



# **CITY OF NORTH AUGUSTA PERSONNEL POLICY MANUAL**

*Effective: January 1, 2021*

North Augusta  
Municipal Center  
Arts and Heritage Center

## **IMPORTANT NOTICE AND DISCLAIMER**

**\*\*PLEASE READ THE DISCLAIMER AND THE EMPLOYEE HANDBOOK CAREFULLY. THE HANDBOOK CONTAINS SIGNIFICANT CHANGES.\*\***

**THE CONTENTS OF THIS HANDBOOK ARE PRESENTED AS AN OVERVIEW AND GUIDE TO SOME OF THE CURRENT PERSONNEL POLICIES OF THE CITY OF NORTH AUGUSTA (THE "CITY") IN EFFECT AS OF THE DATE OF THIS HANDBOOK. THIS HANDBOOK SUPERSEDES AND REPLACES ALL PRIOR POLICIES AND PRACTICES, WRITTEN AND ORAL. FROM TIME TO TIME THE CITY MAY, IN ITS SOLE DISCRETION, CHANGE, DELETE, OR ADD TO THE PROVISIONS OF THIS HANDBOOK WITHOUT PRIOR NOTICE.**

**THIS HANDBOOK IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO CREATE, AND IT DOES NOT CREATE, A CONTRACT OF EMPLOYMENT, EXPRESS, IMPLIED, UNILATERAL, OR OTHERWISE, BETWEEN YOU AND THE CITY. NOTHING IN THIS HANDBOOK BINDS THE CITY TO ANY SPECIFIC PROCEDURES, POLICIES, WORKING CONDITIONS, BENEFITS, PRIVILEGES OF EMPLOYMENT, OR DEFINITE PERIOD OF EMPLOYMENT. NOTHING IN THIS HANDBOOK GIVES EMPLOYEES A CONTRACTUAL RIGHT TO INSURANCE COVERAGE, VACATION PAY, OR OTHER BENEFITS OR POLICIES THAT MAY BE DISCUSSED IN THIS HANDBOOK, ANY OR ALL OF WHICH CAN BE UNILATERALLY AMENDED OR ABOLISHED BY THE CITY AT ANY TIME IN ITS SOLE DISCRETION.**

**IN THE EVENT THAT ANY MANDATORY LANGUAGE APPEARS IN THIS HANDBOOK, THE TERMS OF THIS DISCLAIMER SHALL GOVERN OVER ANY SUCH APPARENTLY MANDATORY LANGUAGE, SO THAT NO CONTRACT IS CREATED. THE RECITATION OF ANY LAWS, HOWEVER, DOES NOT CREATE A CONTRACTUAL OBLIGATION.**

**EACH EMPLOYEE IS COMPLETELY FREE TO LEAVE THE CITY AT ANY TIME SHE/HE CHOOSES AND THE CITY HAS THE SAME RIGHT TO END THE EMPLOYMENT RELATIONSHIP WITH OR WITHOUT CAUSE AND WITH OR WITHOUT NOTICE. THE EMPLOYMENT RELATIONSHIP IS AT-WILL AND CAN BE TERMINATED BY EITHER THE EMPLOYEE OR THE CITY AT ANY TIME, FOR ANY REASON OR FOR NO REASON, WITH OR WITHOUT NOTICE.**

**THIS DISCLAIMER EXPRESSES THE COMPLETE UNDERSTANDING CONCERNING YOUR EMPLOYMENT TERMS WITH THE CITY. YOUR STATUS AS AN AT-WILL EMPLOYEE CAN BE CHANGED ONLY BY AN AGREEMENT PERSONALLY SIGNED BY CITY COUNCIL. NO OTHER OFFICER, EMPLOYEE OR OTHER PERSON HAS THE AUTHORITY TO CHANGE YOUR STATUS AS AN AT-WILL EMPLOYEE.**

***This Handbook supersedes all prior handbooks, policies, practices, and guides. Effective January, 1 2021.***

**Employee Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Employee Signature:** \_\_\_\_\_

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**CC: Employee**

**Employee Personnel File**

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<b>Policy Section:</b> 100	<b>Subject:</b> INTRODUCTION	<b>Effective Date:</b> January 1, 2021
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This Employee Handbook describes important information about the current policies, procedures, and benefits provided by the City of North Augusta (hereafter the “City”). Unless otherwise indicated, the information set forth in this Handbook applies to all employees including temporary, part-time, and full-time employees. We expect each employee to read this Handbook carefully as it is a valuable reference for understanding the job and operations of the City. **IT IS UNDERSTOOD THAT THE POLICIES AND PROCEDURES IN THIS HANDBOOK MAY BE AMENDED AT ANY TIME, EXCEPT FOR THE AT-WILL EMPLOYMENT RELATIONSHIP. THIS EMPLOYEE HANDBOOK IS INTENDED TO PROVIDE EMPLOYEES WITH A GENERAL UNDERSTANDING OF CURRENT PERSONNEL POLICIES BUT DOES NOT ANTICIPATE EVERY SITUATION OR ANSWER EVERY QUESTION ABOUT EMPLOYMENT. HUMAN RESOURCES SHOULD BE CONSULTED ABOUT ANY QUESTIONS NOT ANSWERED IN THE HANDBOOK.**

The policies, agreements, practices, procedures, and benefits described herein replace all earlier written and unwritten policies, agreements, practices, procedures, and benefits. The information, policies, agreements, practices, procedures, and benefits described herein are subject to the interpretation of the City and may change at any time in the City’s sole discretion. Revised information may supersede, modify, or eliminate existing policies.

**THIS HANDBOOK IS NOT INTENDED TO CREATE, NOR SHALL BE CONSTRUED AS CREATING, AN EXPRESS OR IMPLIED CONTRACT OR GUARANTEE OF EMPLOYMENT FOR ANY TERM. EMPLOYMENT SECURITY CANNOT BE GUARANTEED BY ANY SUPERVISOR OR OTHER EMPLOYEE, AS ALL EMPLOYEES OF THE CITY OF NORTH AUGUSTA ARE “AT-WILL”.**

The descriptions of various fringe benefits such as group insurance are summaries only. Should the descriptions in this Handbook differ from formal agreements or documents involved, the formal and complete presentations or plans supersede this Handbook. You can obtain a copy of the Summary Plan Description which contains the details of the relevant plans including eligibility and benefit provisions from Human Resources. In the event of any conflict in the description of any plan, the official plan documents, which are available for your review, are controlling and shall govern. If you have any questions regarding the plans, see the individual plan administrators for each benefit plan or contact Human Resources.

**THIS HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT. NEVERTHELESS, YOUR RESPONSIBILITY IS TO READ AND COMPLY WITH THE POLICIES CONTAINED IN THIS HANDBOOK, AS WELL AS ANY REVISIONS MADE TO THEM.**

Our goal as an employer is to be the most desired place to work and ensure a positive and productive work experience for every employee. If you are a new employee, we wholeheartedly welcome you to our group. We hope that you will find this a pleasant and satisfying place to work. This should remind our current employees of our common goals and the general policies under which we work together in the most effective manner.

You and every other employee of the City are important. If you have any employment concern or problem or question, you are encouraged to contact our Human Resources Manager immediately. The City intends to give prompt attention to your inquiry or complaint to promote problem solving.

Any employee or agent of the City who becomes aware of any violation of this Handbook shall immediately report the potential violation to her/his direct supervisor. If reporting to the direct supervisor is not possible or feasible, the individual may report directly to Human Resources.

All reports of suspected violations will remain confidential, except as necessary for investigation. The City prohibits retaliation against employees who make good faith reports.

#### **CITY OF NORTH AUGUSTA MISSION STATEMENT**

To provide the highest quality of customer service to residents, businesses and visitors and encourage economic prosperity through investment in infrastructure, public safety, and a diverse array of recreational programs. To achieve this caliber of service, the city will tackle community issues with an open mind and creative approach, utilizing technology and emphasizing fiscal responsibility.

#### **CITY OF NORTH AUGUSTA VISION STATEMENT**

To be a premier community providing the highest quality of life for residents of all ages, with sustainable economic growth, a distinctive aesthetic, and built on a foundation of hospitality and community values.



<b>Policy Section:</b> 101	<b>Subject:</b> GENERAL POLICIES	<b>Effective Date:</b> January 1, 2021
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**101.01 AT-WILL EMPLOYMENT**

All employees are “at-will,” meaning that either the employee or the City can terminate the employment relationship at any time, for any or no reason, with or without cause, and with or without notice. The at-will nature of employment may not be altered or modified in any manner without prior written approval from City Council.

**101.02 APPLICABLE LAW**

To the extent any policy in this Handbook is in conflict with state or federal law, the applicable law will control. In the event any policy or provision in this Handbook is deemed unenforceable in a court of law, the remaining policies and provisions will remain in full force and effect. **No employee, director, or agent of the City has the authority, express or implied, to violate any law, statute, regulation, or ordinance or to instruct anyone else to do so.**

**101.03 CONFLICTS OF INTEREST**

City employees are covered by state ethics laws that prohibit public employees from using their public position for their own personal gain or to benefit a family member or business associate. State law also prohibits employees from making governmental decisions on matters in which they, their family, or business associates have an economic interest. Employees must notify their supervisors in writing of any matter in which they, their family, or business associates have an economic interest and in which they must act on behalf of the City. The supervisor must send the notification to the City Administrator for review. If the City determines a potential conflict or appearance of conflict of interest exists, the matter will be reassigned to another employee.

**101.04 GIFTS AND GRATUITIES**

No employee may directly or indirectly solicit, accept, or receive a gift under circumstances in which it could be inferred that the gift was intended to influence her/him in the performance of her/his official duties or was intended as a reward for an official act on her/his part. A gift is defined as any benefit, favor, service, privilege, or thing of value that could be interpreted as influencing an employee’s impartiality. A gift includes, but is not limited to, meals, trips, money, loans, rewards, merchandise, foodstuffs, tickets to sporting or cultural events, entertainment, and personal services or work provided by City suppliers or contractors. This policy is not intended to prohibit the acceptance of items of nominal value that are distributed generally to all employees.

A determination as to whether this policy has been violated is in the City’s sole discretion.

### **101.05 POLITICAL ACTIVITY**

Employees may fully and freely associate themselves in organizations of their own choosing, except those organizations whose purpose is the violent overthrow of the government of the United States, the State of South Carolina or any of its political subdivisions.

In certain circumstances involving real or potential conflicts, employees who run for public office may be placed on an unpaid leave of absence until after the election. If an employee is placed on leave of absence, her/his employment will terminate upon her/his election to a partisan public office. For purposes of this policy, an employee is considered a "candidate for public office" as soon as she/he begins actively campaigning for nomination or election, or when she/he files for candidacy, whichever comes sooner.

### **101.06 ANTI-HARASSMENT**

A fundamental policy of the City is that the workplace is for work. Our goal is to provide a workplace reasonably free from tensions involving matters that do not relate to the business of the City. In particular, the City will not tolerate harassment or discrimination in the workplace. The City recognizes that harassment or discrimination via social media websites is a serious matter and intends to treat such claims the same as other claims, as set forth below.

As used in this policy, the term "harassment" or "discrimination" concerns conduct relating to a person's race, color, religion, sex (including pregnancy, childbirth, or related medical conditions), sexual orientation, gender (including gender nonconformity and status as a transgender or transsexual individual), age, national origin, disability, veteran status, genetic information, or any other characteristic protected by law.

Harassment can include, without limitation, verbal harassment (epithets, derogatory statements, remarks about an individual's body, degrading words used to describe an individual, demands for sexual relations or sexual contact, threats or insinuations that the person's employment, wages, promotional opportunities, work assignments or other conditions of employment may be adversely affected by not submitting to sexual advances or improved by submitting to those advances, unwelcome jokes, slurs, acts of aggression, intimidation, etc.), physical harassment (touching or physical interference with normal work), visual harassment (leering, making sexual or inappropriate gestures, displaying sexually suggestive posters, cartoons, written/graphic material, or drawings), and innuendo.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact and other verbal or physical conduct, visual forms of harassment of a sexual nature, or other harassing or unwelcome comments or conduct of a sexual nature when submission to that conduct is either explicitly or implicitly made a term or condition of employment or is used as the basis for employment decisions, or when that conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Harassment can occur during business hours, non-business hours, in person, online, on City premises, and off City premises.

The City strives to keep itself free of any conduct that creates an intimidating, hostile or offensive work environment for our employees.

#### **101.06.01 REPORTING**

If you experience or are threatened by any sort of harassment or discrimination by any person in the course of your work at the City (whether by a fellow employee, supervisor, manager, vendor, visitor, customer, or any other person), immediately contact your supervisor or Human Resources. If one of those persons is suspected of being involved in the discrimination, harassment, or unwelcome conduct, or you otherwise are uncomfortable approaching your supervisor or Human Resources, please contact any member of management. You should also use this process to immediately report if in the course of your work you believe that the actions or words of a supervisor, another employee, or a non-employee constitute discrimination of any nature, harassment, or retaliation against another employee.

All complaints should be made in a manner that is convenient to you promptly after the incident occurs. However, to avoid misunderstanding, a written report must be completed, either by you or the person with whom you file your complaint, summarizing the allegations and listing any witnesses to the alleged harassment. You should be sure to get a copy of this initial complaint report to confirm you have complied with this procedure.

The City will investigate the complaint. This may, in the City's sole discretion, include interviewing witnesses and obtaining statements concerning the complaint. The investigation is conducted as confidentially as possible consistent with the effective handling of the complaint and the goals of this policy. All employees have a responsibility both to cooperate fully with the investigation and to keep the matter confidential, whether the employee is the accused person, the complaining one or merely a potential witness. Persons who are interviewed should not discuss the matter with co-workers, friends, or management. This does not mean, however, that employees may not complain to civil rights agencies.

Employees may be asked to submit to a polygraph (lie detector) examination.

Generally, information will be released only on a "need to know" basis and as determined by the City. The City, in determining whether to release information, may consider, among other factors, the need to protect witnesses and prevent cover ups, evidence destruction and/or the fabrication of testimony. Such decisions will be made on a case-by-case basis.

An employee who remains unsatisfied during or after the investigation of her/his harassment or discrimination complaint or believes that an investigation was untimely or insufficient should promptly seek review by the City Administrator.

#### **101.06.02 NON-RETALIATION**

The City prohibits retaliation against any person for making a report, requesting guidance, or providing information about any matter you reasonably believe constitutes a violation of law, or for participating in, cooperating or assisting in any investigation, or providing testimony in any

governmental proceeding. Our policy also prohibits retaliation against a person who provides truthful information relating to the commission or possible commission of a federal offense or who reasonably believed that what she/he reported constituted a violation—even if it later turns out that the person was mistaken in reporting the matter originally. The City prohibits intentionally filing a knowingly false report. If you suspect that you or someone else has been retaliated against, you should report the matter promptly to his/her supervisor, Human Resources, or any member of management.

#### **101.07 OPEN DOOR POLICY**

The City maintains an open-door policy. During your employment with the City, you may have questions about your job, working conditions, or other employment-related issues. We encourage you to let us know of your questions or concerns. While we may not be able to satisfactorily resolve all questions or issues that you have may have, we will listen to your concerns and work with you to address any issues that arise in your employment.

If you have a concern, bring the situation to the attention of your immediate supervisor as soon as possible so your supervisor can have an opportunity to investigate and provide a solution or explanation. If, after having discussed the situation with your supervisor, you believe your question or concern has not been sufficiently addressed, please contact the HR Manager or the City Administrator or the Mayor. The decision of the City Administrator or the Mayor regarding the appeal will be final and binding on the City and the Employee involved. Employees are encouraged to discuss concerns openly without fear of retaliation.

#### **101.08 CONFIDENTIALITY AND NON-DISCLOSURE POLICY**

City employees have access to confidential information such as customer lists, pricing, and processes. All knowledge, data, and information gained or revealed to employees, shall for all time and for all purposes be regarded as strictly confidential and held in trust.

Employees will not reveal or disclose this information to any other person, City, company, or entity now or at any time in the future, unless the City Administrator instructs the employee to do so in writing. This secrecy protection will continue even after the employee is no longer employed by the City. Employees understand that if information is revealed to unauthorized persons, the employee personally may be subject to penalties and lawsuits for injunctive relief and financial damages as well as possible criminal charges by the City.

#### **101.09 WHISTLEBLOWER POLICY**

The City is committed to operating in compliance with all applicable laws, rules, and regulations, including those concerning accounting and auditing, and prohibits fraudulent practices by any of its Council members or employees. This policy outlines a procedure for employees to report an action they reasonably believe violates a law or regulation, or that constitutes fraudulent accounting or other practices. This policy applies to any matter which is related to the City business and that of the property it manages and does not relate to private acts of an individual not connected to the business of the City.

A whistleblower, as defined by this policy, is an employee of the City who reports an activity she/he

considers to be illegal or dishonest to one or more of the parties specified in this policy. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials are charged with these responsibilities. Examples of illegal or dishonest activities are violations of federal, state, or local laws; billing for services not performed; and fraudulent financial reporting.

Employees must exercise sound judgment to avoid baseless allegations.

If any employee or supervisor has a reasonable belief that an employee or the City are engaged in any action that violates any applicable law or regulation, including those concerning accounting and auditing, or constitutes fraudulent practices, the employee is expected to immediately report such information to the City Administrator. If the employee does not feel comfortable reporting the information to the City Administrator, she/he should report the information to the City Council or a federal, state, or local agency.

All reports will be followed up promptly and an investigation conducted. However, depending on the nature of the complaint and the resulting number of witnesses, or whether the matter may be subsequently investigated by a government or insurance agency, complete confidentiality cannot always be guaranteed.

The City will not retaliate against an employee in the terms and conditions of employment because that employee: (a) reports to City Council, or to a federal, state, or local agency what the employee believes, in good faith, to be a violation of the law or this Policy; (b) participates in good faith in any resulting investigation or proceeding; or (c) exercises her/his rights under any state or federal law(s) and regulation(s) to pursue a claim or take legal action to protect his/her rights.

#### **101.10 SOCIAL MEDIA POLICY**

Social networking, personal websites, and blogs have become common methods of self-expression. The City respects the right of employees to use these media during their personal time. Employees may not access social media sites, other than for City business use, during working hours or using City equipment. Employees must understand that material posted on these media may be read by persons other than those for whom it is intended. Employees are cautioned that they are responsible for the contents of social media posts they make. Posts that contain obscene or harassing material, that are unlawful, that contain personal attacks on coworkers, that reasonably call into question the employee's judgment, or that reasonably cause concern among the public may result in discipline, up to and including termination from employment. Similarly, conduct that would violate City policies if done in person also violates City policy if done through social media. Employees may not disclose confidential information over social media or similar sites.

Employees who post on media sites and who have identified themselves as a member or employee of the City on those sites must make it clear that they are expressing their own views and not those of the City.

#### **101.11 MEDIA CONTACTS**

Employees should not speak to the media on the City's behalf without first obtaining approval from the City Administrator. All media inquiries should be directed to the City Administrator.

## **101.12 POLICY FOR A DRUG FREE WORKPLACE**

Drug abuse in the workplace is dangerous because it leads to physical impairments, loss of judgment, safety violations, and the risk of injury or death. It is the policy of the City to ensure a drug-free workplace for its employees.

### **101.12.01 USE OF DRUGS IN THE WORKPLACE**

The illegal manufacture, distribution, dispensation, possession, or use of narcotics, drugs, or other controlled substances is strictly prohibited on City premises. Violation of this policy may result in immediate discipline up to and including discharge.

Employees will be given a copy of this policy and will be required to sign a form acknowledging its receipt. This receipt form will be placed in and made a permanent part of the employee's personnel file. By continuing to work, the employee agrees that she/he will abide by the policy as a condition of employment. Failure to sign the form or abide by the policy may result in discipline up to and including termination.

As a condition of employment, employees agree to notify the City within five (5) calendar days after any arrest and/or criminal conviction for the manufacture, distribution, dispensation, possession, or use of narcotics, drugs, or other controlled substances at the workplace. Criminal conviction means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.

The City will, when necessary, notify all federal contracting agencies or grantors of such conviction within ten (10) days after receiving notice of the conviction.

Law enforcement authorities should be notified whenever illegal drugs are found in the workplace.

### **101.12.02 USE OF DRUGS WHILE NOT AT THE WORKPLACE**

The illegal manufacture, distribution, dispensation, possession, or use of narcotics, drugs, or controlled substances either off the premises or on non-work time or both is prohibited and may result in discipline up to and including termination.

Employees must notify their respective supervisor or department director of any drug-related arrest and/or conviction within five (5) calendar days after such arrest and/or conviction.

Conviction means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.

