “Grant-funded Position”** is a position which is authorized dependent upon the department generating the revenue to fund the position, usually from some outside grant.

**3.25 “Hours worked”** means those hours during which the employee is actually at work.

**3.26 “Incumbent”** means a person currently occupying a specific position in the District’s service.

**3.28 “Annual Salary Increase”** means a pay raise given an employee in recognition of satisfactory performance, for the most recent twelve months of continuous employment as a regular employee of the City, of assigned tasks within the performance standards of his or her position.

**3.29 “Performance Salary Increase”** means pay raises given an employee in recognition of exceeding the job performance standards of the position to which she or he is assigned. An employee is eligible for a **merit** salary increase one year from the initial date of employment for his current position. The individual must be recommended for the increase by the appointing authority.

**3.30 “Minimum Job Performance”** means performance on a job classification which meets the minimum standards established for that job classification by the appointing authority.

**3.31 “Non-exempt”** means an employee who is eligible to receive overtime compensation.

**3.32 “Overtime”** means that the time worked by a non-exempt employee as authorized and directed by management which exceeds forty (40) hours in a pay week.

**3.33 “Part-time Employee”** means one who works less than thirty (30) hours per week.

**3.34 "Position"** means all the duties and responsibilities assigned in a position description to be performed by one individual.

**3.35 "Position Description"** means a written description of the functions and responsibilities of a position.

**3.36 "Probation"** means a period after an employee's initial appointment or promotion in which the appointing authority evaluates his or her suitability for the position.

**3.37 "Promotion"** means assignment of an employee to a position with a higher compensation grade than the position the employee is currently in.

**3.38 "Provisional Appointment"** means an employee who provides for a temporary need but is subject to change.

**3.39 "Range"** means a designated pay scale delineated from a minimum to maximum compensation.

**3.40 "Reclassification"** means a change in allocation of a position based upon significant changes in kind, difficulty or responsibility of the work performed. A position may be reclassified after completion of a classification study by the City Administrator, and may be assigned to a higher class, a lower class, or to another class at the same pay range.

**3.41 "Regular Employee"** means an employee who has been retained in his position at the completion of the probationary period.

**3.42 "Reinstatement"** means the reinstatement of an employee in the same or related position to which he or she was assigned before separation from City service.

**3.43 "Resignation"** means the voluntary ending of employment by a City employee.

**3.44** "Salary Range" is equivalent to range.

**3.45** "Seasonal Appointment" means an employee's periodic employment related to the seasons. Any person who accepts a seasonal appointment is not, unless otherwise specified, subject to the City personnel policy. Any person who accepts a seasonal appointment serves at the will of the appointing authority and may be removed at will by the appointing authority without notice, cause or hearing.

**3.46** "Step" means a single salary level within a range.

**3.47** "Supervisor" means a employee whose position description includes the function of assigning the daily work tasks of another employee.

**3.48** "Temporary Employee" means a person hired for a period not to exceed six (6) months of employment.

**3.49** "Termination" means the non-voluntary conclusion of an employee's employment with the City.

**3.50** "Transfer" means movement of an employee from one position to another position.

**3.51** "Underfilling" means filling a position with a person in a class lower than the authorized class due to the individual's temporary inability to meet the qualification requirements of the higher class. This is generally done when the individual is expected to be able to meet the requirements at a future date after gaining training, experience or license/certification.

#### **4. CLASSIFICATION PLAN.**

##### **4.1 Establishment of classification plan**

**4.1.1** The City Administrator shall prepare, maintain and revise as necessary a position classification plan for all positions in the classified service. The position classification plan and changes to the plan shall be subject to approval of the Board.

**4.1.2** All positions in the classified service shall be allocated to an appropriate class in the classification plan. Allocation of positions to classes shall be based on the relative complexity of duties, authority and responsibility so that the same qualifications shall be reasonably required for, and the same schedule of pay may be equitably applied to, all positions in the same class.

**4.1.3** Each class shall be described by a class specification defining the nature of work, typical duties performed, and the knowledge, skills, abilities, education and training which are the preferred minimum qualifications of applicants being considered for appointment to a position in the class.

**4.1.4** The position titles and pay ranges assigned to classes in the classified service shall be used for original appointments, promotions, payrolls and all other records affecting the status of personnel.

## **4.2 Classification of existing and new positions.**

**4.2.1** Whenever the City Administrator believes there has been a significant change in the duties and responsibilities of a position or determines the need for the establishment or abolishment of a class or a position, this shall be described to the Board. The City Administrator, upon written request by a regular employee or upon his or her own initiative, may investigate the classification status of any existing position.

**4.2.2** Classification investigations may include any or all of the following factors: the nature and variety of the assigned duties; the complexity of the assigned duties; the nature of supervision received; the nature and extent of supervision exercised; the variety and degree of knowledge and skills; the education and experience required; the guidelines available; the purpose and nature of person-to-person relationships; the nature and scope of decisions and recommendations; the extent of responsibility for actions taken; working conditions; and other factors which the City Administrator may deem important.

The City Administrator will then assign the position an appropriate classification and compensation level. Establishment of a new class or abolishment or major change to an existing class must be approved by the Board.

## **4.3 Reclassification and Reallocations.**

**4.3.1** A reclassification of a position may occur when an employee is performing higher level duties and responsibilities than apply to the position currently occupied. The reclassification may be treated as a promotion and may be subject to competition for the promotion.

**4.3.2** A reallocation of a position may occur when, as a result of a salary or classification study, a higher salary range is allocated to the position and there is no substantial overall change in the position duties or level of responsibilities. The

employee in the position will go to the nearest step in the new range that is not lower in rate of pay.

#### **4.4 Independent Contractors.**

**4.4.1** Where authorized by law to do so, independent contractors may be hired. Independent contractors are not City employees and the performance of all work is subject to and controlled by the terms of their contract. In addition to terms specified by the City in a contract to be signed by an independent contractor, an independent contractor is hired on the conditions that there shall be no:

- a. Withholding of income taxes by the City with a W-9, otherwise 28% will be withheld;
- b. Industrial insurance provided by the City;
- c. Participation in group insurance plans which may be available to employees of the City;
- d. Participation or contributions by either the independent contractor or the City to the LAGERS Retirement System;
- e. Accumulation of vacation or sick leaves;
- f. Unemployment compensation coverage provided by the City .

### **5. COMPENSATION.**

#### **5.1 Compensation**

**5.1.1** The compensation plan shall consist of the schedule of ranges of pay as ascribed to each position description, as prepared by the City Administrator and approved by the Board. Each position in the classification plan will be assigned an appropriate range in the compensation plan which insures the maintenance of equitable relationships between classes based on their relative duties and responsibilities.

**5.1.2** In addition to the established pay rates, employees required to wear or maintain a uniform shall be provided a uniform.

**5.1.3:** There shall be 26 payroll periods per year, each covering a two-week period. The payroll weeks for employees shall be 12:01 a.m. Sunday through midnight Saturday. Employee payroll shall be made on Friday following each two- week payroll period.

#### **5.2 Application of rates.**

**5.2.1** Each classified employee shall be paid at an hourly rate which falls within the pay range ascribed to the position except as otherwise provided in this Policy.

**5.2.2** Initial appointment to a position shall ordinarily be made at the entry rate of the range except as provided below.

a. When a person considered for employment has exceptional experience or skills which warrant his entry into a position at a higher rate of pay than the entry rate, or to meet a difficult recruiting problem, the appointing authority may place the new employee in a rate up to 10% above the entry level step.

b. Initial appointment into a rate above 10% of the entry level shall require approval of the Board.

**5.2.3** Reinstatement is when a former regular employee is reinstated to a position in the same or related class. The employee may be paid in the range at or below his former rate at the discretion of the appointing authority.

**5.2.4** Transfer is when an employee is transferred to another position in the same or related class at the same range level. The employee shall continue at his current rate of pay.

**5.2.5 Promotions:**

a. When possible and appropriate, the appointing authority is encouraged to fill position vacancies by promoting from within the eligible workforce. When a current employee is promoted to a class in a higher range, the employee is entitled to a pay rate in the higher range that provides at least a 2 ½% pay increase. When the promotion is made to a position whose classification is sufficiently higher as to provide in excess of a 2 ½ % pay increase, the promoted employee will commence the new assignment entry level rate on the higher Grade Range.

b. Should the promotion occur concurrently with the employee's eligibility for a merit salary increase, the merit salary increase should be included in the base salary before promotion. Special salary adjustments should not be included in the base rate.

c. Should the employee fail to satisfactorily complete the required probation period, the employee must be reinstated to his previous class and pay rate.

d. The promotion date will be assigned as of the first day of the next succeeding pay period following the promotion by the General Manager.

### **5.2.6 Demotions:**

- a. Voluntary demotion is when an employee is voluntarily demoted; the employee's current anniversary date will be retained.
- b. Involuntary demotion is when a current employee is involuntarily demoted due to performance problems, discipline, or other reasons; ; the employee's current anniversary date will be retained.

### **5.2.7 Reclassification.**

- a. Incumbents of reclassified positions assigned to a higher range will move to the closest pay step in the range of the new class which will result in a one-step pay increase.
- b. If a position is reclassified to a lower paid class due to changes in job content factors and through no fault of the incumbent, the incumbent shall continue to be paid at the incumbent's last rate of pay for a period of six months if:
  - I. The employee has adequately performed during the preceding year; and
  - II. The employee was in the higher class at least six months preceding the reclassification; and
  - III. The reclassification is a result of a legitimate reason over which the employee has no control.
- c. At the end of the six-month period the employee's salary shall be adjusted to fit within the range of pay for the new class.

