

TITLE 2

CLASSIFICATION, ADMINISTRATION

AND PERSONNEL

Chapters:

- 2.04 City Classification
- 2.08 City and Ward Boundaries
- 2.12 Social Security Coverage
- 2.16 City Council and City Hall
- 2.20 Mayor
- 2.24 Recorder/Treasurer
- 2.28 Fire Department
- 2.32 City Marshal
- 2.36 Government Departments
- 2.40 City Court
- 2.44 Employee's Handbook

CHAPTER 2.04

CITY CLASSIFICATION

Sections:

- 2.04.01 Classification of city

2.04.01 Classification of city The incorporated town of Foreman, Arkansas, be and it is hereby converted into a city of the second class; provided, however, that after the adoption and publication of this ordinance the qualified voters of the town shall vote in favor of the ordinance at the special election hereinafter provided for. (Ord. No. 57, Sec. 1.)

CHAPTER 2.08

CITY AND WARD BOUNDARIES

Sections:

2.08.01	Wards
2.08.02	Election
2.08.03	Special election

2.08.01 Wards The city of Foreman shall be divided into three wards, each of which shall have representation in the City Council, as is now provided by law, and said wards shall be known, respectively, as the First, Second and Third Wards:

Ward 1 The First Ward shall embrace and comprise the following territory: All that part of the city of Foreman north of the St. Louis – San Francisco Railway Company tracks and west of Schuman Street.

Ward 2 The Second Ward shall embrace and comprise following territory: All that part of the city of Foreman north of the St. Louis – San Francisco Railway Company tracks and east of Schuman Street.

Ward 3 The Third Ward shall embrace and comprise the following territory: All that part of the city of Foreman south of the St. Louis – San Francisco Railway Company tracks.

2.08.02 Election At the next regular time for holding the election of officers of incorporated towns there shall be an election of officers of Foreman as a city of the second class, who shall hold office as officers of a city of the second class until the next regular time fixed by law for electing officers of a city of the second class, or until their successors are elected and qualified. (Ord. No. 57, Sec. 4.)

2.08.03 Special election A special election shall be held at the usual polling places in the town of Foreman on the 11th day of June, 1957, for the purpose of determining whether the qualified voters favor this ordinance. The election shall be called by the Mayor by notice published for one insertion not less than ten (10) days before the election in a newspaper published and of general circulation in the town. The election shall be conducted and the votes canvassed by the County Election Commissioners, as now provided by law, and a certificate of the Commissioners, showing the vote in each ward, shall be delivered to the Mayor and filed with the Town Recorder. If a majority of the qualified electors voting at the election vote in favor of the ordinance, a certified copy of the ordinance shall be filed with the Secretary of State of Arkansas and, thereupon, the incorporated town of Foreman, Arkansas, shall become a city of the second class. (Ord. No. 57, Sec. 5.)

CHAPTER 2.12

SOCIAL SECURITY COVERAGE

Sections:

- 2.12.01 Contract
- 2.12.02 Withholding taxes from wages
- 2.12.03 City to match withholding

2.12.01 Contract The Mayor and the City Clerk of the city of Foreman, Arkansas, are hereby authorized and directed to enter into an agreement with the state of Arkansas for the purpose of obtaining insurance coverage for all the non-uniformed employees of the city under the terms and provisions of the Federal Social Security Act. (Ord. No. 53, Sec. 1.)

2.12.02 Withholding taxes from wages Commencing September 1, 1955, each employee's insurance contribution shall be deducted from his salary check in accordance with the terms and provisions of the said Social Security Act. (Ord. No. 53, Sec. 2.)

2.12.03 City to match withholding Commencing September 1, 1955, There is hereby appropriated from the general fund of the city of Foreman, Arkansas, the sums of money necessary to pay the city's share of the insurance tax in accordance with the terms and provisions of the Social Security Act. (Ord. No. 53, Sec. 3.)

CHAPTER 2.16

CITY COUNCIL AND CITY HALL

Sections:

- 2.16.01 Council meetings - regular
- 2.16.02 Council meetings - special
- 2.16.03 Freedom of information procedure
- 2.16.04 Order of business
- 2.16.05 Compensation
- 2.16.06 City Hall

2.16.01 Council meetings - regular All regular meetings of the Council shall be held at the municipal building on the _____ of each month.