### **101.12.03 DRUG FREE AWARENESS PROGRAM**

Drug abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury or possible death.

In order to prevent these consequences of drug abuse, the City has implemented the above policy



to ensure that the workplace remains drug free.

In order to ensure that the workplace remains drug free, the City reserves the right to test employees for drug use, as set forth in Section 109 of this policy manual.

**101.12.04 EMPLOYEE ACKNOWLEDGMENT OF A DRUG FREE WORKPLACE**

“I have received a copy of the City’s policy statement that the unlawful manufacture, use, distribution, or possession of drugs or other controlled substances in the workplace, off the premises, or on non-work time is absolutely prohibited and may result in discipline up to and including termination. I further understand and agree that I must notify my supervisor or department director if I am arrested and/or convicted in a criminal court of violating any drug laws whether such a violation occurred in the workplace or not at the workplace. This notification must be given within five days after the arrest or conviction. I agree that my compliance with these terms of my employment is required as long as I work for the City of North Augusta. My failure to comply may result in discipline up to and including termination. I understand that this receipt will be placed in and made a permanent part of my personnel file.”

**101.13 TOBACCO-FREE WORKPLACE POLICY**

The City is a tobacco-free environment for all employees, including the use of dip, smokeless tobacco, and e-cigarettes (also called vaping). Smoking is not permitted in any area of our properties including parking lots, job sites, and surrounding grounds, except in those that are specifically designated as outside smoking areas. The use of tobacco products in City vehicles is prohibited. This policy applies equally to all employees, customers, and visitors at City facilities.

**101.14 PERSONAL APPEARANCE**

Every employee is a public representative of the City. Each of us must report to work properly groomed and wearing appropriate clothing. The City observes a business casual dress code every day. However, Services Personnel working on citizen premises may be required to conform to a higher standard of appearance. Consult your supervisor if you have questions concerning this policy.

Any employee who does not meet the standards of this policy will be subject to corrective action, which may include leaving the premises. Employees will not be compensated for any work time missed because of failure to comply with this policy. Violations of this policy may result in disciplinary action, up to and including termination of employment.

**101.15 EMPLOYMENT VERIFICATION AND REFERENCES**

All employment verification, reference requests or other requests for information on current or former employees must be referred to the Human Resources Department. Only the beginning and ending dates of employment, salary, and position(s) held with the City may be verified by telephone.

Requests for employment verification for credit or mortgage purposes must also be referred to Human Resources. Certain information will be provided only if the employee has executed a release. No other information and no reference of any kind should be issued.

## **101.16 PERSONNEL FILES**

### **101.16.01 ACCESS TO PERSONNEL FILES**

Personnel files are the property of the City and will be treated as confidential information and remain so after termination. This information will only be available to City personnel, including immediate supervisor and Director, on an as-needed basis or as required by law.

Upon request, an active employee may schedule an appointment to periodically review her/his personnel file with Human Resources. Review of the personnel file must be held on City premises in the presence of a City official. Employees will be permitted to review records related to qualification for employment, compensation, and disciplinary action. Employees are not permitted access to any letter of reference maintained by the City.

In all cases, personnel information should be considered confidential.

### **101.16.02 RECORDS**

Each employee is responsible for keeping current the information contained in her/his personnel file. Personal data, such as home address, telephone number, legal name change, number of dependents, insurance beneficiaries, tax withholding information, direct deposit, emergency contacts, training certificates, and driving record (if the position requires driving as part of the responsibilities on the job) should be both accurate and up to date. Human Resources should be informed of changes as soon as reasonably possible. Any changes to employee information (i.e., address changes, contact information, beneficiary information, etc.) should be changed as soon as possible.

The City will retain all employee personnel records in accordance with the South Carolina Department of Archives and History Record Retention Schedule for Municipal Records, or as otherwise required by law, whichever is greater.

When employees are hired, they complete various forms and documents. Employees sign a statement on the employment application testifying that all of the information furnished is true. The statement also warns that falsification of employment records is considered a serious offense and may lead to termination at any point of employee's career with the City.

Employee medical files are kept separately from the personnel files.



<b>Policy Section:</b> 102	<b>Subject:</b> COMPENSATION	<b>Effective Date:</b> January 1, 2020
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**102.01 SALARY COMPENSATION SYSTEM**

This section sets forth the objective and scope of the salary compensation system for all employees of the City.

The City’s salary compensation system is based solely on pay for performance. At the beginning of each budget year, the City Council typically adopts a budget to be used in the performance appraisal of all employees during the fiscal year.

**102.01.01 OBJECTIVES**

The primary objectives of the salary compensation system are:

1. To analyze all positions and to allocate each position to the appropriate pay grade.
2. To establish pay grades for all positions which would provide a sufficient pay range in proper relationship to the duties and responsibilities assigned, internal consistency, and organizational requirements.
3. To develop a compensation system for the City which would provide equitable compensation for each level and responsibility of work performed.
4. To develop pay grades for each position which would make the City competitive with other employers in its labor market.
5. To outline a program for the administration and maintenance of the compensation system which would ensure orderly and consistent treatment of employees and permit effective control over grade assignment and other pay matters.

**102.01.02 GENERAL**

A formal job description and job title descriptive of the content of the job should be developed for each position for the City. Each position identified should be analyzed as to (1) its competitive position in the labor market within which the City must compete and (2) its relative worth to the City consisting of the duties and responsibilities assigned, internal consistency, and organizational requirements. When analyzed, each position should be assigned to a pay grade which identifies the salary range for the job. Each pay grade consists of a minimum, midpoint, and maximum rate. The salary schedule is the list of pay grades to which the various positions are assigned.

### **102.01.03 PLAN REVIEW AND UPDATE**

The Human Resources Manager should make provisions for continuous review and update as necessary to maintain the accuracy and benefits of the compensation plan. The plan should be amended to reflect any changes occurring in the duties, complexities, and responsibilities of the positions.

#### **1. Change in Positions**

Whenever any significant changes occur in the duties and responsibilities of a position, a new job description should be written and submitted to the Human Resources Manager for analysis and determination as to what needs to be done. This analysis of the duties and responsibilities of a position may result in one of the following actions:

- a. No change in the grade assignment is necessary.
- b. The position should be reassigned to a higher grade.
- c. The position should be reassigned to a lower grade.

#### **2. New Positions**

Whenever a new position is added, a position questionnaire should be completed and submitted to HR for analysis, job description, pay grade, and points assigned. The City Administrator has final approval on all positions and assigned salary grades.

No person should be hired for any position not previously approved and graded, nor should a salary be quoted for it until a written description of the intended position has been prepared and analyzed. Positions do not have to be approved through the budget process to be quoted.

### **102.01.04 INITIAL HIRING**

#### **1. Entry Rate**

The minimum rate of each pay grade should be the normal entry rate. Deviation from this may be permitted, if necessary, to fill a vacancy or for the recognition of highly unusual qualifications or situations. Such deviation should first be approved by the City Administrator. All initial hiring must be on one of the following "positions on grade":

- a. Minimum of the current pay grade (Min).
- b. Minimum of the current pay grade plus 5% (M+5).
- c. Minimum of the current pay grade plus 10% (M+10).
- d. Minimum of the current pay grade plus 15% (M+15).
- e. Midpoint (Mid).
- f. Beyond midpoint (Mid+).

Positions on grade (Min, M+5, M+10, M+15, and Mid) should be used only to denote where on the salary grade a person is initially hired, promoted, or demoted.

#### **2. Adjusting Entry Rate**

If at the time new salary schedules are adopted, an employee's pay rate is below the minimum of the new pay grade, his/her salary should be adjusted to the minimum. This adjustment should become effective on the same date that the new salary schedules

become effective.

#### **102.01.05 PERFORMANCE APPRAISAL REVIEW DATES**

The performance appraisal (PA) review date is the date upon which an employee is to be formally reviewed for purposes of performance evaluation and consideration for a salary advancement.

Merit Performance Appraisal (MPA) Review Date - The merit performance appraisal (MPA) review date should be the annual date, after completion of the introductory probation period, upon which an employee is to be formally reviewed for purposes of performance evaluation and consideration for a salary advancement on grade and/or an MPA salary adjustment (see 102.01.06). The MPA review date should be January 1 of each year following the successful completion of the introductory probation period.

#### **102.01.06 SALARY ADVANCEMENT/ADMINISTRATION**

There are two types of salary advancement associated with the performance appraisal review date. They are (1) salary advancement on grade (SAG), and (2) salary advancement through merit performance appraisal (MPA).

All newly hired, promoted, or demoted employees should serve an introductory probation period of six (6) months regardless of the position on grade on which the employee was hired, promoted, or demoted.

1. Introductory Probation Appraisal (IPA) Review Date - Upon the hiring, promotion, or demotion of an employee, an introductory probation appraisal (IPA) review date should be placed on the personnel status form. This IPA review date (month, date, and year entered on the form) should be no sooner than (6) months after the employment date.

Upon the employee reaching the (IPA) review date, the supervisor must review the employee, and:

- a. If the employee receives “meets expectations,” the Human Resources Department may complete a personnel status form authorizing the appropriate salary adjustment, if any, in conformance with #2 below, Salary Advancement on Grade, and #3 below, Salary Advancement Through Merit Performance Appraisal (MPA), and establishing a merit performance appraisal MPA review date which should be the following January 1.
- b. If the employee does not receive “meets expectations,” the employee may be terminated, transferred, demoted, or the supervisor may formally extend the IPA review date. If the IPA review date is extended, the Human Resources Department should complete a personnel status form noting the revised IPA review date. This revised review date may be any time within the next six (6) months.
- c. If, on the revised IPA review date, the employee receives “meets expectations,” the Human Resources Department may complete a personnel status form authorizing the appropriate salary adjustment as in “a” above and establishing a merit performance appraisal (MPA) review date which should be the following January 1.
- d. If on the revised IPA review date, the employee does not receive “meets

expectations,” the employee should be terminated, transferred, or demoted. The Human Resources Department should complete a personnel status form indicating the action taken.

**IMPORTANT – While the City has the discretion to adjust an employee’s pay based on the results of an appraisal, no employee is entitled to a pay increase.**

2. Salary Advancement on Grade (SAG) - Salary advancement on grade from the initial hire, promotion, or demotion of the employee should be determined as follows:
  - a. Opportunity for Grade Advancement

Employees may have an opportunity for up to four (4) salary advancements on grade. The actual number of advancements, if any, on grade will depend on the position on grade of the initial hire, promotion, or demotion, and other considerations, such as budget constraints or competitiveness in the market.

    - For a person hired, promoted, or demoted at Minimum there should be four (4) opportunities for salary advancement on grade.
    - For a person hired, promoted, or demoted at M+5, there should be three (3) opportunities for salary advancement on grade.
    - For a person hired, promoted, or demoted, at M+10, there should be two (2) opportunities for salary advancement on grade.
    - For a person hired, promoted, or demoted, at M+15, there should be one (1) opportunity for salary advancement on grade.
    - For a person hired, promoted, or demoted, at Midpoint or beyond, there should be no opportunity for salary advancement on grade.
  - b. Salary Advancement on Grade
    - For an employee hired, promoted, or demoted, the first opportunity for salary advancement on grade (SAG) may be at the completion of the introductory period. On the first January following completion of the introductory period and then each January thereafter (effective on the first day of the first pay period that begins in January) until the employee has reached the midpoint of the grade, the employee should be eligible for a SAG.
  - c. MPA of 3.0 Required
    - If an employee fails to obtain an MPA of 3.0 or higher on any review date, the employee should not receive a salary advancement on grade (SAG) at that review date and should not again be eligible for a SAG until the next review date listed above. Once an opportunity for SAG is missed due to receiving an MPA of less than 3.0, that opportunity is lost.
  - d. Administration
    - All provisions of #2 of 102.01.06, should apply for newly hired, promoted, or demoted employees.

3. Salary Advancement Through Merit Performance Appraisal (MPA)
  - a. The merit performance appraisal (MPA) date should be the date upon which the employee should be formally reviewed for purposes of performance evaluation and consideration for a merit performance appraisal salary adjustment.
  - b. The City Council, through adoption of its annual budget, may appropriate funding for the performance appraisal system. Council may adopt increases that differ from year to year or no increase at all. No employee is entitled to a pay increase.
  - c. Salary advancement through merit performance appraisal (MPA) may be determined as follows. On the employee's merit performance appraisal review date, she/he should receive a salary adjustment.
    - For an employee hired, promoted, or demoted through MPA, the first opportunity to receive a salary adjustment may be the first January following completion of the introductory period and then each January thereafter (effective on the first day of the first pay period that begins in January).
  - d. An employee receiving an MPA rating of less than 3.0 for two (2) consecutive annual review dates should be terminated, transferred, or demoted.
  - e. An employee receiving an MPA rating of less than 2.00 should be terminated immediately.

**IMPORTANT – The City may also impose discipline, up to and including termination, for poor performance or other reasons in any circumstances, not only the circumstances discussed in this policy.**
  - f. All provisions of #3 of 102.01.06, should apply for newly hired, promoted, or demoted employees.

#### 4. Effective Date of Salary Adjustments

The effective date for salary adjustments on grade and salary adjustments through MPA normally should be the first day of the next pay period following the MPA review date unless otherwise specified.

#### 5. Salary Adjustments Upon Promotion

When an employee is promoted to a higher graded position, the promotion may result in a salary increase to minimum or in line with grade M+5, M+10, M+15, or Mid. Deviation from this may be permitted, if necessary, to fill a vacancy or for the recognition of highly unusual qualifications or situations. Such deviation should first be approved by the City Administrator.

The employee should then be subject to an IPA review as shown in #1 above, and salary adjustment on grade as shown in #2 above

#### 6. Salary Adjustments Upon Demotion

When an employee is demoted to a lower graded position, the demotion should result in a salary decrease. The employee's new position on grade (Min, M+5, M+10, M+15, or Mid) should be determined by Department Directors.

The employee should then be subject to an IPA as shown in #1 above, and salary adjustment on grade as shown in #2 above.

7. Reduction in Salary

A reduction in salary should be the action taken by a Department Director with the approval of the City Administrator in reducing an employee's salary within the pay range for the grade to which an employee is appointed. A reduction in salary should not change an employee's review dates or advancement on grade eligibility.

8. Salary Upon Reassignment

- a. An employee who is transferred to a different position or different work location at the same pay grade should not be granted a salary increase as a result of being transferred.
- b. The employee's MPA review date should not change as a result of his/her being transferred to a different position at the same pay grade or a different work location at the same position and pay grade.
- c. The employee's MPA should be performed by the supervisors of both work locations, using the time in each work location and/or position as a weighted percentage applied to the rating.
- d. An employee who is reassigned to a position previously held may be paid at the same rate as when the employee previously held the position, provided that the employee should not be paid less than the current minimum of the grade.

9. Downward Salary Adjustments

When a position is reassigned to a lower pay grade or when the minimum and maximum rates for a position are decreased, the salary of an employee may remain unchanged, except that it should not exceed the maximum of the new pay grade.

10. Salary Upon Grade Assignment Change

- a. When an employee's pay grade is changed his/her new pay normally will be the greater of his/her old pay grade or the pay rate corresponding to his/her current position on grade in the new pay grade.
- b. The effective date of any change in grade assignment should be the first pay period in January of the following year unless the employee is otherwise notified.
- c. On the employee's MPA review date following the effective date of the change in grade assignment, the salary adjustment resulting from the MPA rating should be based on the new grade and salary range assigned to the position.

11. Salary Adjustment Upon Demotion Resulting from Reduction in Force (RIF)

- a. When an employee is demoted to a lower graded position resulting from a reduction in force (RIF), the demotion should not result in a salary decrease unless the employee's salary is above the Maximum of the new grade. In such case, the employee's salary should be reduced to the Maximum of the new grade.
- b. The employee's new salary should not be less than the minimum of the new grade.



- c. The employee's new position on grade (Min, M+5, M+10, M+15, or Mid) is determined by the Department Director with approval from the City Administrator.
- d. The employee should then be subject to an IPA review as shown in #1 above, and salary adjustment on grade as shown in #2 above.

#### 12. Attendance Factors Relating to Performance Appraisal

The following performance appraisal guidelines may be used in evaluating the attendance factor on the performance appraisal form relative to absences and tardiness.

- a. Absences due to vacation, compensatory time, sick leave, FMLA, or worker's compensation injuries should not be counted as absences for purposes of performance evaluations.
- b. Excused Absence - previously scheduled absence such as a doctor's appointment.
- c. Unexcused Absence - absence without permission or failure to notify supervisor within 30 minutes of the beginning of the workday of an absence.

#### **102.02 TRAVEL AND SUBSISTENCE ALLOWANCE**

When employees of the City are required to travel on official business, the City may pay reasonable amounts for transportation, meals, and lodging. An employee is expected to show good judgment and an appreciation for economy when incurring travel expenses. Expense limits established by these regulations are limits and not allowances or authorization to spend that much if less would be adequate.

Travel advances may be made to cover anticipated travel expenses with the approval of the CFO.

Decisions as to which trips are authorized, which specific conferences involving overnight travel are to be attended and by whom, are normally made during the formulation of the annual budget. Travel expenses should be itemized on a travel expense form which must be forwarded to the CFO within one (1) week after returning from a trip. Paid bills for lodging and receipts for air or rail fares are required to be attached to the travel expense form if such expenses have been incurred.

The employee should immediately upon returning to work, and in no case less than five (5) working days from the end of the conference, submit a final travel expense form and, when applicable, travel advance refunds to the CFO. This form must be complete with all required lodging and transportation receipts, the employee's signature, and the Director's approval. Failure to observe this five (5) working day rule may cause forfeiture of the employee's right for full reimbursement or may require the full refund of any travel advance.

The City is generally responsible for all costs of registration (based upon a copy of the official conference brochure indicating such fees) and appropriate amounts for transportation, meals, and lodging in accordance with the specific guidelines.

The City may make travel advances sufficient to cover expected lodging, meals, and gasoline expenses. Requests for travel advances should be made two (2) weeks prior to the conference through normal purchasing procedures.

The cost of recreational activities, whether or not a sponsored event of the conference, will not be paid by the City.

The cost of spousal activities, whether or not a sponsored event of the conference, will not be paid by the City.

If an employee chooses to go early or stay late requiring additional overnight stays, said time may be charged as vacation and must be approved through the normal approval process prior to the employee's leaving work. Sick leave may not be used for this purpose. All costs associated with extended stay are borne by the employee.

It is expected that the employee will make registrations for conferences and reservations for lodging prior to the conference. The City may pay in advance all employee registration fees. If necessary, the City may pay for one night's room reservation in advance.

#### **102.02.01 TRANSPORTATION**

The City may purchase tickets in advance for employees traveling by common carrier. All employees must travel in tourist or economy class where such services are available. Employees should identify the most cost-effective option when arranging travel to and from airports (i.e., hotel shuttle, taxi, rideshare options such as Uber, Lyft, etc.)

Municipally owned vehicles should be made available for out-of-town travel whenever possible. All expenses incurred for operation of such vehicles must be documented by receipts attached to the expense report. However, an employee may elect to use his/her personal vehicle if said employee provides evidence of proper vehicle liability insurance to the Department Director.

Employees who, with authorization from their Department Director, use their personal vehicles for official business may be reimbursed for mileage at current IRS standard mileage rate. Proper vehicle liability insurance must either be previously provided or secured by the employee prior to utilizing a personal vehicle for official business. Reimbursement for expenses associated with the use of personal vehicles will not be approved if a City vehicle was readily available for use.

Receipts must be attached to the expense report to claim reimbursement for all ferry, bridge, road, and parking lot tolls. Transportation fare receipts are not required, but all expenses must be itemized on the expense report.

#### **102.02.02 LODGING**

An employee is expected to make hotel reservations well in advance whenever possible and to take other actions to ensure that lodging is secured at moderate rates. If an employee is to attend a formal, organized meeting or conference, she/he may stay at the hotel or motel where the meeting is to be held. The City, in all cases, will pay no more than the regular single room rate as specified by the GSA (United States General Services Administration).

The City will assume the responsibility for only the minimum number of nights—lodging, meals,

etc.—required for the conference. The City will not be responsible for the overnight expenses prior to the start of the conference unless the conference starts before 12:00 noon and then only if by leaving North Augusta by 6:00 A.M. the conference location cannot be reached prior to the conference start. The start of the conference should be defined by the first non-recreational activity.

### **102.02.03 SUBSISTENCE ALLOWANCE**

Expenses must be itemized on the travel expense report which may permit a review of the amounts spent for (1) lodging, (2) meals, and (3) all other items of subsistence expense.

Allowable subsistence expenses should be a reasonable amount and should not exceed GSA per diem rates.