### **5.3 Annual Salary Increases.**

Annually, on the anniversary date of the employees continuous service in employment, the employee may receive a Step increase as indicated in the adopted Grade-Step Chart dependent on budgetary means. If the budget allows, this will occur automatically, and is a function of payroll processing by the City.

### **5.4 Merit salary increases.**

At any time, after any probationary period is concluded, the direct supervisor of an employee may recommend a merit increase. Such a proposed increase in wages should be reserved for those instances of continuing extraordinary performance by an employee on behalf of the City. The recommendation must come from the direct supervisor, and be presented to the City Administrator. The City Administrator may approve a single Step

merit increase not more than once per year for an employee. Merit increases involving more than one Step, or more than once per year for an employee, must be approved by the Board.

### **5.5 Overtime.**

Overtime pay, which is applicable only to non-exempt employees, is for any actual hours worked in excess of forty (40) hours in a work week. A Department Head may authorize overtime with the approval of the City Administrator. Overtime rate is one and one-half (1½) times the employee's straight time rate, except in instances involving a sick day, vacation day or other non-working paid day; then the time will be paid at the regular rate until actual worked hours will have exceeded forty (40) hours. Payment of overtime will be provided in the pay period following the period in which it is earned.

### **5.6 Per diem expenses.**

In the event that an employee of the City is required by the City Administrator or the Board to travel to a place in excess of fifty miles from the City Office, and the purpose of the travel is for City business, a per diem allowance will be granted to the employee at the same rate the State of Missouri pays its employees for per diem expenses.

### **5.7 Holiday pay.**

All full-time employees and appointed officers shall receive normal compensation for legal holidays and any other day or any part of a day during which the public offices of the city shall be closed by special proclamation by the Mayor with the approval of the Board of Aldermen. If a holiday is on a Saturday then the City offices will be closed on the preceding Friday. If a holiday is on a Sunday then the following Monday all City offices will be closed. Designated holidays presently observed include:

1. New Year's Day - January 1
2. Martin Luther King Day
3. President's Day
4. Memorial Day - Last Monday in May
5. Independence Day - July 4
6. Labor Day - First Monday in September

7. Columbus Day
8. Veteran's Day
9. Thanksgiving Day + Friday following
10. Christmas Eve – Close at noon
11. Christmas Day - December 25
12. New Year's Eve – close at noon

An employee, who shall be required to work during a scheduled holiday, shall be entitled to receive and must take during each calendar year, a selected and scheduled day off to compensate the employee for the lost holiday. Any compensating day off not taken prior to the end of each calendar year shall be lost and shall not carry forward to the next year.

After an employee has successfully completed their probationary period, they will receive three (3) additional paid days off. The employee shall receive two (2) personal holidays and one (1) birthday holiday per calendar year. Prior to being used, these holidays must be approved by their Department Head. These additional paid days off not taken prior to the end of the calendar year will be lost and will not carry forward to the next year. Employees do not receive pay for holidays or personal holidays upon termination or resignation of employment.

## 5.8 Vacation

Employees and appointed officials who work full-time for the City of Willard shall accrue vacation leave hours on the following basis:

<u>Length of Employment</u>	<u>Hours Accrued Per Pay Period</u>	<u>Maximum Accrued Vacation Per Year</u>
Zero (0) to One (1) Year	1.54	One (1) week (40 hrs)
One (1) Year to Four (4) Years	3.08	Two (2) weeks (80 hrs)
Five (5) Years to Eleven (11) Years	4.62 hours	Three (3) weeks (120 hrs)
Twelve (12) Years to Fourteen (14) Years	6.16 hours	Four (4) weeks (160 hrs)
Fifteen (15) Years or more	7.70 hours	Five (5) weeks (200 hrs)

All employees will be required to work no less than six (6) months and no longer be in the probation period prior to using any accrued vacation. Vacation leave will not accrue during an unpaid leave of absence.

Employees wishing to use accrued vacation time shall submit their request to their Department Head or Supervisor for approval. Department Heads or appointed officials must have their vacation approved by the City Administrator. The “Hire Date” of each year is the anniversary date for accrual accounting purposes.

Employees are encouraged to use vacation benefits in the fiscal year in which vacation is accrued. Employees may carry over a maximum of fifteen (15) working days or 120 hours in vacation leave from one calendar year to the next. If a designated holiday should fall within the time an employee is on vacation, it will not be deducted from vacation days accrued.

Employees who have served one (1) year of continuous service and have taken part or none of their vacation days earned, will be paid for the vacation days up to but not to exceed 120 days upon the termination or resignation of employment.

**5.9 Sick Leave**

Employees and appointed officials who work full-time for the City of Willard shall accrue sick leave and be paid during unavoidable absences from work due to sickness or accident during any one (1) year on the following basis:

<u>Length of Employment</u>	<u>Hours Accrued Per Pay Period</u>	<u>Maximum Accrued Sick Time Per Year</u>
Zero (0) to One (1) Year	1.54 hours	One (1) week (40 hrs)
One (1) Year or more	3.08 hours	Two (2) weeks (80 hrs)

All employees will be required to work no less than six (6) months and no longer be in the probation period prior to using accrued sick leave. Sick leave will not accrue during an unpaid leave of absence.

Sick leave may be taken for as little as one hour, if accrued. Where workmen’s compensation insurance payment is due to such employees or officer, the amount received by reason of worker’s compensation shall be deducted from the allowance otherwise provided for above.

Employees shall be allowed to accumulate thirty five (35) working days or two hundred eighty (280) hours in sick leave, which may be carried over from one (1) year to the next, which rolls over on the anniversary of their hire date. If a holiday should fall within the time the employee is absent on sick leave, it will not be deducted from their available number of sick leave days. Employees do not get paid for accumulated sick leave upon termination or resignation of employment.

All employees that have completed at least one (1) year of service and who have used less than forty-one (41) hours of sick leave in a calendar year will have the option of requesting a payout of accrued sick leave hours one (1) time each year. A maximum of eighty (80) hours may be converted to a fifty (50) percent payout. (Example: 10 hours requested equal a 5 hour payout.) The sick leave hours requested will be deducted from the total sick leave hours the employee has accrued.

An employee who is sick must call their immediate Supervisor as soon as possible if they are unable to work. If an employee fails to do so within four (4) hours after the beginning of the work day, they may be denied pay for the period of absence. If sick leave is more than three (3) days, the Department Head or City Administrator may require a doctor's certification; however, a certificate of verification may be required by a Supervisor, Department Head or City Administrator in any case. Sick leave days may be used for immediate family member illness or injury, but must be approved by the immediate Supervisor and/or the City Administrator.

#### **5.10 Shared Care Leave**

The Shared Care Leave Program is additional paid leave made available due to either a personal or immediate family member illness or injury which is considered life threatening or catastrophic. See attached Appendix "C."

#### **5.11 Family and Medical Leave (FMLA)**

##### **5.11.1 Eligibility Requirements:**

Employees may be entitled to job-protected family or medical leaves of absence if the following conditions are met:

Employee has worked for the City of Willard for the last twelve (12) months.

Employee is currently employed by the City of Willard.

During the last twelve (12) months of employment with the City of Willard the employee has worked at least twelve hundred and fifty hours (1,250) hours.

##### **5.11.2 Types of Leave:**

Employee leaves of absence under the FMLA may include;

The birth of a child, or the placement of a child with the employee for adoption or foster care;

A serious health condition that makes the employee unable to perform the essential functions of their job; or

A serious health condition affecting the employee's spouse, child or parent for which the employee is needed to provide care.

### **5.11.3 How and When to Request Leave:**

Except as explained below, an eligible employee has a right under the FMLA for up to twelve (12) weeks of unpaid leave in a twelve (12) month period for any of the reasons listed above. An eligible employee must provide timely and adequate notice of their need for FMLA-qualifying leave. To request leave, the employee must contact the City Administrator and then request the appropriate forms from the Human Resources Department. When the need for FMLA leave is foreseeable, such as with planned medical treatment or expected birth, the employee must provide at least thirty (30) days advance notice before FMLA leave is to begin. When an employee's need for FMLA is unforeseeable, the requisite notice must be provided as soon as practicable under the facts and circumstances. Said notice, when possible, should be in writing and should provide the City of Willard with enough information to determine whether the leave qualifies as family or medical leave. Failure to provide proper notice may result in delay or denial of leave.

### **5.11.4 Continuation of Benefits:**

An employee's health benefits, if any, will be maintained during any period of unpaid leave under the same conditions as if they continued to work. The employee will be reinstated to the same or equivalent job with the same pay, benefits and terms and conditions of employment upon return from FMLA leave.

Further, if the employee normally pays a portion of the premiums for their health insurance, these payments will continue during the period of FMLA leave. Arrangements for payment will be discussed with the employee. The employee will have a minimum thirty (30) day grace period in which to make premium payments. If payment is not made in a timely manner, the employee's group health insurance may be cancelled.

If an employee does not return to work following FMLA leave for a reason other than the continuation, recurrence or onset of a serious health condition which would entitle the employee to FMLA leave or other circumstances beyond the employee's control, the employee may be required to reimburse the City for its share of health insurance premiums paid on the employee's behalf during the FMLA leave.

