



Consent Item

RE: Personnel Manual Revision

Department/Program: Administration

Explanation:

Qualifying Period – Text in red is for clarification and housekeeping. This has been and is our current procedure.

Promotions – This section needed further clarification.

Nepotism – This policy was expanded to eliminate any complications and opportunity for conflict during the hiring process.

Holiday Pay – Red text is for additional clarification of our current practice.

Vacation - Housekeeping

City Attorney Jones has reviewed these policy recommendations.

Recommendation: Accept the proposed changes to the Personnel Manual

Submitted By: Haley Morrison

Date: May 5, 2022

Qualifying Period

An employee appointed to a full-time or part-time position or promoted to a new position must serve a qualifying period of one calendar year. Employees may participate in annual evaluations during their qualifying period, and will be given official notifications as to their status at the completion of the qualifying period and periodically thereafter as long as they remain an employee of the City of Ballwin.

New employees in a qualifying period are not eligible for a merit increase until after 12 months of service.

Promotions

It is Ballwin's policy to fill openings by promotion of a qualified employee whenever possible. Job knowledge and meritorious performance are important in preparing for advancement. Employees are required to serve one year as a full-time employee in a subordinate title or longer, depending on each department's policy, before being considered eligible for promotion.

Promoted employees will either have their base salary moved to the minimum range of the new position or receive a 3% raise, depending on whichever is greater. Promotional raises are calculated from base pay only and are exclusive of stipend and/or pay differential due to assignments. Promoted employees will be eligible for their next scheduled annual pay raise.

~~If an employee is moved to a new position that has a starting salary of more than 3% above the starting salary for his or her present job, the move shall be considered a promotion. The employee's anniversary date will remain the original date of hire.~~

Evaluations

In addition to evaluations during the qualifying period, the City will endeavor to provide all full-time and part-time employees with annual evaluations. The purpose of the evaluation is to enhance the employee's value to the City by reviewing his or her job performance with the supervisor.

Although the criteria, format and timing of the evaluations are determined by the City Administrator, the employee will be evaluated by either the employee's immediate supervisor or by a group of supervisors who are familiar with the employee's work and responsibilities.

Personnel Records

All personnel records are confidential. Under certain circumstances, however, the City can and will release certain information, as a matter of public record, to third parties without the specific approval or consent of the employee. Employees releasing personnel information without proper authorization may be subject to disciplinary action.

Upon request, employees or former employees may inspect their personnel files during normal work hours by appointment with the Human Resource Coordinator.

Management Rights

The City shall retain the sole and exclusive right to operate and direct its affairs including setting its mission, establishing standards for services to the public, directing the workforce, planning and determining operations to be conducted and the employees to be assigned, hiring and actions otherwise relating to employees including discipline, relieving employees from work and making and enforcing rules and regulations of employee conduct and work place requirements, as well as selecting methods of performance, assigning equipment and designating facilities, all without challenge through any complaint process except as otherwise set forth in this manual.

Personal Data Changes

To insure that employee personal and payroll records are up to date, it is important that the Human Resources Coordinator be notified of any change in personal data, such as address and telephone number, person to be notified in the event of an emergency, legal name, marital status, number of tax exemptions and insurance beneficiary.

Vacancies

Human Resources will prepare and place advertisements for all vacant positions, as needed. Vacancies may be posted at City Facilities and on the City's Internet Home Page. Postings will also be sent to appropriate organizations and schools depending upon the nature of the position.

All job applications are to be submitted through the City's online application program.

Temporary Supervision

In the event that a vacancy exists in a supervisory position, subject to the approval of the City Administrator, the Department Head may designate an acting supervisor status. Service in acting supervisory capacity shall be voluntary and without additional pay provided the duration of such assignment shall not exceed ninety (90) calendar days.

Transfer

If an employee is moved to a new position that has a minimum starting salary that is no more than 3% above or below the starting salary for the present job, the move shall be considered a transfer and his or her anniversary date will not be affected. The employee will, however, be evaluated within the first six months after the transfer to determine if satisfactory progress is being made in the new position. All transfers are subject to prior approval of the affected Department Heads and the City Administrator.