Where registration or tuition fees include one or more meals, only those meals not covered by such fees will be reimbursed by the City. Where prices of tickets to conference luncheons or dinners exceed individual GSA meal limits, the applicable meal and daily limit should be increased by the excess amount.

Any amounts exceeding these limits must be fully justified and approved by the CFO before reimbursement.

In the event that an employee involuntarily terminates or resigns after the City has advanced a monetary allowance on behalf of the employee, but prior to the employee's scheduled travel on official business of the City, the City may withhold the amount of the advance(s) from the employee's final paycheck as an advance of wages should the employee fail to reimburse the City for such advances.

### **102.03 CITY VEHICLES**

The City provides city-owned vehicles to certain City employees enabling said employees to accomplish their assigned tasks during normal work hours. Except as specifically stated, city-owned vehicles shall be used for City business only.

#### **102.03.01 USE AFTER HOURS/OFF DUTY**

There are times when it is to the benefit of the City for employees to have access to city-owned vehicles after normal work hours and/or while off duty. Vehicles may be used after normal work hours to satisfy one or more of three basic needs of the City, (A) Contractual Obligation; (B) Work After Hours, or (C) Public Safety Vehicle Assignment Program.

The following guidelines shall apply when determining whether an employee merits the use of a City-owned vehicle after normal work hours, and if so, under what conditions.

1. **Contractual Obligation:** The provision of a city-owned vehicle for use after normal work hours, if determined to be justified as a contractual obligation, must be in accordance with the following guidelines:

- a. The provision of a city-owned vehicle as a contractual obligation should be determined at the time of hire or contract approval.
  - b. This provision applies only to positions of Directors or higher.
  - c. Written pre-approval of the City Administrator is required.
  - d. The provision of the city-owned vehicle must be in writing and become a part of the employee's personnel file.
  - e. Residency within the City's corporate limits is required to be or remain assigned a City-owned vehicle.
  - f. Unless stated within the written agreement as approved by the City Administrator, the city-owned vehicle must be primarily for City business.
  - g. Limited (de minimis) personal use incidental to City business use of a city-owned vehicle may be permitted. Incidental use includes, but is not limited to, brief errands on the way to and from work, such as driving children to school, picking up a few items from the grocery store, dry cleaning, etc.
  - h. Use of the city-owned vehicle must be properly reported to the IRS by the City Finance Department.
2. Work Responsibilities After Hours: The provision of a city-owned vehicle for use after normal work hours, if determined to be justified for work related responsibilities, must be in accordance with the following guidelines:
- a. The requesting department must have an identifiable need for an employee to have use of a city-owned vehicle either to perform frequent regular duties after hours or to provide first emergency response after hours.
  - b. Whenever possible, use of a city-owned vehicle should be limited to areas in and around the City served by the department within which the employee works.
  - c. The city-owned vehicle must be primarily for City business.
  - d. Limited (de minimis) personal use incidental to City business use for a city-owned vehicle may be permitted. Incidental use includes, but not is limited to, brief errands to and from work, such as driving children to or from school, picking up a few items from the grocery store, drycleaners, etc. Trips for personal use once an employee arrives at work or at home are not permitted.
  - e. Use of the City-owned vehicle must be properly reported to the IRS by the City Finance Department.
  - f. Employee must reside within City limits, unless otherwise authorized by the City Administrator.
3. Public Safety Vehicle Assignment Program: The provision of a city-owned marked or unmarked Public Safety vehicle for use after normal work hours or while off duty, if determined to be justified within the Department of Public Safety's Vehicle Assignment Program, must be in accordance with the guidelines established for said program in Section 102.03.03 of this policy.

### **102.03.02 CONTRACTUAL TRANSPORTATION ALLOWANCE**

To satisfy contractual requirements as outlined above (#1 of 102.03.01) and under limited

circumstances it may be to the mutual advantage of the City and the employee to substitute an allowance in lieu of a City provided vehicle. When selected, the following guidelines must be followed.

An amount to be determined by City Council, through its adoption of the annual budget, will be paid to the employee through the normal accounting procedures of the City.

The employee must provide his/her own transportation to be used for City business. The primary purpose of the transportation allowance is to provide greater flexibility of a vehicle purchased primarily for City use. The vehicle must be suitable for the normal daily work activity of the employee. It must be a four-door sedan, truck, or utility vehicle that seats at least four people. The vehicle must be free of major body damage and maintained in a condition commensurate with its being used as a City vehicle and representing the City when so used.

The employee is responsible for all costs associated with the vehicle and its use for City purposes, including but not limited to, purchase, operating, maintenance, insurance, tags, property and income taxes. The employee is eligible for mileage reimbursement for out-of-town trips exceeding 25 miles one way. Reimbursements will be based on the IRS mileage rate.

The employee must annually submit evidence of proper and valid insurance.

The vehicle is considered a "workplace".

This policy may become effective only at such time as a current City-provided vehicle is budgeted for replacement or reassignment. If an eligible employee selects an allowance and later chooses to receive a City-provided vehicle, that employee will be precluded from going back to the allowance until the City-owned vehicle reaches its normal replacement period.

### **102.03.03 PUBLIC SAFETY VEHICLE ASSIGNMENT PROGRAM**

The Department of Public Safety may assign marked and unmarked public safety vehicles to officers within the department on a 24/7 basis for the purpose of accomplishing the following goals:

1. To increase the number of off duty officers responding to fire and police incidents.
2. To decrease response time for off-duty officers.
3. To increase visibility and to deter crime by having additional vehicles on the streets and in the neighborhoods.
4. To reduce the down time and costs associated with vehicle repairs.
5. To improve the morale of the officers who receive assigned vehicles.

When implementing the Assigned Vehicle Program, the following guidelines govern:

1. Vehicles will be assigned based upon availability and at the discretion of the Director.
2. Marked cars are those with municipal (“MG”) tags. Unmarked cars have non-municipal tags.
3. Marked vehicles may be assigned to PSO’s, Sergeants, and Lieutenants.
4. Unmarked vehicles may be assigned to Investigators, Captains, and the Director.
5. Residing within 5 miles of the City’s corporate limits is required to obtain and/or to retain an assigned vehicle.
6. Marked vehicles may be used on or off duty for limited (de minimis) personal use incidental to work related activities. Incidental use includes but is not limited to brief errands to and from work, such as driving children to and from school, picking up a few items from the grocery store, drycleaners, etc. Purchase and/or transportation of alcohol for personal use is prohibited. Unlimited or excessive personal use is not allowed.
7. Unmarked vehicles may be used on or off duty for general personal use. Failure to use discretion may result in loss of personal use.
8. Use of marked and unmarked vehicles is limited to a 15-mile radius of the Public Safety Headquarters Building unless en route to or from departmental duty.
9. Officers operating assigned vehicles must be armed, have proper identification, and be ready for duty at all times.
10. Public Safety radios must be on and the operating Officer must sign in and out as appropriate.
11. Uniformed Officers must be in uniform unless the Officer is en route to a departmental duty where uniforms are not required.
12. The Director of Public Safety will establish guidelines regarding the use, operation, and care of assigned vehicles not inconsistent with the policy guidelines contained herein.
13. Use of the city-owned vehicle must be properly reported to the IRS by the City Finance Department.
14. The vehicle is considered the workplace at all times during business and non-business hours.

#### **102.04 CELLULAR PHONES**

There are times when it is to the benefit of the City for employees to have access to City-provided cell

phones during and after normal working hours or be provided an allowance. It is also recognized that City-provided cell phones may be used for personal calls. It is acknowledged that the primary use of the City-owned cell phone is for the purpose of conducting the City's business. Any unauthorized use, the use of the phone contrary to the City's Personnel Policies and Procedures, or the abuse of the cell phone for personal use is prohibited. The employee is responsible for loss or damage of the cell phone, excluding normal wear and tear.

#### **102.04.01 USAGE**

1. Employees of the City are issued a cell phone or allowance based on position necessity for City business use. Department Directors shall provide oversight and are responsible for determining the need for City-provided cell phones or allowances. Directors shall monitor and review cell phone usage periodically to ensure use is appropriate and that prudent financial management guidelines are followed.
2. Employees issued a cell phone are expected to make every effort to not exceed the current allowed contract usage limits (minutes, data, etc.). Any employee who exceeds their allowed contract limits are subject to a usage review and/or revocation of the City-issued cell phone. Employees shall be responsible for loss or damage of their City-issued cell phone, excluding normal wear and tear.
3. The Department Director is responsible for notifying the Human Resources and Finance Department if an employee who is issued a cell phone or allowance no longer has a City related business need for it, the employee terminates employment, or the employee's authorization is revoked for any reason.

#### **102.04.02 DRIVING**

For the safety of our employees and others it is imperative that while driving employees operate their cell phone in "hands free" mode or pull over and stop at a safe location to use a cell phone in any other manner.

#### **102.04.03 ALLOWANCE**

Cell phone allowances may be granted in lieu of a City-issued cell phone as approved by the Department Director. Cell phone allowance amounts are determined based on business need and verified usage. Distribution of the allowance is managed by the Finance Department. A copy of the employee's cell phone bill must be on file with the Finance Department prior to being issued a cell phone allowance. An employee who is receiving a cell phone allowance must furnish a copy of their current cell phone bill for verification if requested to do so by the Finance or Human Resources Department.

#### **102.04.04 PROCEDURES**

The following guidelines govern City issued cell phone expenses:

1. The City will pay for the initial phone purchase.
2. The make, model, and service provider shall be determined by Information Technology,

which shall be responsible for coordinating the phone acquisition.

3. Any equipment upgrades or accessories desired by the employee shall be at the employee's expense.
4. The phone and phone number are City property.
5. The City pays the basic monthly service, including taxes and fees, for a specified approved number of minutes per month.
6. Except as provided below, all monthly costs over the basic monthly charge are the employee's responsibility.

The City will pay roaming and long-distance charges only under the following guidelines:

1. The specific roaming and/or long-distance charges are clearly city business related; and
2. The total minutes are within the allocated number of minutes authorized by the City.

Upon presentation of the monthly bill exceeding the basic charge and approved roaming and long-distance charges, the employee shall write a check payable to the City. This check should be presented to the CFO along with an appropriate copy of the bill. **Any amounts owed by the employee and not paid for in accordance with this policy will be considered an advance of wages, the value of which may be deducted from the employee's pay as authorized by law.**





<b>Policy Section:</b> 103	<b>Subject:</b> BENEFITS	<b>Effective Date:</b> January 1, 2021
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## **103.01 BENEFITS**

### **103.01.01 INSURANCE PLANS**

The City offers health and dental insurance for certain eligible employees. The group insurance policies and the summary plan description set out the terms and conditions of the insurance plans. These benefits are subject to change at the discretion of the City. Additional information about these benefits (such as eligibility requirements, rights, and obligations) is set forth in the plan documents. These documents govern all issues relating to employee health and dental insurance. Copies of the insurance plans are available from Human Resources.

### **103.01.02 CONTINUATION OF HEALTH CARE BENEFITS (COBRA)**

The Consolidated Omnibus Budget Reconciliation Act (COBRA) requires that most employers sponsoring group health plans offer Employees and their families the opportunity for continuation of group health coverage after it would otherwise end. Employees must satisfy certain eligibility requirements to continue coverage, and the costs of continued coverage are paid fully by the Employee. The term “group health coverage” includes any medical, dental, vision, and prescription drug coverage that are included in City’s group health plans.

## **103.02 EDUCATION REIMBURSEMENT PROGRAM**

### **103.02.01 PURPOSE**

To encourage eligible employees through an Education Reimbursement Program to participate in education programs which will further their skills and knowledge for use in their current position or for use in future positions with more responsibilities.

The Education Reimbursement Program shall be a plan as provided for in section 127 of the requirements of Internal Revenue Code of 1986, as amended (the “Code”) and shall be construed consistently with Section 127.

### **103.02.02 RESPONSIBILITY**

The Human Resources Manager is responsible for administration of the Education Reimbursement Program.

### **103.02.03 OBJECTIVE**

Subject to the appropriation of sufficient funds by City Council, the City will reimburse an eligible employee up to 100% of the cost of tuition for approved technical, undergraduate, or graduate

level courses, up to a maximum of \$5,250 during a calendar year.

Books, supplies and other fees or charges will not be reimbursed.

A recipient of reimbursement should check with his/her tax advisor to determine if such expenses are deductible under other provisions of the Code.

There will be no loans or advances of money to employees for purposes of taking courses. Reimbursement will be paid only after the course has been completed.

#### **103.02.04 ELIGIBLE EMPLOYEE**

To be eligible to participate in the Education Reimbursement Program the employee must satisfy all of the following criteria:

1. The employee must be a Regular Full-time employee in good standing who has completed one (1) year of service as of the date the course begins.
2. The employee must be actively working for the City as of the date the course is completed.
3. The course schedule and study time must not be in conflict with the employee's work schedule.
4. The employee must take the course at an accredited technical institute, college, or university. The City reserves the right to exclude any school or subject from eligibility under the Program. Any exclusion shall be effective as to courses beginning after the date the exclusion is imposed.
5. The employee shall be entitled to tuition reimbursement if she/he has complied with all provisions of this policy with the amount of reimbursement based on the grade received subject to the limitations set forth above according to the following schedule:
  - A = 100% reimbursed
  - B = 90% reimbursed
  - C = 80% reimbursed
  - D = 0% reimbursedPlus or minus modifiers to a grade will be disregarded. A grade of Pass/Fail will not be reimbursed.
6. For employees taking graduate level courses, the course for which reimbursement is sought must be one leading to a graduate degree in a course of study in which the employee is enrolled.

#### **103.02.05 PROCEDURES**

1. Before enrollment in a course for which reimbursement will be sought, an eligible employee must submit to his/her immediate supervisor an Education Reimbursement Application for each course. The form can be obtained by contacting the Human Resources Department. A copy of the course description, cost incurred, and dates of course must be

attached.

2. Completed Education Reimbursement Applications will be submitted to the employee's Department Manager, or Department Director for their review, recommendations, and approval. The approved forms and any recommendations will then be submitted to the Human Resources Manager.
3. The Human Resources Manager will review the Education Reimbursement Application to determine if the applicant satisfies the criteria as an eligible Employee and to otherwise determine whether to approve the application. Applications by those who are not eligible will be returned with an explanation of the reason the criteria are not met. The Human Resource Manager will approve or disapprove each application. If an application is disapproved, the Human Resource Manager shall advise the applicant of the reasons in writing.

When the Education Reimbursement Application satisfies the criteria for an eligible employee and has been approved, Human Resources will retain the approved document. A Human Resources representative will advise the employee of the application approval.

To receive tuition reimbursement, the eligible employee must submit to the Human Resources Department an official grade report for the course or a copy certified by the registrar or other appropriate official of the educational institution and a receipt of payment of tuition for the course or a copy thereof certified by the registrar or other appropriate official of the educational institution.

Employees who voluntarily separate service from the City or are dismissed for just cause, within twelve (12) months after receiving a reimbursement under the Education Reimbursement Program, shall repay the City for all such tuition reimbursements. By accepting the reimbursement under the Education Reimbursement Program, the Employee authorizes the City to deduct tuition reimbursements, which must be repaid from her/his final paycheck. If the repayments are not fully paid by payroll deduction, the employee shall immediately pay the City the repayment due, and such amount shall bear interest from the date of the Employees termination of employment until paid at the rate of 10% per annum.

The Department Manager or Director may at his/her discretion waive the reimbursement requirement if the employee transfers to another City department or if circumstances deem a waiver to be appropriate. The Department Manager or Director will send the Human Resources Manager a written waiver of the reimbursement requirement.

#### **103.02.06 FEDERAL INCOME WITHHOLDING**

Amounts paid for tuition reimbursement from a plan meeting the requirements of Section 127 of the Code are not included in an employee's income or subject to income tax withholding up to a maximum of \$5,250 annually. If subsequent tax law changes fail to continue the tax-free treatment of an Education Assistance Plan or in any way modify its treatment, appropriate adjustments in

Federal Income Tax withholding will be made from the effective date of the change.

**103.02.07 MANDATORY COURSES**

This Education Reimbursement Program should not be confused with courses undertaken to meet the express requirements of the City. Mandatory courses, which may be required for a current position, are not subject to or eligible for this Policy.

**103.02.08 BUDGET LIMITATIONS**

Reimbursement under the Education Reimbursement Program is contingent upon the availability of funds and may be increased, decreased, or eliminated according to funds as appropriated by City Council.



<b>Policy Section:</b> 104	<b>Subject:</b> RECRUITMENT AND EMPLOYMENT	<b>Effective Date:</b> January 1, 2021
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**104.01 DIVERSITY**

The City is committed to diversity and believes that having a diverse workplace with differing points of view for consideration will ultimately lead to good decisions and a sound City.

**104.02 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. It is the policy of the City to provide equal employment opportunity and reasonable accommodation to all qualified persons regardless of race, color, religion, sex, pregnancy, childbirth, medical needs arising from pregnancy or childbirth, including, but not limited to, lactation, sexual orientation, age, gender (including gender nonconformity and status as a transgender or transsexual individual, or sexual orientation), national origin, disability, veteran status, genetic information, or any other characteristic protected by law, except where a bona fide occupational qualification applies. Because of our support of equal employment, discrimination of the characteristics mentioned above, or any other protected status will not be tolerated and is strictly prohibited. This policy applies to all terms and conditions of employment, including but not limited to hiring, training, promotion, discipline, compensation, benefits, and termination of employment.

Any employee with questions or concerns about any type of discrimination in the workplace should bring these issues to the attention of his/her Supervisor or Human Resources. If you believe that you have been discriminated against or otherwise denied an opportunity in violation of this policy, please follow the complaint procedures in the Non-Harassment/Non-Discrimination Policy contained in this Handbook or inform Human Resources as soon as possible. Employees may raise good faith concerns and make good faith reports without fear of reprisal. Anyone found to be engaging in unlawful discrimination or harassment may be subject to disciplinary action, up to and including termination.

**104.03 REASONABLE ACCOMMODATIONS STATEMENT**

We are committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified individuals with disabilities who, with or without reasonable accommodation, can perform the essential functions of the job, in addition to any other protections the ADA provides.

The City strives to engage in an interactive process with qualified persons with disabilities to determine reasonable accommodations which would allow them to work with the City.

#### **104.04 IMMIGRATION LAW COMPLIANCE**

The City is committed to following all applicable federal, state, and local immigration laws and only hires individuals who are authorized to work in the United States. The City participates in the Federal E-Verify program and does not discriminate on the basis of citizenship type or national origin.

#### **104.05 HIRING OF RELATIVES - NEPOTISM**

Persons in the same immediate family may not be employed or continue to be employed if such employment results in one supervising a member of his/her family or when one member occupies a position which has influence over another's employment, promotion, salary administration, or other related management or personnel considerations. Immediate family members are prohibited from employment within the same department. Immediate family members of elected officials, the City Administrator, City Attorney, Assistant/Deputy City Administrator, Chief Financial Officer, Department Directors, and employees in the Human Resource office are prohibited from employment with the City. Immediate family is defined as spouse, parent, child, grandparent, grandchild, brother or sister, parent-in-law, grandparent-in-law, brother-in-law, and sister-in-law. The immediate family may be considered to include stepparents, stepchildren, stepbrothers, and stepsisters when the employee and the step-relative have lived together regularly in the same household. Unrelated employees residing together or otherwise engaged in a close personal relationship (such as domestic partner, co-habitant, or significant other) are treated as being within the immediate family of each other for the purposes of this nepotism policy. For the purposes of this policy, employment includes all regular, temporary, seasonal, and contract employees.

If employees become related by marriage and create a situation prohibited by this policy, one of the employees must give up their position. If the employees cannot choose which of them it should be, the employee having the lower budgeted annual compensation should be removed. The City may make an effort to find another position for the removed employee.

Situations not specifically addressed in this policy that, in the City's opinion, create a conflict of interest or give the appearance of a conflict of interest, will be handled at the City's discretion.

With explicit written approval by the City Administrator, employment of relatives that would otherwise violate this policy may be permitted. Employment of a relatives of the City Administrator that would otherwise violate this policy must be explicitly approved in writing by the Mayor.

Employees already related by marriage at the time of the first adoption of this policy, are "grandfathered-in" and are exempt from these provisions. When grandfathered employees are employed in the same department, efforts should be made to comply with this policy through reassignments or other measures. Employees who at first adoption of this policy have an immediate family member elected to a City official position should be "grandfathered-in" and are exempt from these provisions. Employees who leave employment and are re-hired lose their "grandfathered-in" exemption status.