2.16.02 Council meetings – special

- A. The Mayor or any three (3) Aldermen may call a special meeting of the City Council for the transaction of city business.
- B. The purpose of the special meeting shall be stated.
- C. The Mayor or Aldermen calling the special meeting of the City Council shall notify the newspaper and radio station, stating place, time and date at least two (2) hours before such meeting taking place in order that the public shall have representation at the meeting. Each Council member must be notified of the meeting. (Ord. No. 161, Secs. 1-3.)

2.16.03 Freedom of information procedure All meetings of the City Council of the city of Foreman, Arkansas, shall be public meetings. Notice of the time, place and date of all special meetings shall be given to representatives of the newspapers and radio stations located in Little River County, Arkansas, which have requested to be notified at least two (2) hours before the special meeting takes place. Any news media located elsewhere that regularly covers the meetings of the Council and which have requested notification shall also be notified at least two hours before the meeting takes place.

2.16.04 Order of business At all meetings of the Council the following shall be the order of business unless the Council by a majority vote shall order otherwise.

- 1. Call to order
- 2. Roll call
- 3. Reading of minutes of the previous meeting
- 4. Reports of boards and standing committees
- 5. Reports of special committees
- 6. Unfinished business
- 7. New business
- 8. Announcements
- 9. Adjournment

2.16.07 Compensation Each Councilmember shall receive the sum of Seventy-Five Dollars (\$75.00) for each regularly scheduled meeting. (Ord. No. 222A, Sec. 1.)

2.16.06 City Hall No living quarters shall be located above City Hall. It shall be retained for city use and storage. (Ord. No. 158, Sec. 1.)

CHAPTER 2.20

MAYOR

Sections:

- 2.20.01 Office created
- 2.20.02 Compensation

2.20.01 Office created. The office of Mayor is hereby created for the city of Foreman, Arkansas.

2.20.03 Compensation The Mayor shall receive Two Hundred Dollars (\$200.00) per month as compensation for the office of Mayor, and shall receive Two Hundred Dollars (\$200.00) per month as compensation for services as city judge. (Ord. No. 263, Sec. 1.)

CHAPTER 2.24

RECORDER/TREASURER

Sections:

- 2.24.01 Offices combined
- 2.24.02 Title
- 2.24.02 Duties

2.24.01 Offices combined The offices of City Recorder and City Treasurer be combined as provided by A.C.A. 14-44-109, et seq. (Ord. No. 80, Sec. 1.)

2.24.02 Title Hereafter the office shall be known as Recorder/Treasurer for the city of Foreman, Arkansas. (Ord. No. 80, Sec. 2.)

2.24.03 Duties

- A. Attend City Council meetings, bid openings, public hearings and other meetings which require an official city record.
- B. Prepare minutes and official journals in a timely manner.

- C. Prepare monthly financial statement for Council, prepare a six month financial statement to print in the newspaper as per audit requirements.
- D. Present copies of *monthly reconciled bank statements at Council meetings with cover sheet* for all Council members and Mayor to sign and keep such in a file.
- E. Be responsible for the upkeep and security of all files and records. Provide all such files and records to audit department upon request. Provide copies or information to citizens upon request as per the law. Provide Councilmembers and Mayor such information and copies as needed.
- F. Prepare city correspondence as necessary and in conjunction with Mayor.
- G. Secretary of Firemen's Pension Fund.
- H. Prepare and schedule such ads and bids as necessary for departments in compliance with Arkansas law.
- I. Assist in draft of ordinances and resolutions.
- J. Prepare and send agenda and other such information as necessary to Council and news media as set forth in resolution.
- K. Keep books for all departments including but not limited to: Receipts (except for water department), payables, employment records, payrolls, taxes and insurance. Billings as pertaining to ordinance and resolutions (except water bills). All books must be kept in compliance with audit requirements and state and federal regulations all in a timely manner. Balance and close each month's business.
- L. Court Clerk duties including but not limited to: Reports, tickets, fines, subpoenas, warrants, reconciliation of tickets and books, payables etc. All to be kept in compliance with the state laws and audit requirements.
- M. Assist the Mayor in preparation of budget by providing necessary information.
- N. All duties set forth by the state and audit department for Recorder/Treasurer. All duties as instructed by the Council as a group or by the Mayor or necessary to the city's peace and welfare. All things must be done in compliance with the state law and state audit requirements.
- O. Develop and maintain the city's fixed asset records.
(Ord. No. 262, Sec. 1-2.)