Nepotism

~~Under no circumstances shall one member of an immediate family be permitted to directly supervise another member of the immediate family. Immediate family is defined as spouse, parent, child, sibling, stepchild, son/daughter-in-law, grandchildren, grandparents, or father/mother-in-law.~~

For the purpose of this section, "immediate family member is defined as: spouse; domestic partner; children (including step-children); parents and siblings; step-parent; uncle, aunt, nephew and niece; and the respective in-laws of all members listed.

- A. As of May 2022, no immediate family member of any elected official or of any full-time employee of the City, shall be appointed, hired, or otherwise employed by or contracted with the City of Ballwin, other than in a part-time or seasonal capacity.
- B. No part-time or full-time employee may directly supervise an immediate family member.
- C. No employee shall accept appointment, in other than ex officio capacity, to any Board or Commission within the City of Ballwin.

Anti-fraternization Policy

The City of Ballwin believes that a work environment where employees maintain clear boundaries between employee personal and business interactions is necessary for effective business operations. Although this policy does not prevent the development of friendships or romantic relationships between co-workers, it does establish boundaries as to how relationships are conducted during working hours and within the working environment.

Individuals in supervisory or managerial roles and those with authority over others terms and conditions of employment are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information, and their ability to affect the employment of individuals in subordinate positions.

This policy does not preclude or interfere with the rights of employees protected by the National Labor Relations Act or any other applicable statute concerning the employment relationship.

Procedures

1. During working time and in working areas, employees are expected to conduct themselves in an appropriate workplace manner that does not interfere with others or with overall productivity.
2. During nonworking time, such as lunches, breaks, and before and after work periods, employees engaging in personal exchanges in non-work areas should observe an appropriate workplace manner to avoid offending other workers or putting them in an uncomfortable position.
3. Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate in the workplace by a reasonable person while anywhere on City of Ballwin premises, whether during working hours or not.
4. Employees who allow personal relationships with co-workers to adversely affect the work environment will be subject to disciplinary action, including counseling for minor problems. Failure to change behavior and maintain expected work responsibilities is viewed as a serious disciplinary matter.
5. Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace. An exception to this principle, however, is a romantic or sexual relationship between supervisors and subordinates.
6. Any supervisor, manager, executive or other City official in a sensitive or influential position with the City of Ballwin must disclose the existence of a romantic or sexual relationship with another co-worker. Disclosure may be made to the individual's immediate supervisor or the HR Coordinator. The City of Ballwin will review the circumstances to determine whether any conflict of interest exists.
7. When a conflict-of-interest or potential risk is identified due to an employee's relationship with a co-worker, the City will work with the parties involved to consider options for resolving the problem. The initial solution may be to make sure the parties no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions and financial transactions are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage. In some cases, other measures may be necessary, such as transfer of one or both parties to other positions or departments. If one or both parties refuse to accept a reasonable solution, such refusal may be cause for termination.
8. Failure to cooperate with the City of Ballwin to resolve a conflict or problem caused by a romantic or sexual relationship between co-workers or among managers, supervisors or others in positions of authority in a mutually agreeable fashion may be deemed insubordination and result in disciplinary action up to and including termination.
9. The provisions of this policy apply regardless of the sexual orientation of the parties involved.

10. Where doubts exist as to the specific meaning of the terms used above, employees should make judgements based on the overall spirit and intent of this policy.
11. Any concerns about the administration of this policy should be addressed to the HR Coordinator.

II. COMPENSATION

Every job classification in the City has a description based on the kind and level of duties and the degree of responsibility involved. There is a minimum and maximum salary for each classification. This system enables Ballwin to pay employees on a fair and equitable basis. Salary adjustments are authorized periodically by the Board of Aldermen subject to budgetary considerations.