#### **104.06 SECONDARY EMPLOYMENT OR SELF EMPLOYMENT**

The City recognizes that some employees may choose to supplement personal incomes by engaging in secondary employment or self-employment when not on duty with the City.

The City expects an employee's work for the City to take precedence over any outside employment engaged in by an employee. Employees must get prior written approval from their Department Director before engaging in other employment. Should the City, in its sole discretion, determine that the outside employment interferes with or is otherwise incompatible with employment for the City, the employee may be asked to choose between the jobs.

Employees may not engage in any private business or activity while on City work time or at City workplaces.

#### **104.06.01 POLICY GUIDELINES**

The employee may not utilize any equipment, materials, or facilities belonging to the City for any secondary employment or self-employment.

The employee must avoid hiring or working in association with any other City employee over whom she/he has direct or indirect supervision and/or may be called upon to make decisions that would affect that employee's employment, performance appraisal, salary, advancement, or career with the City.

The employee must avoid working for any other City employee who may directly or indirectly supervise said employee or who may be called upon to make decisions that would affect the employee's employment, performance appraisal, salary, advancement, or career with the City.

Employees have an obligation to conduct business within the guidelines that prohibit actual or potential conflicts of interest.

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

Employees should not voluntarily appear on behalf of private interests before any agency, board, commission, or court of the City. Employees should not represent private interests in any action or proceeding against the interests of the City in any litigation to which the City is party, except their own personal cause after disclosure of such. The City Administrator is the final authority on determination, in his/her sole discretion, whether there is a conflict or appearance of a conflict.

#### **104.07 RECRUITMENT**

All Department Directors should notify the City Administrator and Manager of Human Resources immediately upon learning that a vacancy may occur. With approval of the City Administrator, the Department Director will then initiate those steps as may be necessary to attract qualified applicants. Such steps may include advertising for qualified applicants in newspapers or informing the Job Service of such

vacancies.

#### **104.08 CONSIDERATION OF EXISTING EMPLOYEES**

In order to provide upward mobility for the employees in City service, it is the policy of the City to consider applications from qualified persons currently employed by the City for all vacancies.

Nothing herein should guarantee that an existing employee of the City may be promoted to a vacant position unless she/he is the most qualified and suitable applicant.

#### **104.09 EXAMINATIONS**

##### **1. Qualifications**

As determined by the Department Director and approved by the City Administrator, the selection process may include one or more of the following: oral interview(s), evaluation of experience and training, reference checks, or other processes deemed relevant. Written examinations and performance tests, if validated, may be used in the selection process and should be administered by Human Resources.

##### **2. Physical Examinations**

Pre-employment: Physical examinations are required for all prospective employees designated by the City Administrator. In accordance with the Americans with Disabilities Act (ADA), the physical examination must be conducted following a conditional job offer. Such physical examination must be conducted by a physician selected by the City. All applicants to whom the City offers employment must undergo a drug screen as part of their mandatory pre-employment physical. Physical examinations may also be required for volunteer firemen prior to their appointment. For fire-fighting personnel, both paid and volunteer, the pre-employment physical examinations should be in accordance with NFPA 1582 standards. Costs of City-required basic pre-employment physicals should be borne by the City.

##### **3. Files**

All medical records are maintained in separate confidential files located in the Human Resources Department.

#### **104.10 FINAL SELECTION OF NEW EMPLOYEES**

With prior approval of the City Administrator, the final selection of the person to fill each vacancy is made by the appropriate Department Director.

#### **104.11 INTRODUCTORY PROBATION PERIOD**

All new employees, or employees new to the position because of promotion, transfer, or demotion serve an introductory probation period of six (6) months to no more than twelve (12) months total regardless of the position or grade in which the employee was hired, promoted, transferred, or demoted. Continued employment is not guaranteed for the duration of this probation period and can be terminated at any point. During this period, the employee's performance should be evaluated. Informal reviews of all introductory employees may be conducted anytime within the introductory period.



A written record of all oral and written appraisals must be placed in the employee's permanent file.

At any time if it is determined that the introductory employee's performance is not meeting expected levels, she/he may be terminated, demoted, or transferred.

If requested by the Department Director and approved by the City Administrator, the introductory period may be extended for a period of up to six (6) months.

**If, at the end of the introductory period, the employee meets expectations on the introductory performance appraisal, she/he is given regular status.**



<b>Policy Section:</b> 105	<b>Subject:</b> MOVEMENT AND STATUS	<b>Effective Date:</b> January 1, 2021
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**105.01 REHIRES**

An employee who is given a reinstatement appointment to the position previously held within six (6) months following prior termination is considered a rehire. An employee who is given a reinstatement appointment may, at the discretion of the Department Director, and upon approval by the City Administrator, be paid at any rate within the pay grade for the position to which she/he is being reinstated which is equal to or below the rate being paid the employee at the time of separation, except that the employee may not be paid below minimum of the pay grade.

The employee’s review date should be the following January 1. The employee’s anniversary date should be based on the date of rehire.

Employees who are rehired are required to serve an introductory period in accordance with 104.11, “Introductory Probation Period.” The time served during the employee’s previous employment does not count toward the completion of the introductory probation period. The employee’s review date is established at the completion of the introductory probation period. Such employees are considered new employees from the effective date of their reemployment for all purposes unless otherwise required by law.

**105.02 TRANSFERS**

A transfer is a reassignment of an employee to another position or workplace on the same pay grade. A Department Director, with the approval of the City Administrator, may transfer employees within the department over which she/he has authority.



<b>Policy Section:</b> 106	<b>Subject:</b> HOURS OF WORK AND OVERTIME	<b>Effective Date:</b> January 1, 2021
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**106.01 EXEMPT AND NON-EXEMPT**

For overtime purposes, certain positions, based on their responsibilities, are classified as exempt positions and, therefore, employees filling these positions are not eligible for overtime pay. These positions are identified as overtime exempt on the job description sheets. Other positions are classified as non-exempt positions, and employees filling these positions who work in excess of the statutory maximum hours are to be paid at one and one-half times their regular rate of pay for these excess hours. These positions are identified as overtime non-exempt on the job description.

**106.02 WORKDAY**

The City's normal hours of business are from 8:30 a.m. to 5:00 p.m. However, some departments must operate outside the City's normal hours of business, and schedules of employees of those departments may differ from the City's normal hours. Each department is responsible for scheduling its employees to meet the needs of the City. Employees may be required to work overtime.

**106.03 WORK WEEK**

For all employees except sworn Public Safety officers, the work week begins at 2400 hours (midnight) Tuesday and continues until 2400 hours (midnight) the following Tuesday.

For sworn Public Safety officers, the work period begins at 2400 hours (midnight) Tuesday and continues until 2400 hours (midnight) 28 days later.

**160.04 PAY DAY**

City employees are paid every two (2) weeks through payroll direct deposit after noon on Friday. Employees will receive a payroll notification detailing their pay shortly before or after it is deposited. The payroll notification is distributed to employees at their work locations unless otherwise notified.

Employees should examine their paychecks/pay stubs immediately to ensure they have been properly paid for all hours and that no improper deductions have been made. Any payment errors must be reported to payroll within 14 days.

The City deducts from employees' gross pay taxes and withholding required by the taxing authorities. The City may also deduct from employees' pay the employees' share of any premiums or plan contributions for insurance, retirement and similar plans that are elected by the employee. The City may make other deductions as required by law or court order. The City does not make unauthorized deductions and will reimburse employees if such deductions are made inadvertently and reported to payroll.

Cash, debts owed the City, fringe benefits, uniforms, tools, equipment, vehicles, instruction manuals, keys, City identification cards and other items belonging to the City that are advanced or issued to an employee but not repaid or returned by her/him at the time of her/his termination are considered advances of wages, the value of which may be deducted from the employee's pay.

#### **106.05 REGULAR RATE**

The regular rate is the equivalent hourly rate at which the employee is actually paid for non-overtime hours.

For all non-exempt employees, except sworn Public Safety officers, the regular rate is based on 40 hours per work week.

For all non-exempt sworn Public Safety officers, the regular rate is based on 171 hours per work period.

For all non-exempt Firefighters, the regular rate is based on 212 hours per work period.

For all exempt personnel, the regular rate is expressed in an annualized figure.

The regular rate may be determined in any other lawful manner with notice to the employee.

#### **106.06 OVERTIME PAY**

There may be times when employees will need to work beyond normal hours, and the City expects employees to stay when necessary. Overtime is considered a condition of employment. As required by Federal law, careful records must be kept for all overtime hours worked. All overtime must be recorded on timesheets and reported to payroll.

Employees must accurately record all hours worked and must have worked all hours recorded. Employees may not work "off the clock," and employees may not work overtime without prior permission of their supervisor except in cases of emergency. Employees must immediately report to Human Resources if told not to record all hours worked.

All non-exempt employees, except sworn Public Safety officers, who work in excess of 40 hours during the work week are to be paid one and one-half times their regular rate for these excess hours.

All non-exempt sworn Public Safety officers who work in excess of 171 hours during the 28 day work period are to be paid one and one-half times their regular rate for these excess hours.

All non-exempt firefighters who work in excess of 212 hours during the 28 day work period are to be paid one and one-half times their regular rate for these excess hours.

Sick leave time, vacation time, holiday time, civil leave, or any other type of leave is not counted as hours worked for the purpose of computing overtime. Overtime is only paid based on actual hours worked during the pay period.

### **106.07 MEAL PERIODS**

All Non-Exempt employees are entitled to meal periods during their workday. Your supervisor will advise you of the time and duration of your meal period, and you are expected to return to work promptly at the end of your meal period.

All meal periods must be taken away from the regular work area. You may leave the premises for your meal periods. Meal periods are unpaid.

If for any reason you do not take the applicable meal period, you must notify your supervisor immediately.

### **106.08 COMPENSATORY TIME**

Compensatory time off in lieu of overtime pay for non-exempt employees may be granted at the discretion of the Department Director. The Department Director will usually must make this decision and communicate this to the employee before the time is worked.

Compensatory time off in lieu of overtime pay for eligible employees should accrue and be given at the rate of time and one-half time for each hour of overtime worked.

Employees eligible to receive compensatory time off credit may accumulate up to 40 hours of compensatory time. An employee who has accumulated the maximum of 40 compensatory hours should be paid for any additional overtime hours of work.

Upon termination of employment, payment of accumulated compensatory time should be calculated at the employee's regular rate of pay.

Exempt employees do not accrue compensatory time off.

### **106.09 PUNCTUALITY AND ATTENDANCE**

The City expects you to report to work on a reliable and punctual basis. Absenteeism, early departures from work, and late arrivals burden your fellow employees and the operations of the City. If you cannot avoid being late to work or are unable to work as scheduled, you must call your Supervisor.

Every time you are absent or late, or leave early, you must provide your Supervisor with an honest reason or explanation. You must also inform your Supervisor of the expected duration of any absence.

Excessive absenteeism or tardiness is prohibited. Patterns of absences, early departures, or tardiness, regardless of the exact number of days, may warrant corrective action, and will be taken into account on the employee's annual performance appraisal

### **106.10 ON-CALL POLICY**

On-call is defined as an unscheduled request made by an appropriate management official for an employee to return to work or from an unforeseen work request after leaving the building or work location at the end of her/his regular workday and before the beginning of the next regularly scheduled workday.

An on-call employee who is called back to work outside her/his normal work schedule must record all hours worked. Department Managers shall establish reasonable response times for their departments.

Employees who are on-call must adhere to all City policies, including Substance Abuse and Testing.



<b>Policy Section:</b> 107	<b>Subject:</b> HOLIDAYS	<b>Effective Date:</b> January 1, 2021
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**107.01 OFFICIAL HOLIDAYS**

The City observes the following holidays:

- New Year's Day
- Martin Luther King, Jr. Day
- President's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Day Following Thanksgiving
- Christmas Eve
- Christmas Day
- Personal Day (floating)

For each holiday, regular employees scheduled to work at least one-half their regular work week receives holiday pay equal to his/her normal straight time pay for one workday. This time is not counted as hours worked for the purpose of computing overtime.

An employee who is required to work on an official holiday receives his/her holiday allowance (8 hours employee; 8.55 hours public safety) in addition to his/her normal pay for hours worked on the holiday.

Part-time employees are not paid for holidays.

Normally, a holiday falling on Saturday is observed on Friday, and a holiday falling on Sunday is observed on Monday. However, when Christmas Day falls on Monday and Christmas Eve falls on Sunday, the holidays are observed on Monday and Tuesday, and when Christmas Day falls on Saturday and Christmas Eve falls on Friday, the holidays are observed on Friday and Monday.

If an employee is absent from work on a regularly scheduled workday immediately preceding or immediately following a scheduled holiday, and is requesting paid sick leave, the employee may be required to submit a statement from the attending physician as to the nature of the illness. The City reserves the right to require an examination by a physician selected by the City to verify the employee's condition.

Each employee will have the option of selecting a “personal day” to be taken off from work. This day may be any other day chosen by the employee. The “personal day” must be approved in advance by the employee’s supervisor, must be taken within the calendar year, and cannot be carried over. If unused, the employee will not be paid for the “personal day”.

#### **107.02 HOLIDAY BANK**

If a worker is scheduled to work on a City observed holiday, they will be paid 8 hours (8.55 for Public Safety) for the Holliday in addition to hours worked that day. Holiday hours will not be included as hours worked in the calculation of overtime.

A shift worker that is scheduled to work during a City observed holiday has the option to bank the Holiday hours to use at a later date. A shift worker is defined as a non-exempt employee who is scheduled to work on a rotating basis for shifts of 10 or more hours. A worker who has selected the option of working four ten-hour workdays is not considered a shift worker for the purposes of this policy. Exempt employees are excluded from this policy.

The shift worker must indicate their intent to bank these hours on the timesheet in which the Holiday would have been paid.

An 8.55 holiday hour employee may carry a holiday leave accrual maximum of 59.85 hours. An 8.00 holiday hour employee may carry a holiday leave accrual maximum of 56 hours.





<b>Policy Section:</b> 108	<b>Subject:</b> LEAVE	<b>Effective Date:</b> January 1, 2021
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An attendance record should be maintained for each employee. This record should reflect all absences including sick leave, vacation leave, military leave, civil leave, FMLA, holiday leave, etc.

**108.01 VACATION**

**108.01.01 RATE OF ACCRUAL**

Regular full-time employees assigned to authorized positions accrue vacation time according to the following schedule, provided that no employee new to the City should receive pay for vacation time until the introductory period has been satisfactorily completed. An employee serving an introductory period as a result of a promotion or demotion may receive pay for vacation time with the approval of his/her supervisor.

On the first day of each month following his/her employment date, all regular full-time employees should receive credit for vacation at the following rate:

<b>Years of Employment</b>	<b>Regular Full-time Employees</b>	<b>Non-Exempt Sworn Public Safety Officers</b>
1 month - 5 years	8.00 hours/month	8.55 hours/month
5 years - 6 years	8.67 hours/month	9.27 hours/month
6 years - 7 years	9.33 hours/month	9.98 hours/month
7 years - 8 years	10.00 hours/month	10.69 hours/month
8 years - 9 years	10.67 hours/month	11.40 hours/month
9 years - 10 years	11.33 hours/month	12.11 hours/month
10 years - 11 years	12.00 hours/month	12.83 hours/month
11 years - 12 years	12.67 hours/month	13.54 hours/month
12 years - 13 years	13.34 hours/month	14.25 hours/month
13 years - 14 years	14.01 hours/month	14.96 hours/month
14 years - 15 years	14.68 hours/month	15.67 hours/month
15 years +	15.35 hours/month	16.38 hours/month

**108.01.02 EXCLUSIONS**

Part-time employees do not accrue nor are they paid for vacation time.

Employees on leave for more than 10 workdays during a calendar month do not accrue paid leave on the first day of the following month.

### **108.01.03 USE OF VACATION**

1. Vacation time is not counted as hours worked for the purpose of computing overtime.
2. Regular employees who are eligible for paid vacation are encouraged to take the equivalent of at least one (1) work week (can be in non-consecutive days) of paid vacation each calendar year.
3. Except in the case of an emergency, all vacation time must be approved in advance by the employee's supervisor. Whenever possible, an employee wishing to take more than four (4) hours of vacation time should request approval at least one (1) week in advance.
4. Vacations are scheduled taking into account employees' requests and the City's operational demands. However, the City reserves the right to limit an employee's vacation leave to two (2) consecutive work weeks at any one period of time during the year. The City may limit the number of employees that are absent from a given department at any one time. If conflicts arise in the vacation choices of two (2) or more employees who cannot be spared at the same time, the department head will make the decision and consider the time of the request, the reason for the request, and the employee's length of service with the City.
5. When a paid holiday is observed by the City during the period an employee is on paid vacation, the employee receives his/her regular holiday pay, and that day is not charged against the employee's vacation earnings.
6. If an employee is absent from work on a regularly scheduled workday immediately preceding or immediately following a scheduled vacation, and is requesting paid sick leave, the employee may be required to submit a statement from the attending physician as to the need for leave.
7. Employees will not be allowed to take vacation leave through their termination date. An employee's last day worked will be considered their termination date, and vacation time will be paid out according to policy 108.03

### **108.01.04 CARRYOVER AND PAY OF VACATION EARNINGS**

Up to the equivalent of 360 hours (384.75 hours for non-exempt sworn Public Safety officers) of unused vacation leave earnings may be carried forward from one calendar year to the next. Any unused vacation leave in excess of 360 hours (384.75 hours for non-exempt sworn Public Safety officers) accrued as of December 31 is lost.

## **108.02 SICK LEAVE**

### **108.02.01 RATE OF ACCRUAL**

On the first day of each month following the employment date all full-time employees, except non-exempt sworn Public Safety officers, receive credit for sick leave at the rate of eight (8) hours of leave per month of continuous service. Non-exempt sworn Public Safety officers should receive

credit for sick leave at the rate of 8.55 hours of leave for each month of continuous service.

#### **108.02.02 EXCLUSIONS**

Part-time employees and employees hired to fill temporary or seasonal positions should not earn nor be paid for sick leave.

Employees on leave without pay for more than 10 working days during a calendar month do not accrue leave on the first day of the following month.

#### **108.02.03 USE OF SICK LEAVE**

1. Sick leave is not counted as hours worked for the purpose of computing overtime.
2. Sick leave with pay may be used to cover the following absences:
  - a. An employee is unable to work due to personal medical or dental appointments, personal illness or injury, or when the employee's presence may endanger the health of fellow workers.
  - b. Medical or dental appointments, or illness or injury of an employee's spouse, child, or parent with the approval of the Department Director.
3. When a paid holiday occurs during the period an employee is on sick leave with pay, the employee receives regular holiday pay, and that day should not be charged against sick leave earnings.

#### **108.02.04 PAYMENT OF SICK LEAVE**

In order to be eligible for sick leave with pay, an employee must:

1. Report personally to his/her supervisor no later than 30 minutes of the scheduled starting time each day the reason for the absence. An employee who fails to notify his/her supervisor will not be paid for the day(s) taken prior to notification, and will be considered a "no call no show" and could be considered to have abandoned their job (see 113.03)
2. Keep his/her supervisor advised on a daily basis.
3. Submit a statement from the attending physician as to the nature and duration of the illness, if requested. The City reserves the right to require an examination by a physician selected by the City to determine fitness for duty upon return to work.
4. If the absence is on the day immediately preceding or immediately following a holiday or scheduled vacation, the employee may be required to submit a statement from the attending physician as to the need for leave.
5. The City reserves the right to require a physician statement at any time, in its sole discretion.

#### **108.02.05 ACCUMULATION OF SICK LEAVE**

All employees eligible to receive sick leave credit may accumulate up to 720 hours of sick leave (769.5 hours for non-exempt sworn Public Safety officers). Such leave may be carried over from one year to the next year. Regular employees assigned to authorized positions who have accumulated 720 hours of sick leave (769.5 hours for non-exempt sworn Public Safety officers) may continue to earn sick leave to be exchanged at a six-to-one ratio for vacation leave or increased accumulated sick leave. Such exchange takes place each year on the first pay period of the new year.

### **108.03 LEAVE PAY OUT**

Upon leaving City employment, full-time employees who have satisfactorily completed their introductory period and who have given and worked a two-week notice, are paid accrued but unused vacation leave up to a maximum of 360 hours (384.75 hours for sworn Public Safety officers).

Employees terminated for disciplinary reasons are not paid for unused vacation time.

Employees who are permitted to resign in lieu of termination may be paid for accrued vacation in the City's sole discretion.

Employees are not paid for accrued sick leave upon leaving City employment.

### **108.04 FAMILY AND MEDICAL LEAVE ACT (FMLA)**

Applies only to employees employed 12 months or longer and who have worked 1250 hours or more in the preceding 12 months, both prior to commencement of leave.