### **5.11.5 Medical Certification Requirement:**

An employee's requested leave may be counted against the employee's annual FMLA leave entitlement. Further, the employee will be required to furnish medical certification if the leave is due to a serious health condition. Certifications of Health Care Provider forms are available from the Chief Financial Officer or Human Resource Department. Failure to provide the required certification may result in delay, denial or cancellation of leave. If the certification shows that the employee's absence does not qualify under the FMLA, the FMLA designation will be revoked retroactive to the first (1<sup>st</sup>) day of the leave. The City of Willard may require recertification during said leave.

#### **5.11.6 Application of Accrued Paid Leave:**

Family and medical leave is generally unpaid leave. However, any accrued paid leave, including sick leave, vacation time or other leave, shall be applied to time off available under this section. Time off under worker's compensation or short-term disability will also be applied to a leave under this section.

#### **5.11.7 Fit-for-Duty and Status Reports:**

The employee may be required to present a fit-for-duty certificate prior to being restored to employment. If such certification is required but not received, the employee's return to work may be delayed until the certification is provided. Further, while on leave, the employee may be required to furnish the City of Willard with periodic reports of the employee's status and intent to return to work. If the circumstances of the employee's leave change, and they are able to return to work earlier than the date indicated above, the employee may be required to notify the City Administrator at least two (2) weeks prior to the date the employee intends to report to work. The employee may be required to furnish recertification after a serious health condition.

### **5.12 Military Leave**

The City of Willard is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is the City policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised their rights under applicable law or city policy. If any employee believes that they have been subjected to discrimination in violation of city policy, the employee should immediately contact the Human Resources Department.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five (5) years leave of absence.

Employees requesting leave for military duty should contact the City Administrator to request leave as soon as they are aware of the need for leave. For request forms and detailed information on eligibility, employee rights while on leave and job restoration upon completion of leave, contact the Human Resources Department.

For military leaves extending thirty (30) days or less, the City of Willard will continue to pay the portion of the premium on health insurance, if any, that it was paying before such military leave began. In order to continue such health insurance, the employee must continue to pay their portion of premiums during this period. For military leaves extending beyond thirty (30) days, the employee will have the option to continue their insurance coverage at the employee's cost. Upon return from military leave, employees will be reinstated as required by law and benefits will be reinstated with no waiting periods.

### **5.13 Jury Duty**

An employee may be granted leave with pay when required to be absent from work for jury duty or as a trial witness. Compensation for such leave shall be limited to the difference between pay received for this service and normal pay.

### **5.14 Leave of Absence**

Due to special and extraordinary circumstances, an employee may wish to request, in writing, to take unpaid leave. The City Administrator, or in his/her absence the Mayor, shall have the authority to grant such unpaid leave for up to forty (40) hours per calendar year, in no less than eight (8) hour increments. All accrued vacation and sick leave must be exhausted prior to any such unpaid leave request being granted.

### **5.15 Bereavement Leave**

An employee may be granted up to three (3) working days of leave with full pay as needed in the event of the death of a spouse, child, step-child, mother, step-mother, father, step-father, sister, step-sister, brother, step-brother, mother-in-law, father-in-law, grandchild, step-grandchild, grandfather, step-grandfather, grandmother, step-grandmother or any relative residing permanently with and dependent upon the employee.

## **5.16 Extended Personal Leave**

Leaves of absence without pay may be granted for a period not to exceed sixty (60) days when the granting of such leave is in the mutual interest of the city and the employee, or otherwise required by law. The employee shall make a written request to the City Administrator for any authorized leave of absence stating the time required and the reason for such a request. Only the City Administrator may approve such a leave. Vacation, sick leave and holiday rights will not be accrued, or paid for, during an extended leave of absence, unless otherwise required by law.

The employee will not, however, lose any vacation, sick leave or holiday benefits which were earned prior to the commencement of said leave of absence. If such sick leave, vacation or holiday benefits should carry past an anniversary date due to a leave of absence, authorization from the City Administrator is required to carry it over.

## **5.17 Retirement Plan.**

After an employee has been employed six (6) months with the City of Willard, the City shall enroll each full-time employee in the Missouri Local Government Employees Retirement System (LAGERS). At this time the employee shall pay four (4) percent of their gross wages into the account with the City paying the amount stipulated under the terms of the agreement with LAGERS. This is not an optional program. Enrollment in the program is a condition of employment for every full-time employee. If any employee has any questions regarding the retirement plan, please contact the Human Resources or Finance Department.

## **5.18 Insurance.**

The City of Willard shall provide a competitive package of benefits to all eligible full-time employees. The following benefits are provided with the understanding that benefit plans may change from time to time. For eligibility requirements, refer to the Plan document for each benefit program. Continuation of any benefits after termination of employment will be solely at the employee's expense and only if permitted by policies and statutes. To be eligible for city paid benefits an employee must be classified as a "Full-Time" employee.

### **A. Health/Life Insurance**

The City of Willard currently provides individual health and life insurance benefits to all eligible full-time employees. The City of Willard presently pays the individual

insurance premium for all eligible employees. Eligible employees may elect to purchase additional health insurance for the employee's dependents or to participate in the Vision and Dental health plans offered by the City at the employee's expense through payroll deduction. The City of Willard may require employees to pay a portion of insurance premium in the future. Information about the City's health plans will be provided to the employee at the time of employment.

The insurance provided is effective after the first day of the month following the first full month of employment. Details and forms may be obtained from the Human Resources Department at the time of employment.

### **B. Social Security/Medicare/Medicaid**

The City of Willard participates in the provisions of the Social Security, Medicare and Medicaid programs. Employees' contributions are deducted from each pay and the City contributes at the applicable wage base as established by federal law.

### **C. Workers' Compensation and Unemployment Insurance**

The City of Willard carries workers compensation insurance coverage as required by law to protect employees who are injured on the job. This insurance provides medical, surgical and hospital treatment in addition to loss of earnings from work-related injuries. If an employee should suffer an on-the-job injury or illness, regardless of how minor or severe, the following steps must be followed:

1. Notify their Department Head immediately. The Department Head shall then notify the City Administrator or in the absence of a City Administrator, the Mayor. If the Department Head is unavailable and/or City Hall is closed, any such injury must be reported directly to the City Administrator or in the absence of a City Administrator, the Mayor. If the injury is of a severity that the employee is unable to immediately report the same, such employee should, at the earliest opportunity, request a family member or friend to report the injury.
2. Employees in need of medical attention should go to a physician or medical facility which has been approved by the City's insurance carrier. If immediate medical attention is required, Employees should report to the nearest Emergency Care Facility. Any employee receiving medical attention for any on-the-job injury may be subject to testing to determine the presence of alcohol, illegal or unauthorized controlled substances.

Unreported on-the-job injuries may place an employee in the position of losing any workers compensation benefits for which they might have been

eligible. If any employee has any questions regarding the workers compensation program, please contact the Human Resources Department.

### **5.19 Automobile mileage.**

Upon authorization by the City Administrator, an employee may utilize his or her personal automobile for City purposes. The City will reimburse the employee for use of a personal automobile at the same rate the State of Missouri pays its employees for automobile mileage.

## **6. COMPENSATORY TIME POLICY**

### **6.1 Purpose**

The purpose of this policy is to allow salaried (exempt and non-exempt) City employees a flexible work schedule to reduce the hours over and above forty (40) during a standard work week due to evening meetings, heavier than normal workloads, etc. The City will accommodate the reasonable requests of employees for alternative work schedules when consistent with the needs of each City department to accomplish their objectives.

This policy will apply to all full time salaried (exempt and non-exempt) employees of the City in all of the various departments.

### **6.2 Definitions**

**Compensatory Time :** a term used to define an alternate work schedule by which a salaried employee may be granted paid time off in lieu of pay.

**Standard Work Week:** a forty (40) hour period which runs from 12:00 a.m. Sunday morning through midnight (12:00 p.m.) the following Saturday evening. Vacation, sick leave, personal days, etc. are not considered as making up a portion of a standard work week; only those hours actually worked on the job are to be counted as comprising said work week.

**Pay Period:** a two (2) week period of time comprised of two (2) forty (40) hour work weeks.

### **6.3 Policy**

It is the policy of the City to allow authorized employees the option of a flexible work schedule. Individual departments may use a Compensatory Time work schedule subject to the following conditions:

- The normal workweek shall continue as a five (5) day, forty (40) hour workweek for City employees.
- Computation of compensatory time will be based on the hours worked over the 40 hour per week regular department schedule. Compensatory hours shall be accrued at 1.5 hours for every one hour of overtime worked.
- Compensatory time may be accrued up to one hundred and twenty (120) hours. All time accrued must be requested off and approved in the same manner as vacation time, personal days, etc.
- Accumulated compensatory time shall be paid when the accrued compensatory time exceeds the maximum of 120 hours, or upon separation for any reason, including death of the employee.
- When an employee takes compensatory time off it shall be determined by and scheduled at the discretion of the employee's Director or supervisor, with due regard for the wishes of the employee and the needs of the City.
- Twice a year, employees with accrued compensatory time may request the option to sell back compensatory time hours. This may be requested in March and in November and will be limited to not more than 40 hours per request.

#### **6.4 GENERAL GUIDELINES AND ELIGIBILITY**

In order to be eligible to participate in the compensatory time program, an employee must be a salaried employee. Additionally, to be eligible, employees must:

- Use work time effectively based on time quality;
- Maintain a dependable attendance record;
- Document all timekeeping accurately and in a timely fashion; and,
- Communicate work problems/issues as well as needs to their immediate Supervisor/Department Head.