Hours of Work

City administrative offices are open between the hours of 8:00 a.m. and 5:00 p.m. from Monday through Friday. Other facilities and operations may have different hours. The respective Department Head establishes hours of work and lunch periods for each employee. In the event of inclement weather or emergency situations, City offices will remain open during normal business hours. Individual employees may request time off in accordance with the provisions of this manual. Full-time, non-police employees are expected to work 8-hour shifts exclusive of break periods.

Because of the nature and operation of the Police Department, it is necessary to be staffed seven days a week on a 24-hour a day basis. The standard workday is set by the Chief of Police and scheduled for the employees.

The work week, for purposes of this section, shall be defined as beginning at 12:01 a.m. Monday morning and proceeding for seven (7) full continuous days until Midnight the following Sunday night.

Overtime Pay

Whenever work is performed for the City, whether during the regularly scheduled shift, before or after the scheduled shift, or during meal breaks, the City intends to pay non-exempt employees for that time, and that time must be accurately recorded on the employee's timesheet. Non-exempt employees who work in excess of forty (40) hours in a seven (7) day work week will receive comp time or will be paid 1.5 their regular rate of pay in accordance with applicable law. Employees are required to receive approval in advance from their supervisor before working in excess of forty (40) hours in any work week. Any non-exempt employee who works in excess of forty (40) hours in any work

week, or who performs work off premises without obtaining prior approval will be subject to disciplinary action.

Employees hired for seasonal parks and recreation positions may not qualify for overtime pay. Such employees will be provided that information upon hire.

Employees are not guaranteed overtime hours and all hours employees work in excess of forty (40) must be previously approved by their supervisor. At times it may be necessary to have mandatory overtime. Employees who refuse mandatory overtime are subject to disciplinary action.

Flex Time and Comp Time

Employees who work extra hours in a week may be given time off during another portion of the week to avoid working over forty (40) hours in that week.

Overtime hours that are accumulated and not used within the same 40-hour work week, and not paid as overtime, shall be considered comp time. Comp time shall be taken in accordance with applicable law and is computed at the same rate as overtime (1.5 times hours worked)

The designation and taking of comp time must be mutually agreed upon between supervisor and employee. Comp time accumulation is determined by each individual department head, but in no event shall an employee's comp time accumulation exceed forty (40) hours. These hours must be logged on all time sheets.

Call-In Pay

Employees who are eligible for overtime pay per applicable law, who are called in to duty from home by a supervisor, outside of their normal work shift, shall be guaranteed a minimum of two hours of call-in pay for each call-in. Call-in pay shall be defined as pay for work performed at a time disconnected from an employee's regular schedule of work. Should an employee respond and or report to work, the employee would receive compensation for two (2) hours or for actual hours worked, whichever is greater, at a rate of 1.5 times their regular hourly rate of pay, or receive compensatory time, at the employee's option at a rate of 1.5 times their hourly rate. Under no circumstances will the two-hour minimum guarantee of the call-in pay provisions be applicable for hours worked consecutively before or after a scheduled shift.

On-Call

The City may from time to time, designate certain employees for "on-call" duty, such that employees are subject to work at times designated outside their regular work hours. (i.e. Detectives, Building Systems.) Should an employee respond and or report to work, the employee would receive compensation for two (2) hours or for actual hours worked,

whichever is greater, at a rate at two (2.0) times their regular hourly rate of pay, or receive compensatory time, at the employees option, at a rate of (2.0) times their hourly rate.

On-Call pay does not apply to the snow removal operations.

Emergency Operations

In the event of an emergency, as defined in the Comprehensive Emergency Management Plan or determined by the City Administrator, a premium pay provision will apply for all employees eligible for overtime pay, who are assigned to participate in the emergency operation. This pay premium shall be twice the regular rate of pay for all hours worked in excess of the employee's regular workday period (i.e., double time). In the event that the emergency assignment falls within a 24-hour period when the employee is not scheduled for normal duty, double time will apply for all hours worked in the emergency capacity (i.e., weekends or holidays). In the event that employees who were scheduled for regular duty are relieved of emergency shift duty prior to the completion of a period equal in length to the regular work day, and an appropriate supervisor determines that it is not possible to resume normal duties at the time, employees will be paid for a period not less than the employee's regular work day period at his or her regular rate of pay.