CHAPTER 2.28

VOLUNTEER FIRE DEPARTMENT

Sections:

2.28.01	Creation
2.28.02	Personnel
2.28.03	Duties of Fire Chief
2.28.04	Meetings
2.28.05	Compensation for volunteer firefighters
2.28.06	Records
2.28.07	Impersonation
2.28.08	Fine

2.28.01 Creation There is hereby created a city Volunteer Fire Department to be officially known as Foreman Volunteer Fire Department. (Ord. No. 36, Sec. 1.)

2.28.02 Personnel The Foreman Volunteer Fire Department shall consist of the Fire Chief, Assistant Fire Chief, Captain, Truck Foreman, Secretary and Treasurer, and such number of hosemen as the City Council may order, but not less than twelve. (Ord. No. 36, Sec. 2.)

2.28.03 Duties of Fire Chief The Fire Chief shall be appointed by the City Council of the said town and shall receive a salary of Forty Dollars (\$40.00) per month, and he shall be directly charged with the responsibility and accountability to the city for all equipment and have control and management of the organization. He shall name and select, with the approval of the City Council, the members of the department and shall direct and control all the work of the department. (Ord. No. 36, Sec. 3.)

2.28.04 Meetings There shall be held not less than one meeting each month of the department for the purpose of instructing and training and that all members shall attend unless excused for reasonable cause, the regular meeting to be held the fourth Monday night in each month, that the Foreman Volunteer Fire Department shall adopt such rules as may be deemed necessary for the proper functioning of the department, but that all such rules shall be subject to the approval of the City Council. (Ord. No. 36, Sec. 4.)

2.28.05 Compensation for volunteer firefighters All members of the Foreman Volunteer Fire Department, who have been selected and approved as herein provided shall receive the sum of Ten Dollars (\$10.00) for attendance upon and Fifteen Dollars (\$15.00) for service each and every fire, service at each and every fire being deemed to have been performed when the circumstances of such fire are such as to require the necessity of unloading and connecting the hose to the fire hydrant. (Ord. No. 36, Sec. 5.)

2.28.06 Records The Fire Chief shall keep a record of the names of the members of the department who attend the monthly meeting and who perform service at each fire, and that he shall submit a full statement of the number of fires attended by each member each month to the Town Council at its next regular meeting. (Ord. No. 36, Sec. 6.)

2.28.07 Impersonation A person shall commit criminal impersonation if he does an act in his pretended or assumed capacity or character wherein he:

- A. Assumes a false identity;
- B. Pretends to be a representative of some person or organization;
- C. Pretends to be an officer or employee of any governmental agency;
- D. Pretends to have a handicap or disability;
- E. Pretends through such false identity or representation to be a law enforcement officer of the city of Foreman, Arkansas, or representative of the Foreman Fire Department. (Ord. No. 243, Sec. 1.)

2.28.08 Fine Any person found guilty of this offense shall be fined as follows:

- A. For a first offense, a fine of up to One Hundred Dollars (\$100.00) and up to 30 days of confinement;
- B. For a second offense, a fine up to Two Hundred Dollars (\$200.00) and up to 60 days of confinement;
- C. For a third offense, a fine up to Five Hundred Dollars (\$500.00) and up to 1 year confinement. (Ord. No. 243, Sec. 2.)

CHAPTER 2.32

CITY MARSHAL

Sections:

- 2.32.01 Appointment
- 2.32.02 Mayor's powers
- 2.32.03 Impersonation
- 2.32.04 Fine

2.32.01 Appointment Commencing on January 1, 2005, the Marshal of the city of Foreman, shall be appointed by the Mayor of the city of Foreman. (Ord. No. 273, Sec. 1.)

2.32.02 Mayor's powers Pursuant to this ordinance, and pursuant to A.C.A. 14-44-111, the Mayor is hereby given authority to appoint or remove any said Marshal unless the City Council shall, by a two-thirds (2/3) majority of the total membership of this Council, vote to over-ride the Mayor's action. (Ord. No. 273, Sec. 2.)