Both the usage as well as the accrual of compensatory time may be reviewed at any time by either the applicable Department Head and/or the City Administrator. Compensatory time will be administered on a consistent and equitable basis within each City Department.

### **7. GENERAL PROVISIONS**

#### **7.1 Hours of Work**

A work hour is any hour of the day that is worked and should be recorded to the nearest quarter of an hour. The workday is defined as the twenty-four (24) hour period starting at 12:00 a.m. and ending at 11:59 p.m. The workweek covers seven (7) consecutive days beginning on Sunday at 12:01 a.m. and ending on Saturday at 11:59 p.m. The usual work week period is forty (40) hours.

The normal work week for the City of Willard City Hall shall consist of five (5), eight (8) hour days. Ordinarily, work hours are from 8:00 a.m. to 5:00 p.m., Monday

through Friday, including one (1) hour (unpaid) for lunch. Employees may request the opportunity to vary their work schedules (within employer defined limits) to better accommodate personal responsibilities. Subject to the City of Willard work assignments and the City Administrator's approval, the employee's Supervisor or Department Head shall determine the hours of employment that best suits the needs of the work to be done by the individual employee. Each Department may require different work schedules, but all Departments' normal work hours will be forty (40) hours per week.

## **7.2 Attendance and Punctuality**

Attendance is a key factor in job performance. Punctuality and regular attendance are expected of all employees. Excessive absences (whether excused or unexcused), tardiness or leaving early is unacceptable. Absence for any reason or planning to arrive late or leave early, requires notification to your Supervisor, the Department Head or the City Administrator as far in advance as possible and no later than one (1) hour before the start of the scheduled work day. In the event of an emergency, notify your Supervisor, the Department Head or the City Administrator as soon as possible. For all absences extending longer than one (1) day, telephone your immediate Supervisor and inform him/her that the request for absence will be for more than one (1) day. When reporting an absence, indicate the nature of the problem causing the requested absence and the expected return to work date. A physician's statement may be required as proof of the need for any illness related absence regardless of the length of the absence. Except as provided in other policies, an employee who is absent from work for three (3) consecutive days without notification to their Supervisor, Department Head or the City Administrator will be considered to have voluntarily terminated their employment. The employee's final pay will be direct deposited to the last banking institution on file. Excessive absences, tardiness or leaving early will be grounds for discipline up to and including termination. Depending on the circumstances, including the employee's length of employment, the City of Willard may counsel employees prior to termination for excessive absences, tardiness or leaving early.

## **7.3 Meal Breaks**

7.3.1 The general policy of the City pertaining to meal breaks is that all employees, except those listed in Subsection Three (3) below, shall eat on their own time. They shall be allowed to cease work for meal breaks as determined by Directors and shall not be paid for that time.

7.3.2 Directors may adjust the length of meal breaks when it will contribute to the effectiveness of the department, but in no case will it be less than thirty minutes.

7.3.3 Employees designated by their Director shall receive paid meal breaks. In order to qualify for paid meal breaks employees must be on call during their entire work shift and not leave the work premises unless authorized and must respond to duty calls

during meal breaks if necessary. Failure to respond to duty calls will be grounds for disciplinary action.

#### **7.4 Pre-Employment Requirements**

All full-time employees will be required to undergo a pre-employment drug screen before beginning work.

#### **7.5 Voluntary At-Will Employment**

Unless an employee has a written employment agreement with the City of Willard, which provides differently, all employment at the City of Willard is “at-will” and is governed by Missouri statutes. That means that employees may be terminated from employment with the City of Willard with or without cause and employees are free to leave the employment of the City of Willard with or without cause. Any representation by any City of Willard officer or employee contrary to this policy is not binding upon the City of Willard unless it is in writing and is signed by the Mayor with the approval of the Board of Aldermen.

#### **7.6 Equal Employment Opportunity**

The City of Willard provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. The City of Willard complies with applicable state and local laws governing nondiscrimination in employment. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

The City of Willard expressly prohibits any form of unlawful employee discrimination based on race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability or veteran status. Improper interference with the ability of the City of Willard employees to perform their expected job duties is absolutely not tolerated. All employees should report any discrimination to the City Administrator. However, if the report involves the City Administrator, the employee may take their concerns to an Alderman or the Mayor. The employee may also request a closed meeting with the Board of Aldermen.

If the City of Willard determines that a violation of this policy has occurred, it will take appropriate disciplinary action against the offending party, which may include counseling, warnings, suspensions and/or termination. Employees who report, in good faith, violations of this policy and employees who cooperate with investigations into

alleged violations of this policy will not be subject to retaliation. Upon completion of the investigation, the City of Willard will inform the employee who made the complaint of the results of the investigation.

## **7.7 Policy against Workplace Harassment**

### **7.7.1 Purpose**

The City of Willard's position is that sexual and other types of harassment are a form of misconduct that undermines the integrity of the employment relationship. Employees are expected to act in a positive manner and contribute to a productive work environment that is free from harassing and disruptive activity. All employees have the right to work in an environment free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive, including sexual harassment.

### **7.7.2 Definition of Harassment**

Harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual based on race, color, religion, sex, national origin, age, pregnancy, disability, military status (including veterans), and current employees for complaining of discrimination or participating in an investigation or complaint proceedings, or any other status protected by law. Harassment can also occur if conduct is directed toward a person's relatives, friends, or associates. Harassment does one or more of the following:

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

### **7.7.3 Definition of Sexual Harassment**

The City of Willard has adopted the definition of sexual harassment set forth by the Equal Employment Opportunity Commission (EEOC). The EEOC defines sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of your employment.

2. Submission to or rejection of such conduct by you is used as the basis for employment decisions affecting you.
3. Such conduct has the purpose or effect of unreasonable interfering with your work performance or creating an intimidating, hostile or offensive working environment.

#### **7.7.4 Harassing Conduct**

In order to avoid misunderstandings about what types of conduct might constitute or lead to harassment, the City provides you with the following examples of prohibited conduct. Please note that these are examples only and that harassment is not limited to only those types of conduct listed below.

1. Epithets, slurs, negative stereotyping and threatening, intimidating or hostile acts that relate to race, color, religion, gender, national origin, age or disability (including jokes, cartoons or pranks that are sexually suggestive, hostile or demeaning with regard to race, color, religion, gender, national origin, age or disability; and
2. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age or disability and that is displayed on walls, bulletin boards, through the computer, or any other locations or circulated in the workplace; and
3. Unwanted social invitations, touching, hugging, patting, sexual gestures or offensive body movements.

#### **7.7.5 City's Responsibility**

The City believes that all employees are entitled to a workplace free of harassment and expects that all employees will treat each other and our customers with courtesy, dignity and respect. We take our obligation to maintain a workplace free of harassment very seriously. All employees have the responsibility to maintain the workplace free from any form of harassment. No form of harassment will be tolerated. Sexual and other types of harassment are a form of misconduct which constitutes a serious offense and subjects offenders to disciplinary action, up to and including discharge.

All new employees will receive a copy of the City's anti-harassment policy upon employment. If at any time employees would like another copy of the policy they should contact their supervisor or the Human Resources Office. If the City should amend or modify our anti-harassment policy, all employees will receive an updated copy of the amended or modified policy.

#### **7.7.6 Complaint Procedure**

1. Employees who experience or witness any type of harassment or prohibited conduct in the workplace must report it immediately to their supervisor, director, or the Human Resources Office. You may also report it to any member of management.
2. All allegations of harassment or prohibited conduct will be quickly and fully investigated. To the extent possible, the employee's confidentiality and that of any witness and the alleged harasser will be protected against unnecessary disclosure. Employees are required to cooperate in any investigation. When the investigation is completed the parties involved will be informed of the outcome of the investigation.
3. The City will permit no employment-based retaliation against anyone who brings a complaint of harassment or prohibited conduct or who speaks as a witness in the investigation of a complaint of harassment or prohibited conduct. Initiation of, or participation in any act of retaliation shall be cause for disciplinary action, up to and including discharge.

## **7.8 Solicitation**

The City of Willard prohibits the solicitation, distribution and posting of materials on or at City property by any employee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by the City of Willard and City sponsored programs related to the City of Willard events and services.

Employees may not solicit other employees during work hours, except in connection with a City-approved or sponsored event.

Employees may not distribute literature of any kind during work hours or in any work area at any time, except in connection with a City-sponsored event.

The posting of materials or electronic announcements are permitted with approval from the City Administrator and/or the City Clerk. Violations of this policy should be reported to the City Administrator.

## **7.9 Nepotism**

No employee shall directly supervise a member of their family. Family consists of the parents, children, siblings, spouse, parents-in-law, children-in-law, grandparents, grandchildren, step-parents, step-brothers, step-sisters, stepchildren, aunts, uncles, nieces, nephews and foster children. More specifically, no employee shall review or audit the work of a member of their family, or take part in discussions concerning employment, assignment, compensation, discipline or related matters involving a member of their family. In the event that an individual, through marriage, adoption, etc. is placed in

a prohibited relationship with a member of their family, the situation shall be resolved within thirty (30) calendar days, or as quickly as practicable.

#### **7.10 Employment of Relatives**

Applicants for any open position or vacancy shall not be hired if the applicant is related to any employee that is a Supervisor or Department Head within the same department. In this context, related shall mean or include: parent, child, spouse, common-law spouse, brother, sister, grandparents, grandchildren, uncle, aunt, nephew or niece, cousins including step, half, foster or in-laws.