#### **108.04.01 GENERAL ELIGIBILITY**

Employees who meet the length of service and hours worked requirement described above have rights under the Family and Medical Leave Act. As a general rule, employees must request leaves of absence under this law and policy but, in appropriate situations, employees may be placed on leave status without application.

#### **108.04.02 REASONS FOR LEAVE**

1. **Medical and Family Leave.** An eligible employee may be entitled to a leave of absence under this law and policy if a serious health condition, including disability resulting from an on-the-job injury, prevents the employee from being able to perform her/his job, if the employee's spouse, child or parent has a serious health condition and the employee must be absent from work in order to care for that relative, or to care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly born or newly received in the employee's household shall end 12 months after a natural child is born or 12 months after an adopted or foster child is received in the employee's household.
2. **Military Caregiver Leave.** An eligible employee whose spouse, parent, child or next-of-kin is a covered service member of the Armed Forces of the United States may be entitled to leave of absence to care for the service member if she/he is injured while on covered

active duty.

3. **Qualifying Military Exigency Leave.** An eligible employee whose spouse, parent or child is a member of the Armed Forces of the United States and is on active duty or called to active duty in federal service may be entitled to a leave of absence due to one or more qualifying exigencies arising out of the active duty or call to active duty. Qualifying exigencies are: (1) Short-notice deployment (i.e., notice of 7 days or less); (2) Military events and related activities; (3) Childcare and school activities (regular or routine childcare by the employee does not count); (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post deployment activities; and (8) Additional activities not encompassed in the other categories, but agreed to by the employer and employee.

#### **108.04.03 PROOF OF NEED**

Proof of need for leave of absence may be required regardless of the type of leave taken.

An eligible employee will be granted a leave of absence under this law and policy if a serious health condition, including disability resulting from an on-the-job injury, prevents the employee from being able to perform her/his job; if the employee's spouse, child or parent has a serious health condition and the employee must be absent from work to care for that relative; or if the employee must care for a natural child, adopted child, or formally placed foster child, provided that entitlement to leave to care for a child who is newly born or newly received in the employee's household shall end 12 months after a natural child is born or 12 months after an adopted or foster child is received in the employee's household.

#### **108.04.04 LENGTH OF LEAVE**

1. **Medical and Family Leave.** An eligible employee may take the equivalent of a total of 12 work weeks of leave during any 12 consecutive months for her/his own serious health condition, that of a parent, spouse or child, or to care for a newly born or newly received child. Leave to care for a newly born or newly received child must be taken consecutively. Leave required because of the employee's own serious health condition or that of a spouse, child, or parent, may be taken intermittently or by means of a modified work schedule when necessary.
2. **Military Caregiver Leave.** Leave to care for an injured service member may be taken for up to 26 work weeks in a single 12 month period. Any leave taken by the employee for any other FMLA-qualifying reason will count against the 26 weeks of leave permitted to care for an injured service member.
3. **Qualifying Military Exigency Leave.** Leave taken because of a qualifying exigency is available for up to 12 work weeks in any 12 consecutive months. Leave taken because of a short notice deployment is limited 7 days from the date of notice, and leave taken to be with the service member during periods of rest and recuperation are limited to 5 days per period of rest and recuperation. Leave taken to attend post-deployment activities must

be taken within 90 days of the end of active duty service.

**108.04.05 COORDINATION OF LEAVE AND PAID TIME OFF**

An employee who must be absent due to his/her own serious health condition will be paid for time lost from work first from any accrued sick leave balances then from any accrued vacation leave balances and similar balances. An employee who takes leave for any other reason will be paid for time lost from work from any accrued vacation leave balance and similar balances. Leave taken under this policy counts toward the employee's 12-weeks (or 26-weeks, where appropriate) of leave regardless of whether all or part of the employee's leave is paid. FMLA eligible leave will run concurrent with all other types of leave.

**108.04.06 EFFECT OF LEAVE ON ACCRUAL OF FRINGE BENEFITS**

1. **Health benefit plan.** Employees taking leave under this policy must continue to pay their portion of health benefit plan premiums on the same date that such portion of premiums would be deducted from the employee's wages. Failure to make timely premium payments may result in a lapse or termination of benefits.
2. **Accrual of paid leave.** Unpaid time lost from work due to leave granted under this policy is not considered time worked for the purpose of accrual of paid time off.

**108.04.07 EMPLOYEE RESPONSIBILITY**

Employees who request leave under this policy must give 30 days advance notice or such lesser amount of notice as is practical in the particular circumstances. When the need for leave is unforeseeable, the employee must follow the normal procedure for reporting an absence.

Employees may not engage in other employment while on leave of absence without the express written permission of the City Administrator.

**108.04.08 TERMINATION OF LEAVE**

Leave under this policy ends when the need for the leave of absence ends or when the maximum leave described above has been taken, whichever occurs sooner.

**108.04.09 REINSTATEMENT**

At or before the conclusion of the FMLA leave of absence the employee is entitled to reinstatement to her/his former position or to a position equivalent to her/his former position. The employee must demonstrate that she/he is fit for duty and must give reasonable notice of intent to return to work.

**108.04.10 EXTENSION OF LEAVE WITHOUT BENEFITS**

An employee who is unable to perform the duties of her/his position due to her/his own disability and who has exhausted her/his entitlement to leave under the Family and Medical Leave Act by taking 12 consecutive weeks of leave may, in the discretion of the City Administrator, upon written application, be granted up to an additional 14 weeks of leave. This additional leave of absence does not entitle the employee to reinstatement or to payment of any portion of her/his health

benefit plan premiums. If the employee is able to return to work prior to the exhaustion of her/his extended leave, she/he may be returned to her/his previous position if it is vacant and is to be filled, or to some other position of equal or lesser compensation for which he is qualified and where there is a vacancy to be filled. If the employee is not returned to active employment, she/he may be continued on extended leave of absence status until he is returned to active duty status or her/his extended leave of absence expires, whichever occurs sooner.

Employees who have exhausted their FMLA leave under other circumstances, but who continue to require leave that would qualify for FMLA leave if such leave had not been exhausted, may apply for an extended leave of absence for personal reasons. Such extended leaves are granted only at the discretion of the City Administrator.

#### **108.04.11 TERMINATION OF EMPLOYMENT**

Generally, an employee's employment automatically terminates if she/he does not return to full active employment status at the conclusion of her/his leave of absence or extended leave of absence. However, the City will work with the employee to determine if an appropriate accommodation can be made. An employee's termination under this policy does not affect the employee's ability to reapply for the position. Employees with circumstances that warrant special consideration should bring those circumstances to the attention of management.

#### **108.04.12 SPECIAL SITUATIONS**

- i. **Spouses.** When both a husband and a wife are employed by the City, their combined right to a leave of absence because of the birth or placement of a child, or to care for a newly born or placed child or to care for a parent with a serious health condition is 12 weeks in a 12 month period, or 26 weeks in a single 12 month period to care for an injured service member.
- ii. **Key employees** (salaried employee in highest paid 10 percent of all employees). Such employees may be denied reinstatement rights if reinstatement would cause substantial and grievous economic injury to operations.

#### **108.04.13 NOTICE OF RIGHTS**

Federal law requires that we provide you with the notice of your rights that appears on the following page.

### **Basic Leave Entitlement**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition, or
- For a serious health condition that makes the employee unable to perform the employee's job.

### **Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

### **Benefits and Protections**

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### **Eligibility Requirements**

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

### **Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

### **Substitution of Paid Leave for Unpaid Leave**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

### **Employee Responsibilities**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30-day notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures. Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

### **Employer Responsibilities**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

### **Unlawful Acts by Employers**

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### **Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.



## **108.05 WORKERS' COMPENSATION**

The City provides a comprehensive workers' compensation insurance program at no cost to Employees. Employees who sustain any work-related injuries or illnesses must inform their Supervisor of the injury or illness immediately, no matter how minor an on-the-job injury may appear at the time. Employees are required to attend the health care provider of the City's choice. Failure to report an accident or injury within the required timeframe may result in loss of benefits eligible under workers' compensation and may also result in the claim being denied. All questions concerning workers' compensation coverage should be directed to Human Resources.

If you experience a work-related injury or illness, you must notify your supervisor immediately. Please note that all work-related injuries or illnesses must be immediately reported regardless of the severity.

In cases of a work-related injury or illness, an immediate drug test may be required.

Workers' compensation covers only work-related injuries and illnesses. Neither the City nor its 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.

Employees absent because of a work-related injury may be placed in the appropriate leave status (FMLA).

### **108.05.01 LIGHT DUTY**

The City encourages injured employees to rest and heal based on their medical provider's requirements. When appropriate the City offers Light Duty work options to allow employees to return to work as quickly as possible. HR will assist in providing the job description a medical provider may need to determine any accommodations the employee may request.

## **108.06 PERSONAL LEAVE OF ABSENCE**

An employee who has completed his/her introductory probation period may be placed on leave of absence for personal reasons for up to six (6) months at a time. Personal leaves may be granted only at the discretion of the City Administrator. In some circumstances, an employee may be placed on leave of absence by the City. An employee who has accrued vacation is required to use his/her vacation earnings during this period. Sick leave credits should not be used during a personal leave of absence unless the personal leave of absence is for a non-work-related illness or injury.

At the conclusion of an approved personal leave, an employee may be returned to her/his position if it is vacant and approved to be filled. If it is not, the employee may be returned to any position of equal or lesser compensation for which she/he is qualified and that is open and approved to be filled. If no such position exists, the employee may be returned to leave. Any employee who is not returned to full duty by the end of six months from beginning a personal leave will be separated from employment. This does not prevent the employee from being considered later for rehire as a new employee.

An employee who has been placed on personal leave of absence does not earn credit or accrue for holiday, anniversary, birthday, or additional vacation or sick leave while on personal leave of absence status.

An employee who has been placed on personal leave of absence must report his/her status to his/her supervisor on a monthly basis. Failure to report one's status may result in the termination of the employee.

An employee who has been placed on personal leave of absence may continue his/her coverage under the City's group health insurance provided the employee pays the cost of the total insurance premium (employee and employer portion) by the beginning of each month to the City.

#### **108.07 MILITARY LEAVE**

Employees are entitled to such leave of absence and reinstatement upon return from leave of absence for military service (including Reserve and National Guard duty) as may be provided by applicable state and federal law. The provisions of such laws change from time to time and for that reason no effort is made to set forth the law in this policy.

#### **108.08 CIVIL LEAVE**

##### **108.08.01 JURY DUTY**

Employees assigned to regular positions who are selected for jury duty may be paid for wages lost from scheduled straight time work due to jury service up to a maximum of 10 workdays per year. In order to qualify for this payment an employee called for jury service must give her/his supervisor notice of such service within two (2) workdays of the time the employee is called for such service. Such leave is not charged to vacation or sick leave accruals, except that on any day when such employee is excused from service on a jury, she/he is expected to report to duty at his/her regular place of work if released by court before 1:00 pm on any day of jury service, unless in the discretion of the employee's supervisor, reporting to work would be impractical, or the employee will be charged vacation leave for time excused from jury duty. Any period of time for which an employee is excused from jury duty due to illness is charged to sick leave.

With the exceptions noted above, such leave is not charged to vacation or sick leave earnings and is not counted as absences for purposes of performance evaluations.

An employee may retain all fees received as juror.

Jury duty time is not counted as hours worked for the purpose of computing overtime.

##### **108.08.02 COURT ATTENDANCE**

All City employees assigned to regular positions that are subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the City may receive leave with pay for such period as his/her court attendance may require.

Absence of a City employee to appear in private litigation in which she/he is a principal party or witness is charged to vacation leave or to leave without pay.

### **108.09 BEREAVEMENT**

In case of death in an employee's immediate family, up to three (3) working days (8 hours/24 hours - City Employee; 8.55/25.65 hours - Non-Exempt Sworn Public Safety Officers) leave may be authorized with pay by the Department Director to attend the funeral and attend to the necessary arrangements. For the purpose of this section, the immediate family should include spouse, parents, siblings, children, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandparents, grandmother-in-law, grandfather-in-law, grandchildren, aunt, uncle, niece, and nephew. Step relatives and half relatives are limited to those who have lived regularly in the same household as the employee. Bereavement leave is not counted against an employee's sick or vacation leave balances. Bereavement leave is not counted as hours worked for the purpose of computing overtime.

### **108.10 INCLEMENT WEATHER**

The City Administrator has the sole authority to excuse employees from reporting to and/or leaving work during extreme weather or other emergency conditions. Whenever the City Administrator determines that extreme weather or other emergency conditions warrant the closing of any and/or all City offices, affected employees are excused from work and should receive compensation for the time as if the hours were worked. In the event of long-standing conditions, the City may require employees to use vacation leave balances or to take unpaid leave. Employees not reporting to work and/or leaving work based upon their own assessment of weather or emergency conditions are not excused from work. In the City's discretion, employees may be permitted to use accrued vacation leave.

If an event is declared an emergency by FEMA, exempt employees may be paid additional compensation for hours worked over 40 in the workweek. The rate paid will be time-and-one-half the employee's hourly rate. The hourly rate is calculated by dividing the employee's annual compensation by 2080.

### **108.11 MEDICAL LEAVE SHARING**

#### **108.11.01 PURPOSE**

To establish Medical Leave Sharing and the terms thereof for regular full-time employees to use for medical reasons.

#### **108.11.02 POLICY**

It is the policy to grant medical leave sharing with pay to regular full-time employees in accordance with policy guidelines. Part-time, probationary, temporary, and seasonal workers are not eligible for medical leave sharing.

#### **108.11.03 GUIDELINES**

The Department Director in conjunction with the Human Resources Manager may permit a regular full-time employee to receive sick leave, and/or vacation leave donations from other employees under this subsection if:

1. An employee suffers from an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature and which has caused, or is likely to cause, the Employee to:
  - a. Go on leave without pay status; or

- b. Terminate employment.
- 2. The employee's absence and the use of shared sick and/or vacation time is justified;
- 3. The employee has depleted or will deplete his/her sick and vacation leave accounts; and
- 4. The employee has abided by all personnel rules regarding sick and vacation leave use.

Full-time employees may donate up to forty (40) hours from either his/her vacation or sick leave account per year, but, no more than one-fourth (1/4) of the balance of his/her sick leave or vacation leave account annually. Employee donations will only be allowed in eight (8) hour increments only (8.55 for public safety shift personnel). This maximum resets annually on a rolling basis from the first day leave is donated.

#### **108.11.04 PROCEDURES**

- 1. Donation Procedure for Department Co-Worker
  - a. Employee submits request in writing to his/her Department Director requesting a prescribed amount of sick or vacation leave be transferred to a specific employee for medical leave sharing within the department.
  - b. If disapproved, the Department Director returns the medical leave sharing request to the requestor with an explanation for the denial.
  - c. If approved, the request is forwarded to the Human Resources Manager for review.
  - d. If approved **by Human Resources**, the leave will be transferred to the specified employee.
  - e. If disapproved, the request will be returned to the originating Department Director with a reason for the denial.
- 2. Donation Procedure for Non-Department/Non-Division Employee
  - a. Employee submits request in writing to Department Director requesting a prescribed amount of sick or vacation leave be transferred to a specific employee for medical leave sharing who works in another department.
  - b. The Department Director reviews the request and then forwards it to the Department Director of the employee who is to receive the donated leave for approval.
  - c. The Department Director of the employee receiving leave reviews the request for transfer of leave to his/her employee for medical reasons and approves or disapproves the request.
  - d. If disapproved, the request is returned to the requesting Department Director with an explanation of the denial.
  - e. If approved, the request is forwarded to the Human Resources Manager for review.
  - f. If approved by Human Resources, the leave will be transferred to the specified employee.
  - g. If disapproved, the medical leave sharing request will be returned to the originating Department Director with a reason for the denial.

### 3. Medical Review

The Human Resources Manager shall determine the amount of sick or vacation leave, if any, which may be donated to an employee under this section. However, a regular full-time employee may receive no more than six (6) weeks (240 hours or 256.5 hours for public safety shift personnel) of donated leave contributions. This maximum resets annually on a rolling basis from the first day of received donated leave. Medical hardships will be reviewed case by case and may result in exceptions to the recommended leave maximum. Requests for exceptions will be reviewed by the appropriate Department Director and Human Resources Manager.



<b>Policy Section:</b> 109	<b>Subject:</b> ALCOHOL AND DRUG TESTING	<b>Effective Date:</b> January 1, 2021
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**109.01 EMPLOYEE ALCOHOL AND DRUG USE TESTING POLICY**

It is well-recognized that substance abuse has a harmful effect on public health and safety, on the welfare of employees, on morale, and on productivity. Furthermore, it is the policy of the City to comply with the Drug Free Workplace Act, to comply with applicable federal regulations, to establish and maintain alcohol and drug-free workplaces, to provide guidance on City policy regarding the use of “medical” marijuana, cannabidiol (CBD), similar products, and to prohibit the unauthorized or unlawful manufacture, distribution, dispensation, possession, and the use of controlled substances on or off the job.

For these reasons, the City adopts the following policy:

**109.01.01 GENERAL RULE**

All employees of the City are prohibited from swallowing, inhaling, injecting, dealing in, or otherwise using illegal drugs and substances (such as marijuana, cocaine, LSD, heroin, etc.). Further, this prohibition applies to the misuse, abuse or any unlawful use or possession of otherwise legal drugs. This prohibition applies to use at any time, both on the job and off the job. City employees are permitted to possess any substance when required by their jobs or for the purpose of lawful delivery to another person.

As used in this policy, “illegal drugs and substances” includes substances that are designed to mimic the effects of illegal drugs, but that due to differences in chemical composition may not be classified as Schedule I drugs or otherwise be expressly illegal. Examples include K2, or spice, which are synthetic cannabinoids. Cannabidiol (CBD) products raise special concerns because, in certain forms they are legal for use, but they are unregulated and little research has been done to standardize dosing, study outcomes, or regulate production. CBD and hemp products, by law, may not contain more than .3% THC (tetrahydrocannabinol), the psycho-active compound in marijuana. However, it is possible for some of these products to contain more than the legal limit. Therefore, it is possible for employees using CBD or hemp products to test positive for marijuana because of their use. It is not possible to determine whether a positive test for marijuana was a result of using CBD or hemp products, or from using marijuana. **Therefore, the City will consider any confirmed positive test for marijuana to be conclusive for employment purposes – even if an employee claims to have used CBD or hemp, and even if the employee has a prescription or other physician’s order for its use.** Employees should also be aware that, while marijuana is increasingly being legalized for medical or recreational use in other states, it remains illegal in South Carolina and under federal law. **Employees who use recreational or “medical” marijuana in states where it is legal remain subject to discipline, up to and including discharge, under City policy.**

All employees of the City are prohibited from using or possessing alcoholic beverages on City premises or time. (The term “City premises or time” includes: City vehicles and private vehicles on City premises; parking lots and recreation areas; and any circumstances in which an employee is representing the City. Employees are not prohibited, however, from having unopened containers of alcoholic beverages in their personal vehicles.) The City Administrator may approve moderate alcohol use at designated social or business functions.

All employees of the City are prohibited from reporting to or being at work while under the influence of alcohol (**an employee is considered to be “under the influence of alcohol” if he has any detectable amount of alcohol in his system**). An employee taking prescribed medication which might affect his ability to perform his job is required to advise his supervisor. The City will determine whether the employee may continue to work. Employees may be required to submit to a drug screen.

These prohibitions also apply to leased employees and contractors employed by the City or working on City property.

#### **109.01.02 APPLICANTS FOR EMPLOYMENT**

Applicants tentatively selected for employment must undergo a pre-employment drug test. The City does not hire applicants tentatively selected for employment who refuse to submit to a drug test or who test positive for use of illegal or unauthorized substances or the illegal use of authorized substances. An applicant who is rejected under this policy may be considered for future vacancies if he can demonstrate that he is no longer a user of any such substances. For example, the applicant may successfully complete a drug abuse treatment program and pass a more thorough drug test conducted at the applicant’s expense. (This may include participation in and successful completion of a rehabilitation program as well as a negative drug test result on a more thorough drug test.)

#### **109.01.03 CURRENT EMPLOYEES**

All City employees are subject to drug and alcohol testing where “reasonable suspicion” of use in violation of this policy exists or under other lawful conditions.

1. Reasonable suspicion is deemed to exist when:
  - a. Information that an employee has used alcohol, drugs, or substances in violation of this policy is provided by a reliable informant;
  - b. An accident occurs that:
    - i. involves a fatality;
    - ii. causes personal injury;
    - iii. involves property damage
  - c. An employee exhibits any of the following:
    - i. erratic behavior (mood swings, slurred speech, staggering, bloodshot eyes,

**NOTE:** DOT regulated employees (CDL Drivers) are subject to special rules for post-accident testing and will be tested following an accident in accordance with DOT regulations.