2.32.03 Impersonation A person shall commit criminal impersonation if he does an act in his pretended or assumed capacity or character wherein he:

- A. Assumes a false identity;
- B. Pretends to be a representative of some person or organization;
- C. Pretends to be an officer or employee of any governmental agency;
- D. Pretends to have a handicap or disability;
- E. Pretends through such false identity or representation to be a law enforcement officer of the city of Foreman, Arkansas, or representative of the Foreman Fire Department. (Ord. No. 243, Sec. 1.)

2.32.04 Fine Any person found guilty of this offense shall be fined as follows:

- A. For a first offense, a fine of up to One Hundred Dollars (\$100.00) and up to 30 days of confinement;
- B. For a second offense, a fine up to Two Hundred Dollars (\$200.00) and up to 60 days of confinement;
- C. For a third offense, a fine up to Five Hundred Dollars (\$500.00) and up to 1 year confinement. (Ord. No. 243, Sec. 2.)

CHAPTER 2.36

GOVERNMENT DEPARTMENTS

Sections:

2.36.01 Inventory

2.36.01 Inventory It shall be the duty of the head of each department of the city to maintain an inventory of all supplies and equipment so that a perpetual inventory may be kept of the supplies and inventory of such department. (Ord. No. 160, Sec. 1.)

CHAPTER 2.40

CITY COURT

Sections:

- 2.40.01 Compensation
- 2.40.02 Replacement

2.40.03 Compensation The Mayor shall receive Two Hundred Dollars (\$200.00) per month as compensation for the office of Mayor, and shall receive Two Hundred Dollars (\$200.00) per month as compensation for services as city judge. (Ord. No. 263, Sec. 1.)

2.40.02 Replacement The Mayor of the city of Foreman is authorized and empowered, at such times as he shall choose so to do, to designate any qualified elector of the city of Foreman to sit in his stead as justice of the Mayor's Court, or to designate a justice of the peace in Jackson Township to sit in the Mayor's stead as justice of the Mayor's court. Said person so designated by the Mayor to sit as justice of the court shall take the constitutional oath of office before assuming such duties, and said person so designated shall receive the same compensation while sitting as judge of the Mayor's Court as is provided herein for the judge of such court in the trial of criminal cases. (Ord. No. 86, Sec. 2.)

CHAPTER 2.44

EMPLOYEE'S HANDBOOK

Sections:

- 2.44.01 Handbook and personnel policy
- 2.44.02 Introductory statement
- 2.44.03 Nature of employment
- 2.44.04 Employee relations
- 2.44.05 Employment reference checks
- 2.44.06 Equal employment opportunity

2.44.07	Employee medical examinations
2.44.08	Access to personnel files
2.44.09	Personnel data changes
2.44.10	Employment categories
2.44.11	Probationary period
2.44.12	Performance evaluation
2.44.13	Outside employment
2.44.14	Hiring of relatives
2.44.15	Employee benefits
2.44.16	Workers' compensation insurance
2.44.17	Holidays
2.44.18	Bereavement leave
2.44.19	Jury duty
2.44.20	Benefits continuation (COBRA)
2.44.21	Paydays
2.44.22	Sick leave benefits
2.44.23	Vacation time
2.44.24	Timekeeping
2.44.25	Overtime
2.44.26	Military leave
2.44.27	Sexual and other unlawful harassment
2.44.28	Progressive discipline
2.44.29	Return of property
2.44.30	Personal appearance
2.44.31	Attendance and punctuality
2.44.32	Drug and alcohol use
2.44.33	Drug and alcohol use
2.44.34	Drug testing
2.44.35	Employee conduct and work rules
2.44.36	Safety
2.44.37	Employee chain of command
2.44.38	Employment termination

2.44.01 Handbook and personnel policy

- A. The City Council of the city of Foreman, Arkansas, hereby adopts by reference the attached Exhibit "A" which consists of a Personnel Policy and Employee Handbook for employees of the city of Foreman, Arkansas. Said Exhibit is attached hereto and made a part hereof for all purposes.

- B. Any future amendments to said Personnel Policy and Employee Handbook may be accomplished by resolution of the Foreman City Council. (Ord. No. 246, Secs. 1-2.)

2.44.02 Introductory statement This handbook is designed to acquaint you with the city and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the city to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As the city continues to grow, the need may arise and the city reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting you or the city to end our relationship for any reason at any time. Employees will, of course, be notified of such changes to the handbook as they occur.