#### **7.11 Dress Code**

The dress code for each department shall be established by the City Administrator. The code shall be developed with all consideration for employee safety, citizen recognition, etc. This code shall be strictly enforced.

#### **7.12 Oath**

Every police officer of the city shall, before entering upon their duties, take the oath prescribed by law.

#### **7.13 Political Activities**

City employees shall not be coerced or choose to take part in political campaigns, to solicit votes, to contribute or to solicit funds or support, for the purpose of supporting or opposing the appointment or election of candidates for any office.

#### **7.14 Residence**

Employees of the City of Willard shall not be required to live within the city limits, unless required to do so by law, but they are encouraged to do so. This suggestion is intended to foster a greater interest in and concern for the welfare of the community on the part of the city employees.

#### **7.15 Policies and Discipline**

It shall be the duty of all City employees to comply with the personnel rules and regulations of the City. Employees who are found violating the City of Willard's rules and regulations will be subject to discipline, up to and including immediate termination of employment. All employees of the City of Willard are at-will and may be subject to immediate termination of employment with or without cause and with or without notice.

A Supervisor, Department Head, City Administrator or the Mayor may issue verbal warnings to employees for violations of City personnel rules, regulations or other misconduct. A Supervisor shall inform their Department Head of said warning and/or the Department Head shall inform the City Administrator of any warnings given to

employees. In the event an employee's violation of City personnel rules, regulations or other misconduct requires a written warning, reprimand or discipline, the Department Head shall take the issue to the City Administrator for approval. Written documentation of employee counseling, warnings, reprimands or discipline shall be placed in an employee's personnel file with the consent and approval of the City Administrator. Disciplinary actions, other than verbal warnings, including all written warnings, reprimands, counseling, suspensions or demotions, shall be approved by the City Administrator.

The following are examples of violations which may result in discipline up to and including immediate termination of employment. This list is not intended to be a complete list of all types of conduct that may result in disciplinary action. The City of Willard may in its discretion determine other behaviors that are unacceptable.

1. Conviction of a felony or other crime involving moral turpitude;
2. Acts of incompetence, inadequate performance, inefficiency or negligence in the performance of duties;
3. Unauthorized absence, habitual absences or tardiness;
4. Acts of insubordination, intentional failure or refusal to carry out instructions or assignments;
5. Misappropriation, destruction, theft or conversion of City property;
6. Inappropriate behavior toward a citizen of the City.
7. Acts of misconduct while on duty;
8. Dishonesty;
9. Falsification of any information required by the City;
10. Failure to properly report accidents or personal injuries;
11. Neglect or carelessness resulting in damage to city property or equipment;
12. Repeated convictions during employment of misdemeanor and/or traffic charges; and,
13. Introduction, possession or use on City property or in City equipment of intoxicating liquors or illegal controlled substances (drugs) or proceeding to or from work under the influence of liquor or an illegal controlled substance, including any violation of the City's Substance Abuse Policy.

Nothing in this section alters the employment at-will status.

## **8. SUBSTANCE ABUSE POLICY**

It is the policy of the City of Willard to provide safe, dependable and quality services to its citizens, to provide safe and healthy working conditions for its employees and to comply with the requirements of federal law and regulations related to the Drug Free Work Place Act of 1988 and the Omnibus Transportation Employee Testing Act of 1991.

It is the policy of the City of Willard to ensure that its employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner. The City desires to create a work environment free from the adverse effect of alcohol and controlled substance abuse or misuse. Employees are strictly prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of controlled substances or alcohol while conducting any work on behalf of the City or on any City premises. Employees are also prohibited from the unauthorized possession of alcohol while on duty and are prohibited from the unauthorized possession or use of unauthorized controlled substances at any time, whether on or off duty. No employee shall use alcohol or non-prescribed drugs in the workplace or in operation of the City's motor vehicles or equipment.

This policy applies to all employees and/or applicants who apply for employment with the City of Willard. All employees, regardless of their date of hire, will be required by the City of Willard to comply with all sections of this policy including: pre-employment, post-accident, reasonable suspicion, return to work and follow-up testing for both alcohol and controlled substances. Further, as set forth herein, the City encourages employees to seek professional assistance when personal problems, including alcohol and controlled substance dependency, adversely affect their ability to perform assigned duties.

Any employee charged for illegal conduct related to alcohol or controlled substances, including a conviction of any crime occurring in the workplace or not in the work place, must notify the City Administrator within five (5) calendar days of any such conviction or charges. Failure to timely report any such conviction or charges will result in disciplinary action, up to and including termination of employment. Further, any employee whose job performance requires the possession of a valid driver's license and who subsequently loses their drivers license as a consequence of drug or alcohol related convictions, pleas or other legal means, shall be subject to disciplinary action, up to and including termination from employment. The employee shall notify the City Administrator of the loss of their driver's license immediately after revocation or temporary suspension of their license. Failure to notify the City Administrator of the loss of the driver's license shall result in disciplinary action, up to and including termination of employment.

Any employee who is using a prescribed or authorized controlled substance which may inhibit or impair the employee's performance shall provide written notice to the City Administrator of such use upon returning to work and prior to engaging in any work related activity.

As a condition of employment, both present and future employees shall be subject to alcohol and controlled substances testing including the following types of tests: pre-employment testing, random testing, reasonable suspicion testing, post-accident testing, return-to-work testing and follow-up testing. Tests shall be conducted by a facility certified and approved by the City of Willard.

An employee who fails a test or who fails to submit to a test under this policy may be discharged by the City for misconduct connected to work.

### **8.1 Pre-Employment Testing**

Pre-employment urine drug testing shall be required of all applicants for all positions as a condition of employment, regardless of the status of the position. Receipt of satisfactory test results is required prior to commencement of employment. A positive alcohol or controlled substance test result disqualifies an applicant from eligibility for employment for a period of at least two (2) years. Applicants must submit to a pre-employment drug test within twenty-four (24) hours of being ordered to test. Failure to submit to testing or failure to submit in a timely manner will result in the withdrawal of the City's conditional offer of employment. The applicant will be disqualified from further consideration for a period of two (2) years. Applicants who fail to test or who fail to submit in a timely manner for a second (2<sup>nd</sup>) time will be permanently disqualified for consideration for employment with the City of Willard. Any deviation from this practice must be documented and approved in writing by the City Administrator.

### **8.2 Reasonable Suspicion Testing**

Reasonable suspicion testing applies to all City of Willard employees regardless of their status or position. Reasonable suspicion testing shall be used to determine fitness for duty evaluations, including appropriate urine and/or breath testing when there are objective observable reasons to believe that alcohol or controlled substance use is adversely affecting an employee's job performance or that the employee has violated this policy. Reasonable suspicion referrals for testing shall be made on the basis of documented objective facts and circumstances consistent with the effects of substance use. Reasonable suspicion observations and reports may be made by the Supervisor or Department Head. The observing Supervisor or Department Head, regardless of the direct reporting relationship with the affected employee, is required to complete the appropriate required documentation concurrently with the observation and consideration to impose reasonable suspicion testing.

All employees may be subject to testing following any type of accident during work hours if reasonable suspicion is determined, regardless of whether the accident meets the guidelines as noted under the post-accident provisions of this policy. A Supervisor or Department Head, who fails to report an observation of reasonable

suspicion of an employee, may be subject to disciplinary action up to and including termination.

Reasonable suspicion testing shall be required and completed whenever possible within two (2) hours of the observation, but in any case, no later than eight (8) hours after the observation for breath alcohol testing and thirty-two (32) hours for controlled substance testing. An employee who is ordered to submit to a reasonable suspicion drug test shall be transported to the testing site by City personnel.

### **8.3 Random Testing.**

Random testing is applicable to all employees. Random testing shall be conducted at the direction of the City Administrator. An employee who is notified to submit to a random drug test must report immediately to the collection site. No delay in reporting is acceptable. An employee who is ordered to submit and does not report to the collection site, without delay, must document circumstances causing the delay to be tested.

**8.4 Post Accident Testing.** Post accident testing is applicable to any employee involved in an accident in which the employee injures the person or property of another during work hours.

**8.5 Return to Work or Follow up Testing.** Return to work or follow up testing may be required at the direction of the City Administrator.

### **8.6 Rehabilitation Effort**

Employees are encouraged to seek help with alcohol or chemical dependency problems voluntarily through a provider of their choice. Employees will not be disciplined for seeking assistance, if assistance is sought voluntarily.

Rehabilitation assistance, due to a positive alcohol or controlled substance test, may only be granted to an employee one (1) time while employed by the City of Willard. Failure to complete the rehabilitation evaluation and any subsequent treatment plan and/or comply with the provisions of this policy will result in termination of employment.

The following items must be completed for a rehabilitation process to be successful and complete:

1. The employee shall agree to be evaluated by a rehabilitation professional acceptable to the City of Willard and shall successfully complete the rehabilitation treatment plan established for the employee by such; and

2. The employee shall agree to refrain from any violation of this policy and the use of alcohol and/or controlled substances as is consistent with the treatment plan for rehabilitation and this policy; and
3. The employee shall provide a release of all medical records for use and review by the City of Willard, specifically relating to the rehabilitation treatment plan for assistance and compliance; and
4. The employee shall agree to submit to testing when returning to work, which will demonstrate that the employee has tested negative for alcohol and/or controlled substance test standards; and
5. The employee shall agree to unannounced follow-up testing for a period of time as determined by the City Administrator or his/her designee subsequent to the employee's return to work and consistent with this policy; and
6. The employee will continue to be a participant of the random drug testing pool and ordered to submit to a random drug test as outlined in this policy; and
7. The employee shall agree that any future alcohol or controlled substance violations will result in the termination of employment.