- sleeping on the job or lethargy, excessive unexplained sweating, etc.);
- ii. odor of alcohol or a drug on an employee's person (clothes, breath, etc.);
- iii. unusual dilation or constriction of pupils;
- iv. other aberrational behavior (excessive absenteeism or tardiness, significant deterioration in job performance, repeated errors or rules violations, etc.);
- v. an employee has admitted violating the City's drug and alcohol policy;
- vi. an employee has been arrested for or convicted of a drug or alcohol related offense;
- vii. an employee has tested positive for alcohol or drugs or has otherwise violated this policy within the past five years.

Reasonable suspicion testing is conducted upon the approval of the City Administrator or her/his designee.

All sworn law enforcement officers, employees who are required by their jobs to possess a Commercial Driver's License, or employees whose jobs the City regards as "safety-sensitive" are subject to random testing to determine compliance with this policy. Random selection testing is unannounced.

Employees may be tested for the use of controlled substances as part of any "fitness for duty" physical examination mandated by federal/state law or by the City, or as otherwise allowed by law.

Employees who refuse to submit to an alcohol or drug test when ordered to do so or who adulterate or substitute test samples are in violation of this policy and subject to disciplinary action, up to and including discharge. Refusal to test includes failure to appear for a test, failure to remain until testing is complete, failure to provide an adequate amount of urine, saliva or breath, failure to undergo a medical examination to evaluate your ability to provide an adequate urine, saliva or breath specimen, or failure to sign a required certification form.

#### **109.01.04 NOTICE TO EMPLOYEES**

The City attempts to distribute to all employees a copy of this policy. Additional copies of this policy are available upon request. By continuing to work, the employee agrees to abide by the policy as a condition of employment.

#### **109.01.05 NOTICE TO EMPLOYER, STATE, AND FEDERAL GRANTOR/CONTRACTING AGENCIES, AND LAW ENFORCEMENT AUTHORITIES**

As a condition of employment, employees agree to notify the City within five calendar days after any criminal conviction for the workplace manufacture, distribution, dispensation, possession, or use of illegal drugs and prescription drugs not prescribed for the individual employee's use. The City will notify all state and federal grantors/contracting agencies of such employee convictions as required by the state and federal Drug Free Workplace Acts. "Conviction" means a finding of guilt, imposition of a sentence, an Alford plea, a plea of no contest, or a plea of guilty.

The City will notify law enforcement authorities whenever illegal drugs are found in the workplace.



## **109.02 CONSEQUENCES FOR VIOLATION OF POLICY**

Employees who violate this policy are subject to immediate termination of employment.

Except for sworn law enforcement officers, in lieu of terminating an employee, the City may condition the continued or future employment of an employee who tests positive for or admits to the use of illegal drugs, upon the successful completion of an alcohol or drug counseling/rehabilitation program.

If the City, after considering all of the relevant circumstances, agrees to allow an employee who is found to be in violation of this policy to continue as an employee, the employee's continued employment will be subject to the following:

1. Referral of the employee for alcohol or drug abuse counseling;
2. Retesting the employee for alcohol or controlled substances before allowing the employee to return to duty;
3. Requiring the employee to authorize any rehabilitation facility to report periodically to the City during the course of treatment/counseling;
4. Placing the employee on probation for at least six months following the employee's return to duty; and
5. Requiring the employee to submit to unannounced follow-up alcohol and/or drug testing for a period of up to five years.

An employee whose continued or future employment is conditioned upon the successful completion of a counseling or rehabilitation program and who refuses or fails to participate in a single counseling or treatment session is in violation of this policy and subject to immediate termination.

An employee whose return to duty test sample does not indicate that the employee has discontinued illegal use of drugs or indicates that the employee is in violation of this policy is subject to immediate termination.

**IMPORTANT:** The City's Medical Review Officer (MRO) normally allows an employee whose drug test results have been confirmed as positive the opportunity to justify the result before the Medical Review Officer notifies the City. Typically, contact by the MRO is by phone. Employees must respond to attempts to contact them by the MRO. Failure to do so will result in discipline, up to and including discharge.

## **109.03 COMING FORWARD WITH SUBSTANCE ABUSE PROBLEMS**

Employees, other than sworn law enforcement officers, who have substance abuse problems and report them to the City before being selected for testing, and before the occurrence of an event which normally would result in testing, in the City's sole discretion may be upon the first violation be subject to Policy Section 109.02 in lieu of termination.

An employee who admits to a violation of this policy or tests positive for drugs in violation of this policy, but seeks counseling and remains an employee of the City, is subject to immediate termination if she/he again either admits to, or is otherwise found to be in violation of this policy.

#### **109.04 CONFIDENTIALITY**

Any alcohol or drug test results or information supplied by employees and applicants as part of the City's alcohol and drug testing program are kept as confidential as possible, consistent with the purposes of this policy.

#### **109.05 TESTING COSTS**

The City is responsible for the costs of all drug tests to which the City requires an employee to submit. However, an employee subject to unannounced follow-up testing pursuant to Policy Section 109.02 is solely responsible for the cost of all follow-up tests.

#### **109.06 NOTIFICATION OF TEST RESULTS**

Applicants are notified of the results of a pre-employment drug test, provided the applicant requests the results within 60 days of being notified of the disposition of the employment application.

Employees are notified of the results (including the drug(s) discovered) of all positive drug tests.

#### **109.07 EMPLOYEE ASSISTANCE PROGRAM**

The use of illegal drugs and similar substances is a serious threat to our nation's collective health, safety, and welfare. Drug and alcohol abuse in the workplace is dangerous because it leads to physical impairment, loss of judgment, safety violations, and the risk of injury and death. In order to prevent these consequences of drug abuse, the City has implemented this policy. Employees who feel they have a problem with controlled substances should seek assistance.

The City has also made available to its employees an Employee Assistance Program. The program provides employees with professional help for problems such as alcohol and drug abuse, emotional stress, money management difficulties and unpleasant family situations. The City's Employee Assistance Program is coordinated through Concern EAP. Information about the Employee Assistance Program is available through the Human Resources Department.

For more information on where to obtain treatment or assistance for drug or alcohol problems, one of the best places to look is to search the internet or your phone book's Yellow Pages for "Drug Abuse & Addiction Information & Treatment Centers" or "Alcoholism Information & Treatment Centers." Under these headings, there is often a listing for a local "Council on Alcohol and Drug Abuse." These organizations are most helpful, as are Alcoholics Anonymous (AA) and Narcotics Anonymous (NA), in identifying sources for treatment and assistance. Set forth below is a list of organizations that may provide information or referrals.

National Clearinghouse on Alcohol and Drug Information  
1-800-729-6686  
nmlm.gov

National Council on Alcoholism and Drug Dependence  
1-800-622-2255  
ncadd.org

Substance Abuse and Mental Health Services Administration  
National Helpline  
1-800-662-HELP (4347)  
samhsa.gov/find-help/national-helpline

Periodically, the City may make available to employees information regarding substance abuse. All employees are encouraged to attend such programs and to review any material supplied. Some employees may be required to attend such programs or to review such material.



<b>Policy Section:</b> 110	<b>Subject:</b> WORKPLACE AND EQUIPMENT	<b>Effective Date:</b> January 1, 2021
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**110.01 SOLICITATION AND DISTRIBUTION OF LITERATURE**

Everyone has probably found himself/herself in a difficult situation when asked to make a purchase or donation to support some sort of fund-raising drive or cause. Even though most of these projects are worthwhile, they can disrupt normal City operations as well as put unnecessary pressure on employees to participate. Also, if nonemployees are involved, this activity can also involve illegal trespassing. The following rules must be followed to ensure that everyone's rights and obligations are upheld:

1. Solicitation and/or distribution of literature by non-employees on City property is prohibited at all times.
2. Solicitation and/or distribution of literature by employees that, in any way, interferes with work on City property during working time is prohibited. For the purposes of this policy, the term "working time" includes any time an employee spends performing work duties but excludes breaks and meal periods.
3. Distribution of literature by employees in working areas is prohibited at all times. "Working area" is defined as any place where work is normally performed.

**110.02 BULLETIN BOARDS**

Bulletin boards on City premises are reserved for official organization communications including, but not limited to, the following:

- Equal Opportunity Employment statement
- Affirmative Action statement
- Internal memoranda
- Job openings
- City announcements
- Workers' compensation insurance information
- State disability insurance/unemployment insurance information

All bulletin board notices must be approved by the Department Manager or Director prior to posting. Each notice posted will note on the face of the notice the date posted and the date it will be removed. Unless approved by the Department Manager or Director, the posting of written solicitations or notices on City bulletin boards is prohibited. All bulletin boards are City property and are to be used for business purposes only. Violations of this policy may lead to disciplinary action, up to and including immediate termination of your employment.

### **110.03 WORKPLACE PRIVACY**

The workplace is intended to be a place of work. An important part of work is communications and record keeping. No employee is at work 24 hours a day, seven days a week, and there are times when the Department Manager or Director needs access to communication or records maintained by employees in their individual workplaces. Personal items and personal communications received or stored on City premises are not entitled to a guarantee of privacy.

The City reserves the right to search City property and documents in City-owned vehicles, employee desks, lockers, file cabinets, electronic devices, etc. Further, to help provide for the safety and security of City employees, the City conducts video surveillance of City property.

### **110.04 COMPUTER AND INTERNET USE**

Electronic media raises similar issues. The City provides electronic and telephonic communication equipment, and when necessary, computers and mobile devices to employees. Although assigned to the employee, these items still belong to the City. Similarly, any computer files created on, or software downloaded on, a City computer belong to the City. Unauthorized programs and files may not be used or installed on City computers without the written permission of the City. Additionally, employees may not encrypt work and may not use passwords other than those assigned to them by the City. Employees may not destroy or delete files from City computers or mobile devices except pursuant to the City's record retention policy.

Although the City consents to the "reasonable" use of its computers for personal business, what is "reasonable" is determined in the sole discretion of the City. The only sure way to avoid violating the City's policy on personal computer use is not to use the City's computers for any personal purpose.

The City also reserves the right to report the finding of such reviews to appropriate agencies.

The following personal computer use is absolutely forbidden:

1. To access any material which the City considers to be pornographic; to transmit or knowingly accept receipt of any communications which is pornographic, obscene, or in the City's opinion might contribute to a hostile work environment in that it demeans individuals on the basis of race, sex, age, national origin, disability, or similar distinction.
2. To conduct business for outside employment or a side-business while on City time.
3. To solicit other for non-work related reasons.

**Important Notice:** The City has the capacity to examine the computer and mobile device usage of individual employees in detail. Even though an item has been "deleted" and the employee cannot retrieve it, this does not mean that the City cannot do so. It is also possible to generate a report of every Internet connection made by each user and of how much time was spent in each connection.

### **110.05 USE OF CITY EQUIPMENT**

All City property, including desks, storage areas, work areas, lockers, file cabinets, credenzas, computer systems, office telephones, cellular telephones, mobile devices, modems, facsimile machines, duplicating machines, and vehicles, must be used properly and maintained in good working order. Equipment and supplies provided at work are for business purposes only and may not be borrowed or used for other purposes. Such items remain the property of the City, even if issued or assigned to individual employees and must be returned upon request or immediately upon termination of employment.

Employees who lose, steal, or misuse City property may be personally liable for replacing or repairing the item.

The City reserves the right, at all times and without prior notice, to inspect and search any and all of its property for the purpose of determining whether this policy or any other policy of the City has been violated, or when an inspection and investigation is necessary for purposes of promoting safety in the workplace or compliance with state or federal laws. In addition, the City reserves the right to search an employee's property and personal belongings while on City property. These inspections may be conducted during or after business hours and in the presence or absence of the Employee. The City may report the results of such investigations to appropriate authorities.

Employees have no right of privacy as to any information or file maintained in or on City property. For purposes of inspecting, investigating, or searching Employees' files or documents, the City may override any applicable passwords, codes, or locks in accordance with the best interest of the City, its Employees, or its citizens, customers, or visitors. All bills and other documentation related to the use of City equipment or property are the property of the City and may be reviewed and used for purposes that the City considers appropriate.

Employees may access only files or documents that they have permission to enter. Unauthorized review, duplication, dissemination, removal, damage, or alteration of files, or other property of the City, or improper use of information obtained by unauthorized means is prohibited.

### **110.06 OPERATION OF CITY VEHICLES**

All Employees authorized to drive City-owned or leased vehicles or to rent vehicles for use in conducting City business must possess a current, valid state driver's license and an acceptable driving record. Employees must obtain any specific, state-required permits or licenses necessary to operate City-owned or leased vehicles. Any change in license status or driving record must be reported to the employee's supervisor or Human Resources immediately. From time to time, the City or its insurance carrier may request reports from the Department of Motor Vehicles regarding the license status and driving record of Employees whose job responsibilities include driving. In the event that the license status or driving record of Employees whose job responsibilities include driving becomes unacceptable to City or the City's insurance carrier, that Employee may be restricted from driving, reassigned, suspended, or terminated, at the City's discretion. The use of Tobacco products is strictly prohibited in City vehicles.

A valid state driver's license must be in your possession while operating a City vehicle off or on City property.

**It is the responsibility of every Employee to drive safely and obey all traffic, vehicle safety, seatbelt, and parking laws or regulations. Drivers should demonstrate safe driving habits. Any City employee who drives a City vehicle and whose Driver's license has been suspended for any reason or any amount of time must immediately notify their supervisor and Human Resources. Violations of this policy may lead to disciplinary action, up to and including immediate termination of your employment.**

#### **110.07 MOBILE COMMUNICATIONS EQUIPMENT**

There are times when it is to the benefit of the City for employees to have access to City-provided cell phones during and/or after normal working hours. It is acknowledged that City-provided cell phones may be used for personal calls; however, the primary use of the City-owned cell phones is for the purpose of conducting the City's business. Employees who are issued a City cell phone will be responsible for tracking and submitting hours worked outside of their regularly scheduled workday.

Only the City Administrator may authorize changes or upgrades to the cell phone plan. Any unauthorized use, use contrary to the City's personnel policies and procedures, or the abuse of the cell phone for personal use is prohibited and may cause the cell phone to be removed from the employee.

City Employees are required to use hands free communication devices while driving a City-owned vehicle. Employees are to pull off the road safely and stop while conducting any such mobile communications. The only exception to this policy will be for police and fire personnel during emergency/critical incident type situations. Any motor vehicle accident or personal injuries to anyone during such an above exception will have to be justified by 911/communication systems records. Violation of this policy will result in disciplinary action against the employee, up to and including termination.

#### **110.08 RETURN OF CITY PROPERTY**

You must return all property owned by the City (e.g., vehicles, computers, keys, uniforms, identification badges, credit cards) on or prior to your last day of employment. Employees will be responsible for any lost or damaged items. Failure to return items or returning damaged items is considered an advance of wages, the value of which may result in deductions from the final paycheck. If the payroll deduction is not sufficient, the employee must make arrangements with the City to immediately reimburse the City upon separation of employment.

#### **110.09 TELECOMMUTING**

##### **110.09.01 OBJECTIVE**

Telecommuting allows employees to work at home, on the road, or in a satellite location for all or part of their workweek. The City considers telecommuting to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Telecommuting may be appropriate for some employees and jobs but not for others. Telecommuting is not an entitlement, it is not a City-wide benefit, and it in no way changes the terms and conditions of employment with the City.

### **110.09.02 PROCEDURES**

Telecommuting can be informal, such as working from home for a short-term project or on the road during business travel, or a formal, set schedule of working away from the office as described below. Either an employee or a supervisor can suggest telecommuting as a possible work arrangement.

Any telecommuting arrangement made will first be done on a trial basis and may be discontinued at will and at any time at the request of either the telecommuter or the organization. Every effort will be made to provide notice of such change to accommodate commuting, childcare, and other issues that may arise from the termination of a telecommuting arrangement. There may be instances, however, when no notice is possible.

### **110.09.03 ELIGIBILITY**

Individuals requesting formal telecommuting arrangements must be employed with the City for a minimum of 12 months of continuous, regular employment (unless otherwise approved by the City Administrator) and must have a satisfactory performance record.

Before entering into any telecommuting arrangement, the Department Director, with the assistance of the human resource department, will evaluate the suitability of such an arrangement, reviewing the following areas:

- Employee suitability. The employee, their supervisor, and Department Director will assess the needs and work habits of the employee, compared to traits customarily recognized as appropriate for successful telecommuters.
- Job responsibilities. The employee, their supervisor, and Department Director will discuss the job responsibilities and determine if the job is appropriate for a telecommuting arrangement.
- Equipment needs, workspace design considerations and scheduling issues. The employee, their supervisor, and Department Director will review the physical workspace needs and the appropriate location for the telework.
- Tax and other legal implications. The employee must determine any tax or legal implications under IRS, state and local government laws, and/or restrictions of working out of a home-based office. Responsibility for fulfilling all obligations in this area rests solely with the employee.

If the employee, their supervisor, and Department Director agree, and the human resource department concurs, a trial telecommuting arrangement will commence.

Evaluation of telecommuter performance during the trial period will include regular interaction by phone and e-mail between the employee and their supervisor, and (if practical) weekly face-to-face meetings to discuss work progress and problems. At the end of a trial period, the employee, supervisor, and Department Director will evaluate the arrangement and make recommendations for continuance or modifications. Evaluation of telecommuter performance beyond a trial period will be consistent with that received by employees working at the office in both content and frequency but will focus on work output and completion of objectives rather than on time-based



performance.

An appropriate level of communication between the telecommuter and supervisor will be agreed to as part of the discussion process and will be more formal during the trial period. After conclusion of the trial period, the manager and telecommuter will communicate at a level consistent with employees working at the office or in a manner and frequency that is appropriate for the job and the individuals involved.

#### **110.09.04 EQUIPMENT**

On a case-by-case basis, the City will determine, with information supplied by the employee, supervisor, and Department Director, the appropriate equipment needs (including hardware, software, modems, phone and data lines, and other office equipment) for each telecommuting arrangement. The human resource and information technology departments will serve as resources in this matter. Equipment supplied by the organization will be maintained by the organization. Equipment supplied by the employee, if deemed appropriate by the organization, will be maintained by the employee. The City accepts no responsibility for damage or repairs to employee-owned equipment. The City reserves the right to make determinations as to appropriate equipment, subject to change at any time. Equipment supplied by the organization is to be used for business purposes only. The telecommuter must sign an inventory of all City property received and agree to take appropriate action to protect the items from damage or theft. Upon termination of employment, all City property will be returned to the City.

The City will supply the employee with appropriate office supplies (pens, paper, etc.) as deemed necessary. The City will also reimburse the employee for business-related expenses, such as phone calls and shipping costs, which are reasonably incurred in carrying out the employee's job.

The employee will establish an appropriate work environment within her/his home for work purposes. The City will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space.

#### **110.09.05 SECURITY**

Consistent with the organization's expectations of information security for employees working at the office, telecommuting employees will be expected to ensure the protection of proprietary City and customer information accessible from their home office. Steps include the use of locked file cabinets and desks, regular password maintenance, and any other measures appropriate for the job and the environment.

#### **110.09.06 SAFETY**

Employees are expected to maintain their home workspace in a safe manner, free from safety hazards. Injuries sustained by the employee in a home office location and in conjunction with her/his regular work duties are normally covered by the City's workers' compensation policy. Telecommuting employees are responsible for notifying their supervisor of such injuries as soon as practicable. The employee is liable for any injuries sustained by visitors to her/his home

worksite.

Telecommuting is not designed to be a replacement for appropriate childcare. Although an individual employee's schedule may be modified to accommodate childcare needs, the focus of the arrangement must remain on job performance and meeting business demands. Prospective telecommuters are encouraged to discuss expectations of telecommuting with family members prior to entering a trial period.

**110.09.07 TIME WORKED**

Telecommuting employees who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using their department's standard time-keeping system. Hours worked in excess of those scheduled per day and per workweek require the advance approval of the telecommuter's supervisor.

**110.09.08 AD HOC ARRANGEMENTS**

Temporary telecommuting arrangements may be approved for circumstances such as inclement weather, special projects, or business travel. These arrangements are approved on an as-needed basis only, with no expectation of ongoing continuance.

Other informal, short-term arrangements may be made to the extent practical for the employee and the organization.

All informal telecommuting arrangements are made on a case-by-case basis, focusing first on the business needs of the organization.