2.44.03 Nature of employment This handbook is intended to provide employees with a general understanding of our personnel policies. Employees are encouraged to familiarize themselves with the contents of this handbook, for it will answer many common questions concerning employment with the city.

However, this handbook cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create contractual obligations of any kind. Neither the employee nor the city is bound to continue the employment relationship if either chooses, at its will, to end the relationship at any time.

In order to retain necessary flexibility in the administration of policies and procedures, the city reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this handbook, except for its policy of employment-at-will. The only recognized deviations from the stated policies are those authorized and signed by the chief executive officer of the city upon approval of City Council.

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

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

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

The city will respond in writing only to those reference check inquiries that are submitted in writing. Responses to such inquiries will confirm only dates of employment, wage rates, and position(s) held.

2.44.06 Equal employment opportunity In order to provide equal employment and advancement opportunities to all individuals' employment decisions at the city will be based on merit, qualifications, and abilities. The city does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

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

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

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

After an offer has been made to an applicant entering a designated job category, a medical examination will be performed at the city's expense by a health professional of the city's choice. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exam.

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

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

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

With reasonable advance notice, employees may review their own personnel files in the city's offices and in the presence of an individual appointed by the city to maintain the files.

2.44.09 Personnel data changes It is the responsibility of each employee to promptly notify the city of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed notify the Recorder/Treasurer.

2.44.10 Employment categories It is the intent of the city to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and/or the city.

Each employee is designated as either non-exempt or exempt from federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay under the specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. An employee's exempt or non-exempt classification may be changed only upon written notification by the city management.

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

- A. Regular full-time employees are those who are not in a temporary or introductory status and who are regularly scheduled to work the city's full-time schedule. Generally, they are eligible for the city's benefit package, subject to the terms, conditions, and limitations of each benefit program.
- B. Probationary employees are those whose performance is being evaluated to determine whether further employment in a specific position or with the city is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification. 90 day period.
- C. Temporary employees are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of the city's other benefit programs.

- D. Casual employees are those who have established an employment relationship with the city but who are assigned to work on an intermittent and/or unpredictable basis. While they receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of the city's other benefit programs.
- E. The city reserves the right to lay off any employees due to weather, lack of work or other such occurrence for the necessary length of time for work to pick back up. If this does occur, the employee's insurance will remain in force unless the length of time exceeds three months. However, if the employee carries dependent coverage he or she will be responsible for the cost of that coverage or it will discontinue.

2.44.11 Probationary period The introductory period intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The city uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the city may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first 90 calendar days after their date of hire. Any significant absence will automatically extend an introductory period by the length of the absence. If the city determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

Upon satisfactory completion of the introductory period, employees enter the "regular" employment classification.

During the introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. After becoming regular employees, they may also be eligible for other city-provided benefits, subject to the terms and conditions of each benefits program. Employees should read the information for each specific benefits program for the details on eligibility requirements.

2.44.12 Performance evaluation Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal day-to-day basis. A formal written performance evaluation will be conducted at the end of an employee's initial period of hire, known as the introductory period. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. City Council will be notified of evaluation.

Performance evaluations are scheduled approximately every six months, coinciding generally with the anniversary of the employee's original date of hire by a committee appointed by the City Council.

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

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

Outside employment will present a conflict of interest if it has an adverse impact on the city.

2.44.14 Hiring of relatives The employment of relatives in the same area of an organization may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

Relatives of persons currently employed by the city may be hired only if they will not be working directly for or supervising a relative or will not occupy a position in the same line of authority within the organization. This policy applies to any relative, higher or lower in the organization, who has the authority to review employment decisions. The city employees cannot be transferred into such a reporting relationship.

If the relative relationship is established after employment, the individuals concerned will decide who is to be transferred. If that decision is not made within 30 calendar days, management will decide.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

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

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

The following benefit programs are available to eligible employees:

- Benefit conversion at termination
- Bereavement leave
- Employee health program
- Holidays
- Jury duty leave
- Medical insurance
- Military leave
- Sick leave benefits
- Uniform and uniform maintenance
- Vacation benefits

Some benefits programs require contributions from the employee, but most are fully paid by the city.

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

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

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

If an employee is deemed eligible for wage benefits, the city will pay the difference between what the insurance carrier pays and the employee's regular take home pay (no overtime) for a period not to exceed six (6) months.