Violation of this policy will be considered misconduct connected to work and will result in disciplinary action, up to and including termination of employment.

## **9. JOB PERFORMANCE EVALUATION**

The work of each employee is reviewed on an on-going basis, at the end of the probationary period and annually with the Supervisor to provide a systematic means of evaluating performance. The probationary and annual performance review is a formal opportunity for the Supervisor, Department Head, City Administrator and employee to exchange ideas that will strengthen their working relationship, review the past year and anticipate the City of Willard's needs in the coming year. The purpose of the review is to encourage the exchange of ideas in order to create positive change within the City of Willard. To that end, it is incumbent upon both parties to have an open and honest discussion concerning the employee's performance. It is further incumbent upon the Supervisor, Department Head, and City Administrator to clearly communicate the needs of the City and what is expected of the employee in contributing to the success of the City of Willard for the coming year. Both Supervisor and employee shall attempt to arrive at an understanding regarding the objectives for the coming year. This having been done, both parties shall sign the performance review form, which will be kept as part of the employee's personnel record and used as a guide during the course of the year to monitor employee progress relative to the agreed upon objectives. The City Administrator reviews the work of all Department Heads. Work reviews for other staff are the responsibility of the appropriate Supervisor or Department Head, subject to confirmation by the City Administrator.

The annual work performance evaluations shall be performed during the month of September and approved by the City Administrator. A copy of all evaluations will be retained in the employee's personnel file.

## **10. UNIFORMS**

### **10.1 Police Department**

Each officer of the Willard Police Department will receive a \$1,000.00 uniform allowance for the first year of employment. Each additional year they shall receive a \$650.00 uniform allowance issued once each year in January after showing proof of purchase. This allowance is to be used for dress uniforms and equipment required by the Department policy. A receipt will be required for all uniform purchases in order for the employee to be reimbursed.

Uniforms may be purchased at approved vendors under the City's name to be repaid by payroll deduction after the maximum allowance has been reached. Any deduction will be by the following schedule:

- \$100.00 or less will be deducted in one (1) pay period.
- \$101.00 to \$200.00 will be deducted a minimum of \$50.00 per pay period at a maximum of four (4) pay period deductions.
- \$201.00 or more will be deducted at a minimum of \$50.00 per pay period at a maximum of eight (8) pay periods.
- Maximum purchase through the City of Willard over and above the uniform allowance is \$500.00.

### **10.2 Public Works Department**

Each employee of the City of Willard Public Works Department will receive a \$250.00 clothing and boot allowance to be used for boots and winter wear. The clothing and boot allowance will be added once per year to the first payroll in January to each employee's pay. The uniform allowance paid to the Public Works will be taxed according to payroll tax deductions. No proof of purchase will be required.

The City will provide five (5) t-shirts per employee every summer plus uniform shirts (long sleeved and short sleeved) uniform pants with one (1) jacket and vest. The uniform shirts, jacket and vest will be provided through a uniform company who will also launder these items weekly as returned by the employee. The employee is expected to report to work in clean, well mended attire that is appropriate for the work to be accomplished. If, in the opinion of the Supervisor, Department Head or City Administrator, the employee fails to comply with this expectation, appropriate disciplinary action will be taken.

## **11. SEVERE WEATHER CONDITIONS**

The City Administrator shall have the option to close City Hall or the Parks Department when it is determined unsafe to travel because of severe weather conditions. If an employee is unable to reach the office due to severe weather conditions the employee may make a request for approval to use a personal day from their Department Head or the City Administrator.

## **12. MEETINGS AND CONFERENCES**

Staff may be given limited time off by the City Administrator with pay to participate in educational opportunities related to the staff member's current or anticipated work with the City of Willard. An employee serving as an official representative of the City of Willard at a conference or meeting is considered on official business and not on leave.

### **12.1 Reimbursement**

Reimbursement is authorized for reasonable and necessary expenses incurred in carrying out job responsibilities. Mileage or transportation, parking fees, business telephone calls and meal costs when required to attend a luncheon or banquet, are all illustrative of reasonable and necessary expenses. Employees serving in an official capacity for the City of Willard at conferences and meetings are reimbursed for actual and necessary expenses incurred, such as travel expenses, meal costs, lodging, tips and registration fees. When attending meetings that have been approved by the City Administrator, employees are reimbursed for travel expenses, course fees and costs of meals and lodging at the current rates. Employees may also request a travel advance to cover anticipated expenses for approved travel.

Employees also may be granted leave to attend a conference or professional meeting related to their professional development, and/or the City of Willard's current and anticipated work. Expenses for these purposes can be paid by City, if funds are available, and the employee obtains prior written approval of such expenses.

Employees are responsible for transportation costs between the office and home during normal work hours. Transportation costs are paid by the City of Willard for work outside normal work hours if the employee is on official business for the City. Employees authorized to use their personal cars for City business are reimbursed at the State of Missouri approved rate. Forms are provided to request reimbursement for actual expenses and advance payment for travel. Receipts must be provided for all expenditures made in order to claim reimbursement.

## **13. SEPARATION AND RETURN OF PROPERTY**

Every officer and employee of the city, upon the termination of their term or employment for any cause whatsoever, shall deliver to the City all City property. Employees are responsible for the City of Willard equipment, property and work products that may be issued to them and/or are in their possession or control, including but not limited to:

- Credit cards,

- Identification badges,
- Office/building keys,
- Office/building security passes,
- Computers, computerized diskettes, electronic/voice mail codes, and
- Intellectual property (e.g., written materials, work products).

In the event of separation from employment, or immediately upon request by the City Administrator or Department Director, employees must return all City property that is in their possession or control. Where permitted by applicable laws, the City of Willard may withhold from the employee's final pay the cost of any property, including intellectual property, which is not returned when required. The City of Willard also may take any action deemed appropriate to recover or protect its property.

#### **14. CODE OF ETHICS**

The City maintains policy and standards regarding employee behavior and conduct which are necessary for all employees. See the attached Code of Ethics Policy for further information.

#### **15. GRIEVANCE POLICY**

If any employee wishes to file a grievance regarding their employment, including but not limited to, discipline, job evaluations, job assignments, work hours, Supervisors or Department Heads, an employee must submit the grievance in writing and provide it to the City Administrator. The City will make its best effort to address the grievance within two (2) weeks.

Employees who have received written reprimand, been suspended, demoted or terminated have the right to appeal the action to the Board of Aldermen. Any such appeal must be submitted to the City Administrator in writing within two (2) weeks of the suspension, demotion or termination.

If an employee requests a hearing, the Board of Aldermen will attempt to schedule a hearing within two (2) weeks of receiving the notice of the appeal. An employee has the right to an attorney or support person to assist them in the hearing. The Board of Aldermen will attempt to issue a decision regarding the appeal within two (2) weeks of any hearing or in the case where no hearing is requested, within two (2) weeks of the appeal.

Nothing in this policy alters the employment at-will status with the exception of those employees whose employment or termination is governed by Missouri statutes.

#### **16. PERSONNEL RECORDS**

Personnel records are the property of the City of Willard and access to the information they contain is restricted and confidential. A personnel file shall be kept for each employee and should include the employee's job application, copy of the letter of employment and position

description, performance reviews, disciplinary records, records of salary increases and any other relevant personnel information. It is the responsibility of each employee to promptly notify their Supervisor or Department Head in writing of any changes in personnel data, including personal mailing addresses, telephone numbers, names of dependents and individuals to be contacted in the event of an emergency.

## **17. OUTSIDE EMPLOYMENT**

No municipal employee shall engage in any outside employment without the written consent of the City Administrator. Further, consent will not be given unless such outside employment does not conflict, impair or interfere with the employee's performance of duties for the City of Willard.

No employee may receive any income or material gain from individuals or organizations for materials produced or services rendered while performing their job with the City of Willard.

## **18. NON-DISCLOSURE OF CONFIDENTIAL INFORMATION**

Personnel and employment records are the property of the City and except for records and information that the City is required to provide by law will not be released. Access to personnel records within the City is limited to the Mayor and City Administrator and those designated by the Mayor and City Administrator.

## **19. COMPUTER AND INFORMATION SECURITY**

The City maintains a computer system for the effective operation of the City. These systems include individual PC's provided to employees, centralized computer equipment, all associated software, telephone, voice mail and electronic mail. Each user is personally responsible to ensure that the following guidelines are followed:

- The City of Willard's systems must not be used to solicit or proselytize others for commercial purposes, causes, outside organizations, chain messages or other non- job related purposes.
- Security procedures in the form of unique user sign-on identification and passwords have been provided to control access to the City's host computer system, networks and voice mail system. In addition, security facilities have been provided to restrict access to certain documents and files for the purpose of safeguarding information.
- Passwords should not be shared between users. If written down, passwords should be kept in locked drawers or other places not easily accessible.
- Document libraries of other users should not be browsed unless there is a legitimate business reason to do so.
- Individual users should never make changes or modifications to the hardware configuration of computer equipment.
- Programs should never be downloaded from bulletin board systems or copied from other computers outside the city onto city computers. Downloading or copying such programs

also risks the introduction of a computer virus. If there is a need for such programs, a request for assistance should be directed to the immediate Supervisor or Department Head prior to downloading or copying documents from outside the city.

- Unlicensed software should not be loaded or executed on the City of Willard's PCs.