Holiday Pay

The City observes the following holidays and full-time employees (with noted exceptions) shall receive time off with pay.

New Year's Day
Martin Luther King, Jr. Birthday
President's Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day & Friday after Thanksgiving
Christmas Eve Day
Christmas Day

In the event that one of the above holidays is on a Saturday, the preceding Friday will be observed. If the holiday is on Sunday, the following Monday will be observed. For employees working rotating shifts (police officers, dispatchers, and selected parks and recreation employees) the holiday shall be observed on the official day.

All full-time employees who work rotating shifts (police officers, dispatchers and selected parks and recreation employees) and are scheduled to work one of the holidays listed in this manual, will receive in addition to their regular pay, additional

compensation for such time at the rate of one times the employee's regular rate of pay. (i.e. Double time; 8 hours worked + 8 hours holiday pay, 10 hours worked + 10 hours holiday pay or 12 hours worked + 12 hours holiday pay).

Full-time employees' whose scheduled days off fall on a holiday, shall be compensated an additional twelve (12), ten (10) or eight (8) hours in the form of a "bonus holiday" pay, whichever is appropriate for their assigned shift. "Bonus Holidays" are accrued paid leave to be used with supervisor approval. "Bonus Holidays" earned during the months of November and December may be taken on or before March 31 or the following calendar year. However, an employee who uses a sick day, vacation day or a personal day on a holiday shall not earn a Bonus Holiday.

Personal leave, vacation and comp time may be taken, but in that event no double time will be paid. Employees who call in sick on a holiday will be entitled to use accrued hours of sick/medical pay, but no double time will be paid. Employees with unauthorized absence, or on unpaid FMLA leave occurring on the day preceding and/or following a holiday, shall not receive holiday pay.

Benefit eligible part-time employees shall be eligible for holiday pay on a pro-rata basis in accordance with the above described conditions after completion of twelve (12) consecutive months of continuous service. The pro-rata basis shall be based on the number of hours worked during the preceding 12-month period. Part-time employees must work at least 1,040 hours a year in order to qualify (anniversary to anniversary) as benefit eligible. The employee must physically work the time period in which a holiday falls in order to receive holiday pay.

Regular part-time employees who do not qualify for holiday pay shall receive 1.5 times their regular rate of pay for actual hours worked on the holiday.

Seasonal employees are not eligible for holiday pay.

Pay Statements

Pay is distributed biweekly via direct deposit only. The funds are then allocated to each employees account on the scheduled payday. Deductions will be made to employee paychecks because they are required by law or because the employee is required to make them. Voluntary wage assignments other than recognized deductions are not honored. Federal, state, and/or local withholding tax, social security tax, benefit premium contributions, and court-ordered garnishments are examples of the types of deductions that will be made and the amounts will be shown on the pay stub. Wage assignments will be honored to the extent required by applicable law.

No advance payments or special arrangements will be made under any circumstances.

III. EMPLOYEE BENEFITS

Once an employee begins a scheduled paid leave, the leave may not be transferred to another form of leave.

Vacation Pay

Full time employees

After having completed the first six months of continuous service, each full-time employee shall be eligible for forty (40) hours of vacation leave with pay to begin using ~~after his or her anniversary date~~. Thereafter, vacation pay will accrue monthly in accordance with the following schedule:

- Six months to five years of service: 6.6666 hours per month
- Five to 10 years of service: 10 hours per month.
- More than 10 years of service: 13.3333 hours per month.

Employees may accrue no more than 240 hours of vacation leave (30 days). Those who have more than 240 hours of vacation leave at their anniversary date will forfeit all hours over that amount, unless an exception is approved by the City Administrator for good cause shown.