<b>Policy Section:</b> 111	<b>Subject:</b> DISCIPLINARY ACTIONS	<b>Effective Date:</b> January 1, 2021
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The City expects employees to meet its standards of performance and behavior and to comply with and carry out the City’s departmental rules and regulations. As is the case with all organizations and entities, instances arise when an employee must be disciplined with or without notice. The discipline to be administered is in the sole discretion of the City.

**111.01 TYPES OF DISCIPLINARY ACTION**

Disciplinary action taken against an employee may include:

- Informal counseling;
- Oral reprimand;
- Written reprimand;
- Reduction of leave balances;
- Suspension without pay;
- Probation;
- Demotion; and/or
- Dismissal

**111.02 EXAMPLES OF CONDUCT WARRANTING DISCIPLINARY ACTION**

It is not possible to list all acts and omissions which may result in disciplinary action. The disciplinary action that is appropriate for any particular misconduct depends upon a number of factors including but not limited to the employee’s prior disciplinary record, the seriousness of the misconduct, and the impact of the misconduct on others. The disciplinary action that is administered for any particular act or acts of misconduct rests in the sole discretion of the City. The following list is merely representative of some of the more obvious types of misconduct which may result in discipline up to and including discharge.

- Conviction of or plea of guilty or no contest to a charge of theft, violation of drug laws, sexual misconduct, offense involving moral turpitude, or offense which affects the City’s reputation, or which reasonably could create serious concern on the part of affiliates, citizens, or fellow employees. Employees who are arrested may be relieved of duty (with or without pay) pending the City’s determination on continued employment.
- Damaging, sabotaging, or defacing City property or any other property located on City premises.
- Unauthorized use or disclosure of proprietary, confidential or private City information.
- Theft, or embezzlement; attempted theft or embezzlement; or other illegal conduct of any kind.
- Job abandonment.
- Incompetency.
- Unauthorized absence or tardiness or a pattern of absenteeism or tardiness. Failure to observe work schedules, including rest and lunch periods.

- Insubordination, including disrespect for authority, or other conduct which tends to undermine authority.
- Failure or refusal to carry out instructions.
- Unauthorized possession or removal, misappropriation, destruction, theft or conversion of City property or the property of others.
- Violation of safety rules; neglect; engaging in unsafe practices.
- Interference with the work of other employees.
- Fighting, threatening, coercing, or intimidation of fellow employees, including “joking” threats.
- The use of abusive, intimidating, or foul language in the workplace.
- Dishonesty.
- Disregard of others.
- Failure to provide information, misrepresentation or falsification of City records or any information required to be provided to the City.
- Participating in any behavior that would reflect poorly on the image of the City including, but not limited to, being convicted of a criminal offense.
- Failure to immediately report properly a workplace accident or personal injury.
- Neglect or carelessness.
- Introduction, possession, consumption, distribution, or use of illegal or unauthorized or improper use of prescription drugs on City property or while on duty anywhere; working while under the influence of illegal drugs or intoxicating beverages; or the off-the-job illegal use or possession of drugs. For purposes of this policy, an employee is “under the influence” if he has any detectable amount of any such substance in his system.
- Refusal to submit to a drug test or alcohol test when appropriately required to do so, or any other violation of the City’s drug and alcohol abuse policy.
- Acts of misconduct at any time which are unbecoming of a representative of the City and which reflect unfavorably upon it. (This necessarily includes “charges” of misconduct.)
- Unsatisfactory performance.
- Violation of the City’s policies and procedures.
- Sleeping or giving the appearance of sleeping on the job.
- Any other reason that, in the City’s sole discretion, warrants discipline.

The City is vitally interested in the safety and well-being of its employees and the public. Employees under the care of a physician who are required to take prescription medication that they are advised by their doctor or pharmacist may affect their ability to work safely, may cause dizziness, drowsiness, impairment of normal faculties, or could produce hallucinogenic effects are required to notify their supervisor immediately so that proper care can be taken to ensure their safety, the safety of other employees, and the safety of the public.

Should your performance, work habits, or demeanor become unsatisfactory as determined by the City, based on violations either of the above or of any other policy, you will be subject to disciplinary action, up to and including termination of employment. The determination of what disciplinary action is appropriate for a violation of this policy rests solely with the City. This policy in no way creates any contract of employment or obligation to follow any particular procedure. While the circumstances of a particular situation may result in immediate termination, other situations may result in other forms of discipline.

The City reserves the right to skip any form of discipline or repeat any disciplinary action depending on the facts in each situation.

**111.03 EMPLOYEE SIGNATURE**

Employees must sign disciplinary notices, counseling memoranda, performance appraisals and similar documents. The employee's signature indicates only that the employee is aware of the action taken and does not indicate that the employee agrees with such action.

An employee who refuses to sign such a document will be relieved of all duty until the document is signed. If the document has not been signed and returned by the end of the employee's next scheduled work day, the City will consider the employee to have resigned.



<b>Policy Section:</b> 112	<b>Subject:</b> EMPLOYEE GRIEVANCES & APPEALS	<b>Effective Date:</b> January 1, 2021
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### 112.01 GRIEVANCE PROCEDURE

This procedure is adopted in accordance with the “County and Municipal Employees Grievance Procedure Act,” Section 8-17-110, et seq., Code of Laws of South Carolina, 1976, as amended.

Nothing in this grievance procedure creates a property interest in employment or a contract of employment, nor does this procedure limit the City’s authority to terminate any employee when the City or respective elected or appointed official considers such action to be necessary for the good of the City.

#### 112.01.01 GENERAL

1. A grievance is defined as a complaint by an employee that he has been treated unlawfully or in violation of her/his rights under City policies with regard to her/his employment. This definition includes, but is not limited to; discharge, suspension, involuntary transfer, promotion and demotion. An employee’s level of compensation or classification is not the proper subject of a grievance except as it applies to alleged inequities within the employee’s department. However, if an employee believes she/he has not received or been credited with or has otherwise lost wages or benefits to which she/he is entitled, she/he must present her/his grievance in accordance with this procedure. Written warnings are not grievable. An employee’s decision to resign in lieu of termination is not grievable.

2. An employee who believes she/he has a grievance must follow the following procedure:  
**Step 1.** She/he must file his grievance within 10 calendar days of the event giving rise to the grievance or her/his knowledge of the events giving rise to the grievance. She/he is to follow the chain of command in her/his department, appealing to each successive level of supervision. These steps may be oral, but must be documented. At each level, each supervisor has four calendar days to render a decision. If no decision is made within this time, the grievance is considered denied. If a supervisor at a particular level is unavailable to consider the grievance, it is considered denied and the employee is to appeal to the next level of supervision.

**Step 2.** If the Director of the department in which the employee is employed denies the grievance, this decision is final as to any grievance brought by an employee in his initial probationary period. A new employee is considered probationary until his probationary evaluation is completed and approved by his department Director.

**Step 3.** Employees other than probationary employees may appeal to the Employee

Grievance Committee the denial of their grievances by department heads by filing a written request for appeal at the City's Human Resource Manager. This must be done within seven calendar days of the Department Director's denial of the grievance. The written request for appeal must include the following information:

- a. The purpose of the appeal and what recommendation is requested by the employee of the Grievance Committee, **AND**
- b. A statement that the chain-of-command has been followed in the appeal as is required by the grievance procedure.

The human resources department staff will assist in preparing the appeal, if requested by the employee.

3. Within ten days of receiving the employee's request, the Grievance Committee chairman will schedule (not hold) the requested hearing and notify the Grievance Committee, the employee requesting the hearing, the affected department and the human resources department.

#### **112.01.02 THE EMPLOYEE GRIEVANCE COMMITTEE**

The Mayor appoints a committee composed of six employees to serve for terms of three years, except that the members appointed initially are appointed so that their terms will be staggered. The Mayor may also appoint two alternates to serve when other members are disqualified or unable to serve. Approximately one-third of the terms shall expire each year. A member continues to serve after the expiration of his term until a successor is appointed. Any interim appointment to fill a vacancy for any cause prior to the completion of a member's term is for the unexpired term. Any member may be reappointed for succeeding terms at the discretion of the Mayor. All members are selected on a broadly representative basis from among City employees. Members employed in the same department as the grieving employee and members having formed an opinion on the issues prior to the hearing may not participate in that employee's hearing.

1. The Committee annually selects its own chairman from among its members. The chairman serves as the presiding officer at all hearings that he attends but may designate some other member to serve as presiding officer in his absence. The chairman has authority to schedule and to re-schedule all hearings.
2. A quorum consists of at least two-thirds (four) of committee members, and no hearings may be held without a quorum.
3. The presiding officer has control of the proceedings. She/he may take whatever action is necessary to ensure an equitable, orderly and expeditious hearing. Parties must abide by his decisions, except when a Committee member objects to a decision to accept or reject evidence, in which case the majority vote of the Committee governs.
4. The Committee has the authority to call for files, records and papers that are

pertinent to any investigation and that are subject to the control of the City; to call for or consider affidavits of witnesses; to request and hear the testimony of witnesses; to consider the results of polygraph examinations; and to secure the services of a recording secretary in its discretion. The Committee has no authority to subpoena witnesses, documents or other evidence, nor may any City employee be compelled to attend any hearing. All proceedings are tape-recorded. Witnesses, other than the grieving employee and the department representative, are sequestered when not testifying. All witnesses must testify under oath.

5. All hearings are held in executive session unless the grieving employee requests otherwise in writing, at least 24 hours prior to the hearing, that it be held in open session. The official tape recording and the official minutes of all hearings are subject to the control and disposition of the Mayor.
6. Neither the grieving employee nor the department may be assisted by advisers or by attorneys during the hearing itself. However, the Committee may have an attorney available to it at any and all times it considers necessary and the human resource department may provide assistance in reading written materials to the Committee at the request of a grieving employee.
7. In disciplinary actions by department heads and their subordinate supervisors, the employee must receive in reasonable detail written notice of the nature of the acts or omissions that are the basis for the disciplinary action. This notice may be amended at any time 24 hours or more before the commencement of the hearing. The department must demonstrate the disciplinary action is for the good of the City. The department makes the first presentation. The Committee may base its findings and recommendations on any additional or different grounds developed from the employee's presentation.
8. In non-disciplinary grievances, the employee must establish that a right existed and it was denied her/him unlawfully or in violation of a City policy. The employee makes the first presentation.
9. In all grievances, the grieving employee and the department are each limited to one hour of initial presentation. The party required to make the first presentation is entitled to a ten-minute rebuttal of the other party's presentation. The chairman may appoint herself/himself or another member of the Committee as timekeeper.
10. In all grievances, presentations may be oral, in writing or both. They may be supported by affidavits or unsworn signed statements from witnesses, records, other documentary evidence, photographs and other physical evidence. Presentations are made by the grieving employee (with reading assistance from a member of the human resources department if the employee desires) and by a managerial employee of the affected department. Parties may request the Committee call witnesses, and a



list of potential witnesses should be submitted to the Committee five calendar days prior to the hearing. However, neither party may question the other party or question any witness called by the Committee.

11. The Committee will, within 20 calendar days after hearing an appeal, make its findings and recommendation and report such findings and recommendation to the City Administrator. The City Administrator will review the findings and recommendation and forward them, along with her/his recommendation, to the Mayor. If the Mayor approves, the Committee's recommendation becomes final. The decision and copies of the decision will be transmitted by the Committee to the employee and to the head of the particular department involved. If, however, the Mayor rejects the Committee's recommendation, the Mayor will make her/his own decision without further hearing, and that decision is final. Copies of the decision will be transmitted to the employee and to the head of the particular department involved.
12. Nothing in this grievance procedure creates a property interest in employment or a contract of employment, nor does this procedure limit the City's authority to terminate any employee when the City or respective elected or appointed official considers such action to be necessary for the good of the City.



<b>Policy Section:</b> 113	<b>Subject:</b> SEPARATION FROM EMPLOYMENT	<b>Effective Date:</b> January 1, 2021
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**113.01 REQUIRED NOTICE**

Employees are requested to give and physically work a two (2) week advance notice of voluntary separation.

**113.02 EXIT INTERVIEW**

Upon termination from employment with the City for any reason, the terminating employee should have an exit interview with the Human Resources Department of the City.

The purpose of the exit interview is to assess the employee’s work experience, satisfaction or dissatisfaction with the job, the department, and/or the City. The employee is encouraged to speak frankly and openly in his/her comments concerning his/her tenure to include work satisfaction, job conditions, suggestions for improvements, or criticism of the department or the City.

**113.03 JOB ABANDONMENT**

Job abandonment is considered to include any of the following actions (when they occur without the employee’s Supervisor’s knowledge and permission): leaving the job site during normal work hours; failure to return to the employee’s workstation after a break or meal period; failing to return to work after running a work-related errand; or failing to show up for work for two (2) days without making any effort to notify the Supervisor of the reason for the absence as required by City policy. Any employee who abandons her/his job may be subject to consequences up to and including termination.

**As previously stated, employees who are absent from work for two (2) days without giving proper notice to the City may be considered as a voluntary resignation.**

Regular attendance is of prime importance for all employees. In fairness to all, employees with poor attendance and punctuality records may be subject to disciplinary action, up to and including termination. The City reserves the right to use its discretion in applying this policy under special or unique circumstances.

**113.04 LAST DAY OF EMPLOYMENT**

Unless otherwise provided in this manual, the last official day of employment for an employee will be recorded as the last day they physically worked.



<b>Policy Section:</b> 114	<b>Subject:</b> SAFETY AND RISK MANAGEMENT	<b>Effective Date:</b> January 1, 2021
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### **114.01 WEAPONS**

Subject to applicable law, the City prohibits employees from possessing or carrying weapons of any kind on City property. In the event that an employee has a permit that enables them to carry weapons, they are still not authorized to have the weapon on City property unless authorized by the City Administrator. This includes:

1. Any form of weapon or explosive (including fireworks);
2. All firearms; and
3. All illegal knives or knives with blades that are more than six (6) inches in length or that are not intended for legitimate work-related purposes.

If an employee is unsure whether an item is covered under this policy, they should contact their Supervisor or Human Resources. Employees are responsible for making sure that any item they possess is not prohibited by this policy. If an employee becomes aware of anyone violating this policy, they should notify their Supervisor or Human Resources immediately. Failure to comply with this policy may subject an employee to disciplinary action, up to and including immediate termination.

### **114.02 VISITORS IN THE WORKPLACE**

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

All visitors should enter City facilities at the main entrance and register with the department receptionist. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed in City facilities, Employees should direct the individual to the receptionist and immediately notify their Supervisor.

### **114.03 SECURITY**

You should maintain in your possession at all times your keys, security passes, and identification badge(s). Do not lend these items to anyone who is not authorized to possess them. Similarly, computer passwords, electronic door codes, and any other security access information should not be disclosed to anyone who is not authorized to have that information.

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**ACKNOWLEDGMENT AND AGREEMENT BY EMPLOYEE**

This Handbook is intended to help you become acquainted with some of the current policies of The City of North Augusta ("City of North Augusta" or the "City") in effect on the date of this Handbook. This Handbook serves as a guide; it is not the final word in all cases. Individual circumstances may be handled on an individual basis at the City's sole discretion.

This Handbook and the policies described in this Handbook may be changed at any time at the sole discretion of the City without notice.

Please read the following statements and sign below to indicate your receipt and acknowledgment of the City's Handbook and your understanding that you are an employee-at-will.

- **I HAVE READ, SIGNED, AND UNDERSTAND THE NOTICE AND DISCLAIMER LOCATED ON THE COVER OF THIS HANDBOOK.**
- **I HAVE RECEIVED A COPY OF THE HANDBOOK. I UNDERSTAND THAT THE POLICIES, RULES, AND BENEFITS DESCRIBED IN IT ARE SUBJECT TO CHANGE AT THE SOLE DISCRETION OF THE CITY AT ANY TIME WITHOUT PRIOR NOTICE. I UNDERSTAND THAT THIS HANDBOOK REPLACES AND SUPERSEDES ALL OTHER PREVIOUS HANDBOOKS, POLICIES, OR GUIDES. IN THE EVENT THAT ANY MANDATORY LANGUAGE APPEARS IN THIS HANDBOOK, THE TERMS OF THE DISCLAIMER ON THE COVER OF THIS HANDBOOK SHALL GOVERN OVER ANY SUCH APPARENTLY MANDATORY LANGUAGE SO THAT NO CONTRACT IS CREATED.**
- **I UNDERSTAND THAT MY EMPLOYMENT IS "AT-WILL", WHICH MEANS THAT IT MAY BE TERMINATED AT WILL, EITHER BY MYSELF OR THE CITY, REGARDLESS OF THE LENGTH OF MY EMPLOYMENT OR MY PERFORMANCE. THIS MEANS I CAN LEAVE THE CITY AT ANY TIME WITH OR WITHOUT NOTICE AND WITH OR WITHOUT CAUSE, AND THE CITY HAS THE SAME RIGHT TO END MY EMPLOYMENT AT ANY TIME WITHOUT NOTICE AND WITHOUT CAUSE AS LONG AS IT ACTS LAWFULLY.**
- **I UNDERSTAND THAT THIS HANDBOOK IS A NOT A CONTRACT OF EMPLOYMENT AND THAT NO CIRCUMSTANCES ARISING OUT OF MY EMPLOYMENT CAN ALTER MY "AT-WILL" EMPLOYMENT RELATIONSHIP UNLESS AN AGREEMENT IS SET FORTH IN WRITING AND PERSONALLY SIGNED BY COUNCIL OF THE CITY. I AGREE THAT NO EMPLOYEE OR OFFICER OF THE CITY OTHER THAN THE COUNCIL HAS THE AUTHORITY TO CHANGE MY STATUS AS AN AT-WILL EMPLOYEE.**
- I am aware that during the course of my employment confidential City information may be made available to me. I understand that this information is critical to the success of the City and must not be disclosed or used outside of the City's premises or with non-employees. I agree that I may be held liable for damages resulting from my disclosure or unauthorized use of such information. In the event that my employment is terminated, no matter how the termination is caused, I hereby agree not to use, utilize, or disclose this information with or to any other person, City, company, or entity.
- I understand that the City has adopted the Non-Harassment/Non-Discrimination Policy contained herein, and I agree to abide by its terms.
- I understand that my signature below indicates that I have received a copy of the City's Handbook and agree to abide by and adhere to the policies contained within.

\_\_\_\_\_  
Employee's Printed Name

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

**CC: Employee  
Employee Personnel File**



**After Hours Post Incident/Accident Screening SOP**  
*Supplement to Policy 109.01.03 "Alcohol and Drug Testing Current Employees"*

**1. Objective**

This standard operating procedure is a supplement to Personnel Policy 109.01.03 "Alcohol and Drug Testing Current Employees" for employees who are working outside of the operating hours of our occupational medicine (OCMED) provider who are injured or involved in an incident/accident. All other provisions of Personnel Policy 109 "Alcohol and Drug Testing" apply.