## **20. INTERNET AND SOCIAL MEDIA ACCEPTABLE USE POLICY**

The following guidelines have been established for using the Internet, company-provided cell phones, email and social media in an appropriate, ethical and professional manner.

Guidelines for internet, cell phones and email:

- Internet, city-provided equipment (e.g., cell phone, laptops, computers) and services may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing or pornographic nature.
- The following actions are forbidden: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might adversely or negatively reflect upon the City of Willard or be contrary to the City of Willard's best interests; and engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any computers and company-provided equipment such as cell phones and laptops.
- Employees may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees should not open suspicious e-mails, pop-ups or downloads. Contact the Department Head with any questions or concerns to reduce the release of viruses or to contain viruses immediately.
- Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the City when using City computers.

Guidelines for social media use:

- Employees shall not post confidential, sensitive or proprietary information about the City of Willard, citizens, employees or applicants.
- Employees shall not post obscenities, slurs or personal attacks that can damage the reputation of the City of Willard, citizens, employees or applicants.
- When posting on social media sites, employees must use the following disclaimer when discussing job-related matters, "*The opinions expressed on this site are my own and do not necessarily represent the views of the City of Willard.*"

## **21. EMERGENCY DECLARATION**

In the event the Mayor issues an emergency declaration, affected exempt employees shall receive payment for overtime worked in excess of forty (40) hours per week. Overtime pay for

exempt employees will be based on the annual rate divided by 2080 and then multiplied times 1.5 for the overtime rate. In order to be considered for overtime pay, the affected exempt employee shall be responsible for completing the required time sheet and submitting same to the Chief Financial Officer/Finance Officer.

The purpose of this policy is to provide a mechanism to fairly compensate exempt employees for the extensive amount of time required to manage the resources within the community during and after a significant disaster or emergency and to provide a mechanism to recover those additional costs from state and federal agencies.

## **22. ADMINISTRATION**

The organizational chart is a diagram showing graphically the relation of one position to another within a department of the City. It is also used to show the relation of one department to another, or of one function of the organization to another. The City of Willard's organizational chart illustrates relations between people within the organization. Such relations might include the City Administrator to Department Heads, Department Heads to Supervisors or employees within a department. Each employee should always go to their immediate Supervisor or Department Head when asking for direction concerning a task, addressing a problem or any type of immediate need. The City Administrator shall have the authority to hire, discharge and discipline city employees.

## APPENDIX

- A. CODE OF ETHICS
- B. COMPENSATORY TIME POLICY
- C. SHARED CARE LEAVE
- D. EMPLOYEE RECEIPT AND ACCEPTANCE
- E. ORGANIZATIONAL CHART

# **A. CODE OF ETHICS**

## **POLICIES AND PROCEDURES**

### **Employee Relations.**

All staff with the City of Willard will strive to work with ethics above question and conduct themselves reflecting the trust given staff by the City of Willard. The City maintains policies and standards regarding employee behavior and conduct which are necessary for the efficient operation of the City and for the benefit and safety of its employees.

In providing public service the City values:

- Integrity and excellence in all that is done
- Openness to every point of view
- Diversity in people and approach

### **The following specific areas are covered in this policy.**

General Provisions  
Arrest, conviction or pleas of guilty  
Confidential information  
Gratuities  
Witness Fees  
Staff using their official position with the City  
Non-retaliation  
Solicitation at the work location  
City facilities, materials, equipment and supplies  
Staff responsibilities  
Employment outside the City  
Computer, Email and Internet Usage  
Romantic Relationships  
Nepotism

### **Definitions.**

*Appointing Authority:* A person with the authority to approve hiring staff and to approve or deny other personnel related transactions.

*Equipment, Materials and Supplies:* City owned or purchased equipment, materials and supplies including but not limited to: cell phones, telephones, computer hardware and software, City vehicles, office supplies, copiers etc.

*Gratuity:* Any gift, favor, entertainment, hospitality, loan or other tangible item and intangible benefit, such as a pass or discount, given or extended to City Personnel or their spouses, minor children or members of their households for which fair market value is not paid by the recipient.

*Supervisor:* The employee who directly supervises the work of another employee such as approving time sheets or leave requests, conducting performance appraisals or recommending disciplinary action.

*The words staff and employee are to be used interchangeably.*

### **General Provisions.**

The work of the City will be conducted with respect, concern and courtesy toward citizens, co-workers and the public. Staff shall approach their duties with a positive attitude and constructively support open communication, dedication and compassion. Staff shall conduct their duties recognizing the diverse background, characteristics and beliefs of all those with whom they conduct City business.

This policy is not intended to cover every aspect of employee conduct. All City employees are expected to use sound judgment with regard to their own conduct on the job and the performance of their assigned duties. Employees must also refrain from off duty conduct that tends to bring City service into public disrepute or negatively affects the employee's job performance.

### **Employees of the City.**

- Will avoid any interest or activity that improperly influences the conduct of their work or an employee's ability to act with objectivity in their work.
- Shall act impartially and neither give nor accept special favors or privileges which might be construed to improperly influence the performance of their work.
- Shall not allow political participation or affiliation to improperly influence the performance of their duties to the public.
- Shall comply with law, rules, policies and procedures at all times.
- Shall avoid any action that might result in losing independence or impartiality in decision making or adversely affecting public confidence in the integrity of the City.

The following actions are considered unprofessional and inappropriate for City employees:

- The use of profanity, abusive or threatening and/or racial and ethnic slurs.
- False or malicious gossip concerning City employees, management and citizens.
- Fighting, assaulting, threatening and/or intimidating other employees and members of the public.
- Reporting for work and/or attending a meeting or conference away from the office in a physical or mental condition that is unsafe to the employee, others, or physical property; renders one incapable of performing job responsibilities; and/or creates an unfavorable

public image including but not limited to intoxication and being under the influence of a controlled substance.

- Loitering, loafing, horseplay, sleeping or engaging in offensive and/or harmful practical jokes in the workplace.
- Engaging in any form of sexual or other harassment, including but not limited to vulgar and inappropriate behavior, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature or engaging in discrimination or harassment based on an individual's sex, age, race, color, national origin, ancestry, religion, disability, genetic information, sexual orientation, pregnancy or any other basis protected by federal, state or local law. Disciplinary action will be taken against offenders.
- Engaging in retaliation against any individual for reporting such discrimination or harassment as noted above or against any individual for participating in an investigation concerning allegations of unlawful discrimination or harassment.

The City recognizes that the personal appearance of its employees makes an impact on the general impression conveyed to co-workers and the public. Accordingly, all employees are expected to dress in a mode appropriate to the specific job duties they perform. All employees must wear clothing that is clean and well maintained and should observe good grooming and personal hygiene practices.

**Arrest, conviction, or pleas of guilty.**

Staff must notify their direct supervisor of any arrests, conviction, or pleas of guilty, suspended execution of sentence or suspended imposition of sentence related to misdemeanor or felony offenses within five (5) days of the event. The City Administrator will determine the appropriate action for the reported violation. These or other circumstances may result in the need for a reference or criminal record review of the employee to determine whether employment with the City should be changed.

An employee unable to work because they are incarcerated shall be denied the use of annual leave; the City reserves the right to dismiss an employee due to unauthorized absence if they are unable to report for work due to jail time.

**Confidential Information.**

City personnel shall not use or disclose, directly or indirectly, confidential information obtained in the course of or by reason of their employment or official capacity in any manner. Staff who breach confidentiality will be subject to discipline.

**Gratuities.**

City employees and their spouses, minor children and household members shall not knowingly accept, solicit or agree to accept any gratuity for themselves, members of their families or others, either directly or indirectly from or on behalf of any person or entity that:

- Operates under a contract with the City or seeks to engage in business relations of any sort with the City
- Conducts operations or activities that are either regulated by the City or significantly affected by City decisions.
- Has an interest that may be substantially affected by the performance or nonperformance of the official duties of city employees.

City Employees who are offered gratuities shall promptly report such circumstances to their immediate supervisor.

Incidental gratuities may be accepted under the following circumstances.

- Unsolicited promotional items such as calendars, cups, note pads, or pens, having a value of less than twenty dollars (\$20.00);
- Unsolicited trophies, entertainment, prizes or awards given for public service or achievement or in games or contests that are open to the public;
- Unsolicited trophies, entertainment, prizes or awards in connection with civic and community activities;
- Meals and refreshments which are available to all attendees at meetings, conferences, gatherings of public interest which it is in the City's interest to participate.
- Attendance at promotional vendor training sessions offered by contractors to facilitate understanding or utilization of their products. Refreshments that are available to all attendees may be accepted.

**Staff using their official position with the City.**

City staff shall not use their official position to improperly induce, coerce or in any manner improperly influence any person to provide any benefit, financial or otherwise, to themselves or others. City staff shall not be abusive toward others in the performance of their official duties.

**Non-retaliation.**

Staff will not retaliate against any outside party who questions or complains about an action by the City.

Allegations of retaliation will be investigated by the City as appropriate to the circumstances. Findings will be documented and appropriate action taken. Staff found to be guilty of retaliation are subject to discipline up to and including dismissal.

**Solicitation at the work location.**

Staff will not sell items or services commercially to fellow staff during working hours at the job location. Non-commercial sales of items for a charitable or educational purpose are not included. However, any charitable or educational fund raising events should be conducted with a minimum of effort or exposure.

**City facilities, materials, equipment and supplies.**

Employees shall use and maintain all city equipment, materials, and supplies in an efficient manner that will conserve their future usefulness. Staff shall use the equipment, materials and supplies solely for purposes related to the performance of city business. This includes internet use.