2.44.17 Holidays The city will grant holiday time off to all employees on the holidays listed below.

New Year's Eve	December 31
New Year's Day	January 1
Martin Luther King, Jr. Day	third Monday in January
George Washington's Birthday	February 19
Employee's Birthday	
Memorial Day	last Monday in May
Independence Day	July 4
Labor Day	first Monday in September
Veteran's Day	November 11
Thanksgiving	fourth Thursday in November
Day after Thanksgiving	
Christmas Eve	December 24
Christmas Day	December 25

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

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

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

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

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

Up to three days of paid bereavement leave will be provided to eligible employees in the following classifications(s): Regular full-time employees

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

Approval of bereavement leave will occur in the absence of unusual operating requirements. Employees may, with their supervisors' approval, use any available paid leave for additional time-off as necessary.

The city defines "immediate family" as the employee's spouse, parent, child. The day of the funeral only is allowed for other family members unless travel is farther than 500 miles. This is at the discretion of the Mayor.

2.44.19 Jury duty The city encourages employees to fulfill their civic responsibilities by serving duty when required. Employees in an eligible classification may request up to three weeks of paid jury duty leave over any one year period.

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

If employees are required to serve jury duty beyond the period of paid jury duty leave, they may use any available paid time-off (for example, vacation benefits) or may require an unpaid jury duty leave of absence.

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

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

The city will continue to provide health insurance benefits for the full-term of the jury duty absence.

Vacation, sick leave, and holiday benefits, will continue to accrue during unpaid jury duty leave.

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

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

2.44.21 Paydays All employees are paid bi-monthly; every other Friday. Each paycheck will include earnings for all work performed through the end of the current payroll period.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the 1st day of work after the regularly scheduled payday.

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

2.44.22 Sick leave benefits The city provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classifications(s): Regular full-time employees.

Eligible employees will accrue sick leave benefits at the rate of 4 days per year (1 day for every full three months of service). Sick leave benefits are calculated on the basis of a benefit year, the 12-month period that begins when the employee starts to earn sick leave benefits. Rate begins at the end of probationary period.

Paid sick leave can be used in minimum increments of one-half day. Eligible employees may use sick leave benefits for an absence due to their own illness or injury or that of a family member who resides in the employee's household.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday if possible. The direct supervisor must also be contacted on each additional day of absence.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 45 calendar days' worth of sick leave benefits. The employee will be paid at a rate of "one-half" pay for all hours accrued over 45 calendar days at the end of the year.

Sick leave benefits are intended to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees upon termination of employment whether voluntary or involuntary.

2.44.23 Vacation time Vacation time-off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy: Regular full-time employees.

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

VACATION EARNING SCHEDULE

Years of eligible service	Vacation days each year
After 1 year	5 days
After 2 years	10 days

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

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. All vacation time an employee is eligible for in the coming year will be credited to him on January 1 of each year. Employees hired between January 2 and March 1 of the previous year will be credited with five (5) days vacation time, employees hired after March 1 will be credited with vacation time prorated from their actual date of hire. In no case is an employee eligible to take vacation until the completion of one year of service.

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

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

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. Employees may carry over ten days vacation to the next year. In the event that available vacation (not including the ten carry over days) is not used by the end of the benefit year, employees will forfeit the unused time.

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

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

Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

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

Meal periods All employees are provided with one meal period of 60minutes each workday.

2.44.25 Overtime When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time-off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible termination of employment.

Some departments may elect to give time off in lieu of overtime pay (comp time). If comp time is used in lieu of overtime then one and one-half (1 ½) hours of comp time will be awarded for each one hour of overtime worked.

Overtime will only be paid on hours over the regular hours in a pay period. If an employee has missed time during the regular pay period that time must be fulfilled before eligible for overtime.

2.44.26 Military leave A military leave of allowance will be granted to employees, except those occupying temporary positions, to attend scheduled drills or training or if called to active duty with the U.S. armed services.

The leave will be unpaid. However, employees may use any available paid time-off for the absence.

Subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible, health insurance benefits will be provided by the city for the full term of the military leave of absence.

Vacation, sick leave, and holiday benefits will continue to accrue during a military leave of absence.

Employees on two-week active duty training assignments or inactive duty training drills are required to return to work for the first regularly scheduled shift after the end of training, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with all applicable state and federal laws.

Every reasonable effort will be made to return eligible employees to their previous position or a comparable one. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service, such as the rate of vacation accrual and job seniority rights.