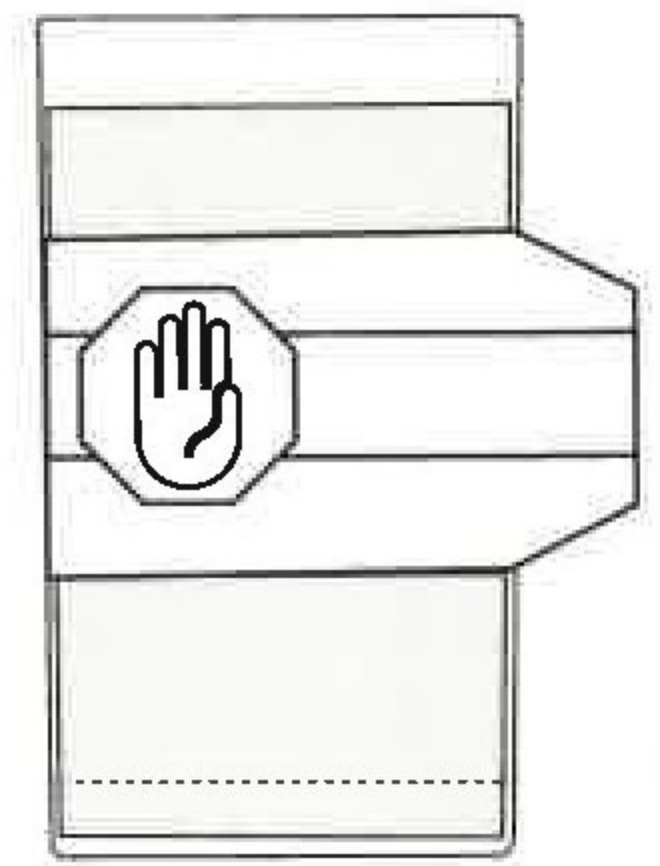
**2. Procedures**

If the following occurs while our OCMED provider is closed:

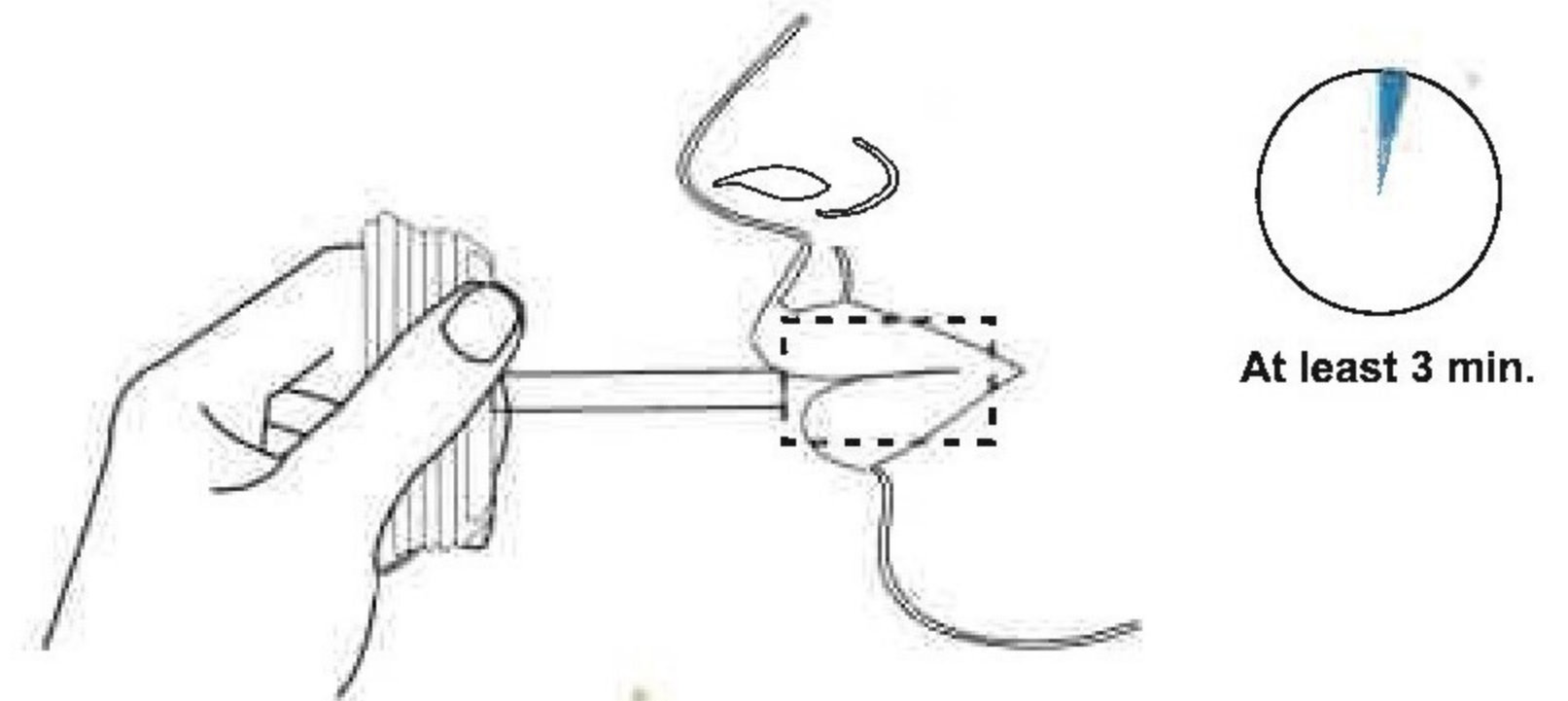
- a. **INCIDENT/ACCIDENT INVOLVING AN INJURY** - Supervisor must escort the employee to the closest emergency room (ER), preferably University Hospital, for medical evaluation and post-accident alcohol & drug testing. Please remember to bring SCMIT workers compensation forms with you.
- b. **INCIDENT/ACCIDENT NOT INVOLVING AN INJURY** - Supervisor administers the city provided saliva drug and alcohol screen (directions attached) on scene immediately following the incident/accident. The supervisor must include a color picture of the screen results with the employee incident notification report they submit to HR.
  - i. If the drug and alcohol screening results are negative - the employee may return to active duty immediately, no further testing is required.
  - ii. If the drug and alcohol screening results are positive or invalid a second screening is to be administered by the supervisor immediately.
    - I. If the second screening is positive or invalid:
      - a. The employee may not return to active duty;
      - b. The employee may not drive city issued vehicle;
      - c. Employees with a positive or invalid screen that includes alcohol will be immediately referred to be tested by Public Safety using the Datamaster non-implicit consent breathalyzer test;
      - d. Employees with positive or invalid screen that includes drugs:
        - i. Supervisor may either drive employee home or back to a department facility to wait until an OCMED facility opens;
        - ii. Supervisor must escort the employee to an OCMED facility no later than one (1) hour after they open for standard post-accident alcohol and drug testing.
      - e. The employee may not return to active duty until results of drug and/or alcohol test are returned.

# PROCEDURE CARD

- Bring tests and specimens to room temperature (15-30°C/59-86°F) before use. Donors should avoid placing anything (including food, drink, gum and tobacco products) in their mouth for at least 10 minutes prior to specimen collection.
- The oral fluid specimen should be collected using the collector provided with the kit. No other collection devices should be used with this drug test.

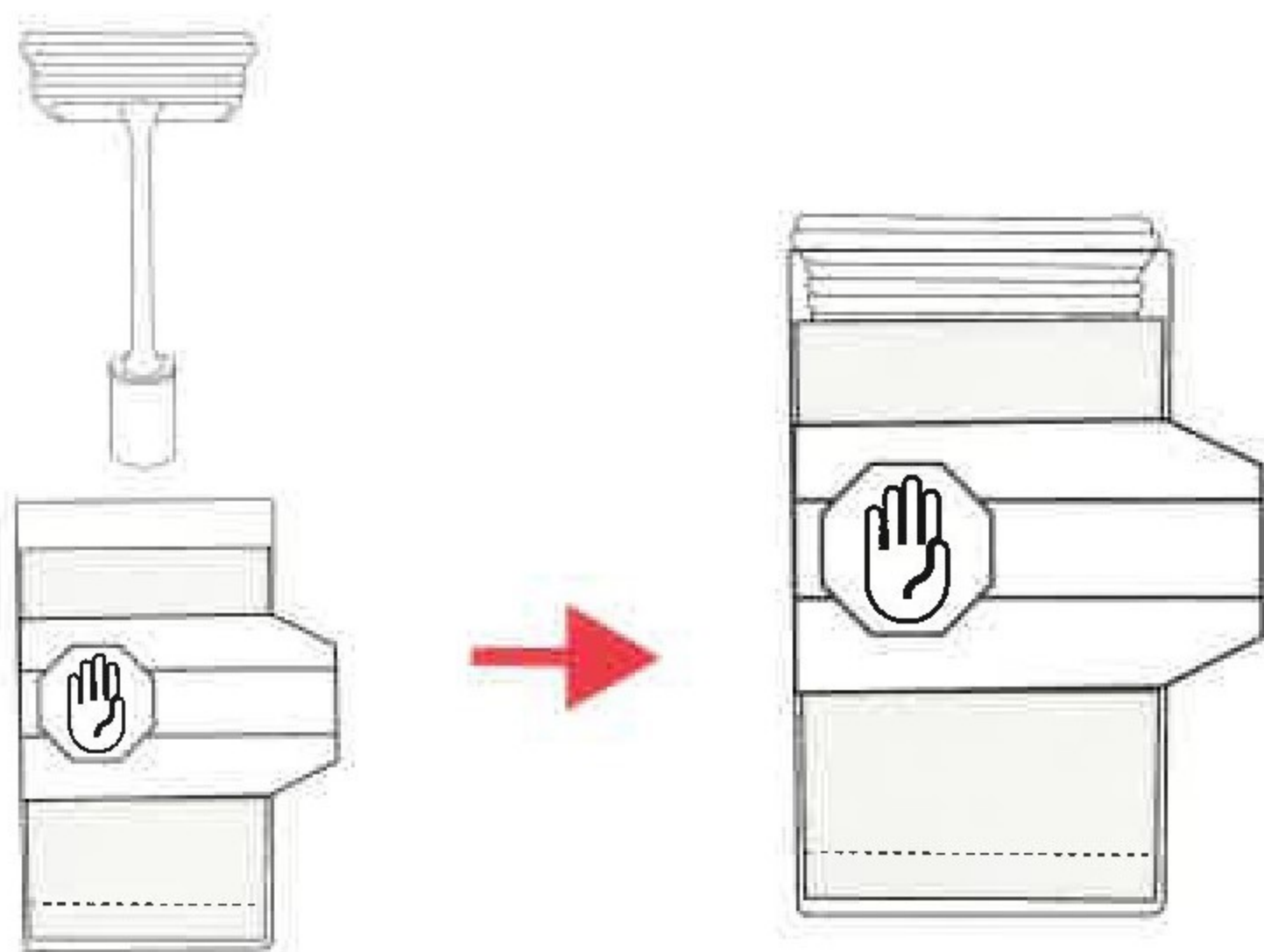


**1** Using the provided collection swab, remove the collector from the sealed pouch. Open mouth and insert the collection swab in the oral cavity. Gently rub the swab against both cheeks 5-10 times, gums 5-10 times and surface of tongue 5-10 times. Place the swab underneath the tongue for **at least 3 minutes** until sponge is soft and fully saturated. **No hard spots should be felt on the sponge when saturated, and usually there is a lot of saliva overbrim in the mouth at that time.**

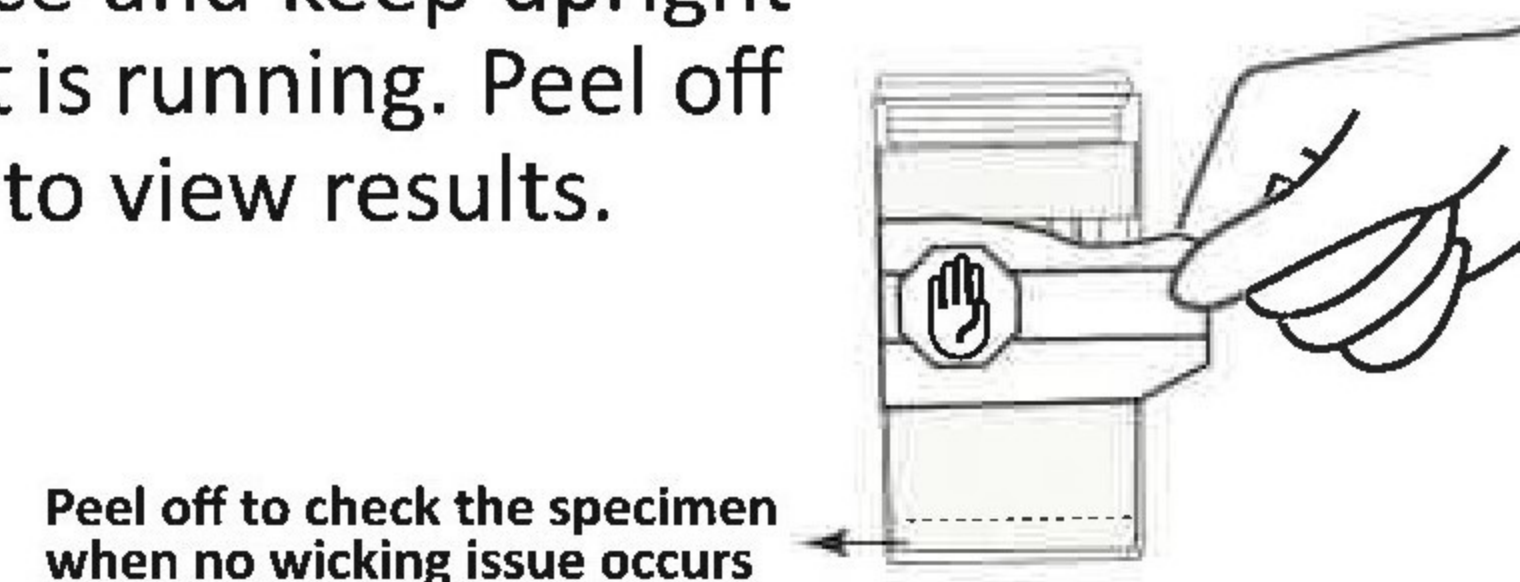


**Important: Do not bite, suck, or chew on the sponge. It is critical that the collector is held horizontally during collection.**

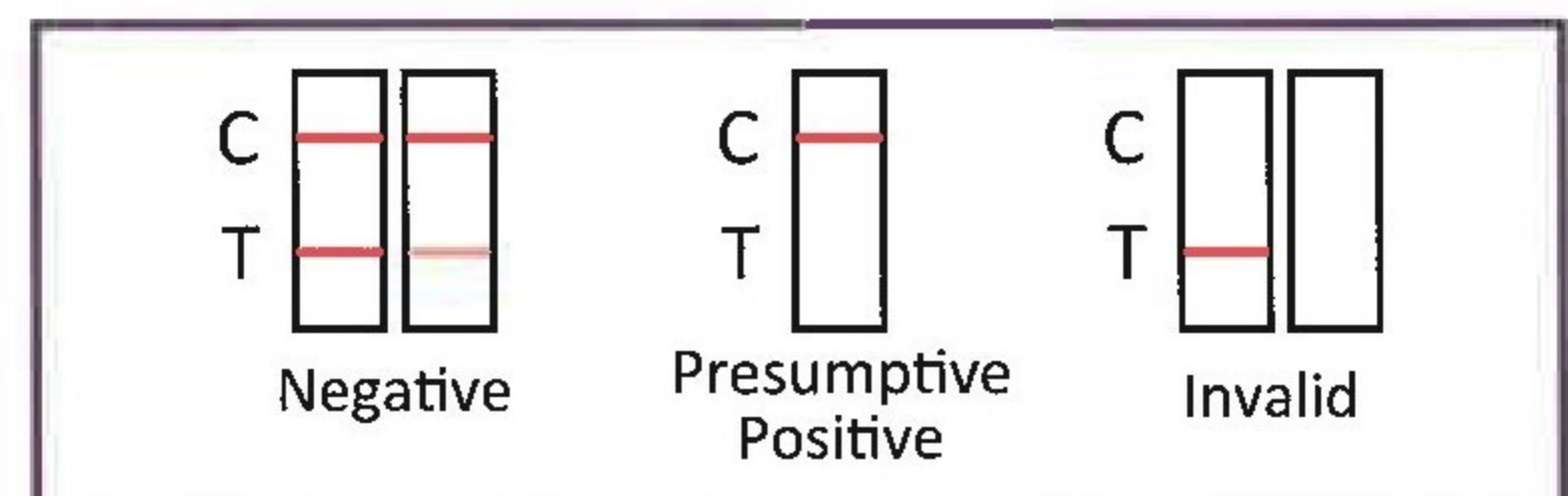
**2** Place the test device upright on a clean flat surface. Remove the collection sponge from the mouth and insert the sponge first into the screening device **gently and slowly**, press until the collector cap sealed with the device tightly. **Keep upright when inserting the sponge.**



**3** Keep test device upright on flat surface and keep upright while test is running. Peel off the label to view results.

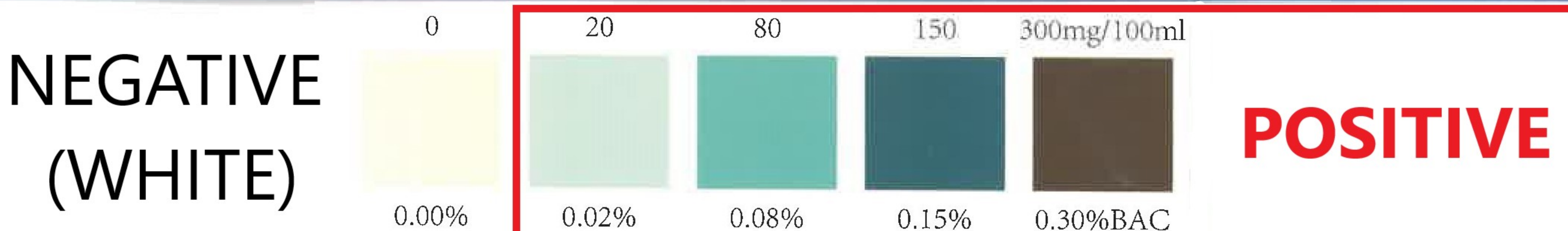


**4** Read the results **at 10 minutes**. Read saliva alcohol pad **at 3 minutes**. Please compare the color on alcohol strip to enclosed color chart.



**Notes and Troubleshooting:** 1. Once the collection sponge locks in place, the device is airtight, tamper evident, and ready to be disposed of or sent to lab for confirmation (on presumptive positive result).  
 2. If the strips do not wick, please peel off the label at the bottom of the device as marked to check if either there is enough specimen or the oral fluid is too thick or viscous to run.  
 3. In the case of no flow when there is enough oral fluid or the oral fluid is too thick to run: move the device, while keeping upright and not tilting, back and forth on a flat and clean surface several times until the oral fluid flows up the strip. Peel off the specimen label to check and make sure the oral fluid is touching the strips. Do not tilt the device when the test is running before reading results.  
 4. Oral fluid tends to form air bubbles which sit at the bottom of the strip and prevent the strip from running. Gently tap the device on the table or counter surface popping the air bubble allowing capillary action to begin, thus initiating the test.

B21093-06



Saliva Alcohol Color Chart



## COVID-19 Testing and Leave Policy & Procedure

### 1. Objective

This policy includes the measures we are actively taking to mitigate the spread of coronavirus (COVID-19). All employees are requested to follow this policy and procedure diligently in order to help the City sustain a healthy and safe workplace in this unique environment. It's important that all employees respond responsibly and transparently to these health precautions. The City will continue to treat and maintain private employee health and personal data with confidentiality and sensitivity.

This COVID-19 policy follows current Centers for Disease Control and Prevention (CDC) guidelines, but is subject to change without notice and/or due to the introduction of additional regulatory guidelines.

### 2. Procedures

#### 1. Employee Positive COVID-19 Test

- It is recommended that you stay away from worksite for 5 calendar days
- If you have no symptoms or your symptoms are resolving after 5 calendar days, you may return to the worksite
  - It is recommended that you wear a mask around others at worksite for 5 additional calendar days
- If you have a fever, it is recommended that you continue to stay away from worksite until your fever resolves

#### 2. Employee COVID-19 Exposure (within 6 feet for 15 minutes or more of a COVID positive individual)

- It is recommended that you wear a mask at worksite for 10 calendar days
- Test on day 5 after exposure, if possible
- If you develop symptoms it is recommended that you get tested for COVID-19 and stay away from the worksite

### 3. Time Reporting

Employees will be charged sick leave for all COVID-19 related leave unless otherwise specified in this policy. If the employee has no sick time available, vacation time, personal holiday, banked holidays, & comp time will be charged. If paid leave is unavailable, the employee may be placed on LWOP with Director approval.

The employee continues to be responsible for accurately reporting time worked, overtime, sick leave, vacation leave, and other forms of protected leave. The supervisor continues to be responsible for verifying the accuracy of the time reported by the employee.



An employee that is able to work remotely during their time away from the worksite should report their hours as regular time worked.

**4. Vaccination Options**

For the most up to date vaccine information please visit:

<https://scdhec.gov/covid19/covid-19-vaccine/covid-19-vaccine-appointments>

**5. Testing Options**

For the most up to date testing center information please visit:

<https://www.peba.sc.gov/covid-19>

RESOLUTION NO. 2020-57  
TO APPROVE THE PROPOSED CITY PERSONNEL POLICY MANUAL

WHEREAS, The City Council, from time to time, reviews and adopts policies and procedures to assist in the efficient utilization of scarce City resources and uniform application of requirements and benefits to City employees; and

WHEREAS, The City Council wishes to keep policies and procedures current and in doing so must periodically amend said policies and procedures for the purpose of reflecting current laws and/or circumstances; and

WHEREAS, The City Council has reviewed the Proposed Personnel Policy Manual (Exhibit A) and believes it's approval to be in the best interest of the City of North Augusta and its employees.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council for the City of North Augusta, in meeting duly assembled and by the authority thereof that the Current Personnel Policies and Procedures Manual be revoked effective December 31, 2020 and replaced with the Proposed Personnel Policy Manual effective January 1, 2021.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS THE 21<sup>st</sup> DAY OF December, 2020.

  
\_\_\_\_\_  
Robert A. Pettit, Mayor

ATTEST:

  
\_\_\_\_\_  
Sharon Lamar, City Clerk