Staff shall not directly or indirectly use, take, dispose of or allow the use, taking or disposal of City facilities, material, equipment or supplies of any kind for other than official business or purposes.

Staff shall not willfully or neglectfully damage City facilities, material, equipment or supplies.

The City discourages any use of personal equipment at work. The city is not responsible for any operational, maintenance or replacement costs of personal equipment used at work.

Personal telephone calls from City phones and/or personal use of cell phones should not be made. The City may require recompense for excessive personal calls, both for the cost of the call and any lost productivity.

An employee's work area may be searched for work related reasons or in response to an alleged policy violation or criminal or civil infraction by the employee's immediate supervisor, Department Head or City Administrator.

Employees are responsible for reporting promptly the loss of any City property. Return of all City property upon termination is required.

All work products created and produced by City staff within the scope and course of their employment becomes the property of the City. City employees shall not copyright or otherwise claim personal ownership or control over such work product.

**Staff responsibilities.**

Responsibilities of the City staff include, but are not limited to the following:

- Each City employee is responsible for their actions, including reading the City's policies and procedures and working to carry out those provisions.
- Each employee shall cooperate with internal investigations or investigations with the appropriate authority. Employees are to participate in such investigations in good faith and respond to all inquiries in a prompt and truthful manner.
- Employees are expected to be attentive to their work responsibilities at all times during work hours.
- Employees are expected to arrive to work on time and leave work on time according to their approved work schedule. Employees are to schedule and use leave appropriately with their supervisors' permission.

- Employees must perform assigned tasks efficiently, in a timely manner and within established minimum quality standards.
- All employees must follow legitimate written and/or oral directives from supervisors and managers, unless the instructions are illegal or clearly violate safety procedures.
- Falsifications or altering of work records or reports including, but not limited to: employment applications, time records and expense accounts, etc. are prohibited.
- Employees may not utilize cell phones, camera phones, or any electronic mean to record internal interviews, meetings, etc unless otherwise allowed by policy or with management approval. The City is allowed to utilize recording devices when conducting workplace investigations.

### **Computer, Email and Internet Usage**

- City employees are expected to use the Internet responsibly and productively. Internet access is limited to job-related activities only and personal use is not permitted.
- All Internet data that is composed, transmitted and/or received by the City's computer system is considered to belong to the City and is recognized as part of its official data.
- The equipment, services and technology used to access the Internet are the property of the City and the City reserves the right to monitor Internet traffic and monitor and access data that is composed, sent or received through its online connections.
- Emails sent via the City's email system should not contain content that is deemed to be offensive. This includes, though is not restricted to, the use of vulgar or harassing language/images.
- All sites and downloads may be monitored and/or blocked blocked by the City if they are deemed to be harmful and/or not productive to business.
- The installation of software such as instant messaging technology is strictly prohibited.

Unacceptable use of the internet by employees includes, but is not limited to:

- Access to sites that contain obscene, hateful, pornographic, unlawful, violent or otherwise illegal material.
- Sending or posting discriminatory, harassing or threatening messages or images on the Internet or via the City's service.
- Using computers to perpetrate any form of fraud, and/or software, film or music piracy
- Stealing, using or disclosing someone else's password without authorization.
- Downloading, copying or pirating software and electronic files that are copyrighted or without authorization.
- Introducing malicious software onto the City's network and/or jeopardizing the security of the organization's electronic communications systems.
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities.

## **Romantic Relationships**

Romantic fraternization between a supervisor and subordinates in a direct reporting relationship is prohibited, including, but not limited to: dating; romantic e-mails; adult subject jokes, cartoons, e-mails and internet sites; and participating in a romantic/intimate relationship.

## **B. COMPENSATORY TIME POLICY**

### **PURPOSE**

The purpose of this policy is to allow salaried (exempt and non-exempt) City employees a flexible work schedule to reduce the hours over and above forty (40) during a standard work week due to evening meetings, heavier than normal workloads, etc. The City will accommodate the reasonable requests of employees for alternative work schedules when consistent with the needs of each City department to accomplish their objectives.

This policy will apply to all full time salaried (exempt and non-exempt) employees of the City in all of the various departments.

### **DEFINITIONS**

**Compensatory Time:** a term used to define an alternate work schedule by which a salaried employee may be granted in lieu of paid overtime.

**Standard Work Week:** a forty (40) hour period which runs from 12:01 a.m. Sunday morning through midnight (12:00 p.m.) the following Saturday evening. Vacation, sick leave, personal days, etc. are not considered as making up a portion of a standard work week; only those hours actually worked on the job are to be counted as comprising said work week.

**Pay Period:** a two (2) week period of time comprised of two (2) forty (40) hour work weeks.

### **POLICY**

It is the policy of the City to allow authorized employees the option of a flexible work schedule. Individual departments may use a Compensatory Time work schedule subject to the following conditions:

The normal workweek shall continue as a five (5) day, forty (40) hour workweek for City employees.

Computation of compensatory time will be based on the hours worked outside of over the 40 hour per week regular department schedule. Compensatory hours shall be accrued at 1.5 hours for every one hour of overtime worked.

Compensatory time may be accrued up to one hundred and twenty (120) hours; compensatory time accrued and not taken may be rolled over into the next calendar year, also up to 120 hours, or the employee may request the accrued hours be cashed out in the proper amount of payroll. All compensatory time usage requests must be approved in the same manner as vacation time, personal days, etc.

- Accumulated compensatory time shall be paid when the accrued compensatory time exceeds the maximum of 120 hours, or upon separation for any reason, including death of the employee.

- When an employee takes compensatory time off it shall be determined by and scheduled at the discretion of the employee's Director or supervisor, with due regard for the wishes of the employee and the needs of the City.
- An employee may request twice a year payment of compensatory time for hours accrued in lieu of paid time off. This may be requested in March and in November and not to exceed 40 hours per request.

## **GENERAL GUIDELINES AND ELIGIBILITY**

In order to be eligible to participate in the compensatory time program, an employee must be a salaried employee. Additionally, to be eligible, employees must:

- Use work time effectively based on time quality;
- Maintain a dependable attendance record;
- Document all timekeeping accurately and in a timely fashion; and,
- Communicate work problems/issues as well as needs to their immediate Supervisor/Department Head.

Both the usage as well as the accrual of compensatory time may be reviewed at any time by either the applicable Department Head and/or the City Administrator. Compensatory time will be administered on a consistent and equitable basis within each City Department.

## **C. SHARED CARE LEAVE**

The City provides for the option of a Shared Care Leave Program. Such additional paid leave is made available due to either a personal or immediate family member illness or injury which is considered life threatening or catastrophic. This program is available, upon approval of the City Administrator, to those full time employees who have exhausted all of their accrued leave time (including vacation, sick, compensatory, personal, etc.) and who have applied for and been approved for FMLA. The Shared Care Leave Program is a privilege which may be terminated without cause at the discretion of the City Administrator at any time. Nothing contained herein shall be construed to give any employee a right to such a benefit. A denial of shared care leave benefits is not a denial of any right and therefore cannot be appealed.

If an employee or one (1) of their immediate family members suffers an illness or injury that has been certified by a medical professional to be either catastrophic or life threatening (a written physician's statement containing the medical diagnosis and prognosis must accompany any request for Shared Care Leave benefits) and the employee has already exhausted all of their eligible leave accrual they may be eligible for participation in the benefit program. Such life threatening or catastrophic illness or injury must not be job related, willfully self-inflicted nor due as a result of a criminal or illegal activity. In such an instance, other City employees may voluntarily donate a portion of their accrued sick leave to that employee eligible for the program. Such a donation by another employee must not result in a balance of less than fifty percent (50%) of that employee's accrued sick leave at the time of donation. The employee receiving such a benefit is limited to a maximum of twenty five (25) days of Shared Care Leave benefits which may be extended for an additional, one (1) time period of twenty (20) work days upon a finding of extraordinary circumstances.

## **D. EMPLOYEE RECEIPT AND ACCEPTANCE**

I hereby acknowledge receipt of the City of Willard Employee Policy Manual. I understand that it is my continuing responsibility to read and know its contents. I also understand and agree that the Employee Policy Manual is not an employment contract for any specific period of employment or for continuing or long-term employment. Therefore, I acknowledge and understand that unless I have a written employment agreement with the City of Willard that provides otherwise, I have the right to resign from my employment with the City of Willard at any time with or without notice and with or without cause, and that the City of Willard has the right to terminate my employment at any time with or without notice and with or without cause.

I have read, understand and agree to all of the above. I have also read and understand the City of Willard Employee Manual. I agree to return the City of Willard Employee Manual upon termination of my employment.

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

Date \_\_\_\_\_

## **CONFIDENTIALITY POLICY AND PLEDGE**

Any information that an employee learns about the City of Willard or its staff as a result of working for the City of Willard that is not otherwise publicly available constitutes confidential information. Employees may not disclose confidential information to anyone who is not employed by the City of Willard or to other persons employed by the City of Willard who do not need to know such information to assist in rendering services. The disclosure, distribution, electronic transmission or copying of the City of Willard's confidential information is prohibited. Any employee who discloses confidential information will be subject to disciplinary action (including possible termination), even if they do not actually benefit from the disclosure of such information.

I understand the above policy and pledge not to disclose confidential information.

Signature \_\_\_\_\_

Print Name \_\_\_\_\_

Date \_\_\_\_\_

**E. ORGANIZATIONAL CHART**

See attached sheet