2.44.27 Sexual and other unlawful harassment The city is committed to providing a work environment that is free of discrimination and unlawful harassment. Actions, words, jokes or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated. As an example, sexual harassment (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

Any employee who wants to report an incident of sexual or other unlawful harassment should promptly report the matter to his or her supervisor. If the supervisor is unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Department Head or Mayor. Employees can raise concerns and make reports without fear of reprisal.

Any supervisor who becomes aware of possible sexual or other unlawful harassment should promptly advise the Mayor.

Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

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

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

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

Disciplinary action may call for any of four steps – verbal warning, written warning, suspension with or without pay, or termination of employment – depending on the severity of the problem and the number of occurrences. There may be circumstance when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may lead to termination of employment.

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

It is impossible to list every type of behavior that may be deemed a serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

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

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

2.44.29 Return of property Employees are responsible for all property, materials, or written information issued to them or in their possession or control. All the city property must be returned by employees on or before their last day of work. Where permitted by applicable laws, the city may withhold from the employee's check of final paycheck the cost of any items that are not returned when required. The city may also take all action deemed appropriate to recover or protect its property.

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

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

Consult your supervisor or department head if you have questions as to what constitutes appropriate attire.

2.44.31 Attendance and punctuality To maintain a safe and productive work environment, the city expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the city. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

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

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

2.44.33 Drug testing The city is committed to providing a safe, efficient, and productive work environment for all employees. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks. To help ensure a safe and healthful working environment, employees may be asked to provide body substance samples (such as urine and/or blood) to determine the illicit or illegal use of drugs and alcohol. Test will be at the discretion of the Mayor, Council or Department Head or anyone employed by the city including hourly employees, Council members, elected officials, police and volunteer firemen.

Copies of the drug testing policy will be provided to all employees. Employees will be asked to sign an acknowledgment form indicating that they have received a copy of the drug testing policy. Questions concerning this policy or its administration should be directed to the employee's supervisor. A drug test will be required as part of the employment physical.

2.44.35 Employee conduct and work rules To ensure orderly operations and provide the best possible work environment, the city expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

Theft or inappropriate removal or possession of property.

Falsification of timekeeping records.

Working under the influence of alcohol or illegal drugs.

Possession, distribution, sale, transfer, or use of illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment.

Fighting or threatening violence in the workplace.

Negligence or improper conduct leading to damage of employer-owned or customer-owned property.

Insubordination or other disrespectful conduct.

Violation of safety or health rules.

Sexual or other unlawful or unwelcome harassment.

Possession of dangerous or unauthorized materials, such as explosives or firearms in the workplace.

Excessive absenteeism or any absence without notice.

Unsatisfactory performance or conduct.

Employment with the city is at the mutual consent of the city and the employee, and either party may terminate that relationship at any time with or without cause, and with or without advance notice.

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

The city provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor/employee meetings, bulletin board posting, memos, or other written communications.

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

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate *supervisor*. *Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations may be subject to disciplinary action, up to and including termination of employment.*

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

Safety glasses will be used at all times. Other safety equipment will be used as applicable to each job. At least two employees will be present at all times when any type of sewer work is in progress because of the possible dangers involved.

Any employee using any motorized equipment of the city will have the proper drivers' license.

All aerosol products or other flammable materials will be kept locked away to minimize dangers. Authorized personnel only are allowed in shop area or in/on city equipment.

Failure to comply with these rules may result in disciplinary action.

2.44.37 Employee chain of command All employees and supervisors are expected to have open lines of communications. If an employee has a work-related problem or a problem that affects job performance that employee should bring the problem to the attention of his supervisor. If the supervisor cannot resolve the problem the employee should see the Mayor. If the employee has a problem with his supervisor he should first see the Mayor. After consulting with the Mayor the employee may then request a hearing before the City Council.

This policy is not intended to infringe upon the employee's right to free speech, but is an effort to handle problems at the lowest level possible and provide for a better working environment.

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

Resignation – voluntary employment termination initiated by an employee.

Discharge – involuntary employment termination initiated by the organization.

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

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

If an employee is terminated he may appeal his termination to next higher person in the chain of command. He may further request a hearing with the full City Council.

Since employment with the city is based on mutual consent, both the employee and the city have the right to terminate employment at will, with or without cause, at any time.