



## EMPLOYEE POLICY HANDBOOK

Effective: January 1, 2017

Amended: January 21, 2019

Amended: January 6, 2020

Amended: January 1, 2022

Amended: January 1, 2024

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## **PURPOSE AND DISCLAIMER**

Welcome to the City of Dyersville. The purpose of this handbook is to establish the terms and conditions of employment for all employees of the City of Dyersville. These rules and regulations shall apply to all employees except where City ordinances, state law, federal law, collective bargaining agreements, or employment contracts apply. All employees classified as “other than full-time” are also subject to this employee handbook, although not eligible for fringe benefits unless specifically authorized by the City Council.

These personnel rules were established according to the City Council action and may be amended by resolution of the City Council. Any issues not covered by this document will be given individual attention, and policy will be established as needed. This document shall be periodically updated to keep current with policy changes.

These personnel rules and regulations shall be effective as provided by resolution unless otherwise expressly provided and shall be amended as necessary by the City Council.

### **DISCLAIMER**

This employee handbook is provided for informational purposes only. The City retains the exclusive right, without prior notice and at its sole discretion, to revise the policies, procedures and benefits described in the employee handbook. Any promises, representations, or action by a city official or employee contrary to this handbook are not the official policy of this City and have no force or effect. These rules and regulations shall apply to all employees except where city ordinances, state law, federal law, collective bargaining agreements, or employment contracts apply.

This employee handbook is not intended to create a contractual relationship between the employee and the City of Dyersville. The employee handbook should not be construed as an employment contract or as a promise that an individual will be employed for any specified period. Either the employee or the city can terminate the employment relationship at any time. Employees who do not have an individualized written employment contract are employed at the will of the City and are subject to termination at any time, for any reason, with or without cause or notice. Nothing in this employee handbook is intended to erode the at-will nature of employment with the City of Dyersville.

## **1 DEFINITIONS**

For the purpose of this employee handbook, the following definitions shall apply and govern the employees of the City of Dyersville.

### **1.1 IMMEDIATE FAMILY**

Immediate family shall be defined as a spouse, parents, children, brothers, sisters, brother-in-law, sister-in-law, mother-in-law, father-in-law, grandparents, and stepfamily.

### **1.2 FULL-TIME EMPLOYEE**

An employee who has completed their orientation period and works 40 hours per week and 2080 hours per year regularly. A full-time employee may be exempt or non-exempt under the Fair Labor Standards Act (FLSA) and is generally eligible to accrue and receive fringe benefits as outlined in other sections of this employee handbook.

### **1.3 PART-TIME EMPLOYEE**

An employee who has completed their orientation period and works less than 40 hours regularly, averaging 1040 hours per year. A part-time employee may be exempt or non-exempt under the Fair Labor Standards Act (FLSA) and is generally not eligible to receive fringe benefits the City offers unless benefit eligibility is granted explicitly in other sections of this employee handbook.

### **1.4 TEMPORARY OR SEASONAL EMPLOYEE**

A temporary employee is defined as an employee the City hires for a particular project or a short-term time, generally related to seasonal work, with the understanding that their employment will be terminated no later than upon completion of a specific assignment, project, or season. Except for special circumstances, temporary employees generally will not be employed for longer than 180 consecutive calendar days. A temporary employee may be exempt or non-exempt under the Fair Labor Standards Act (FLSA), work any number of hours per week, and is not eligible for fringe benefits offered by the City.

## **1.5 SENIORITY**

Length of total service since the last date of hire with the city, divided into two exclusive and non-transferable categories: full-time and part-time.

## **1.6 OVERTIME**

Generally, all-time ordered and worked more than 40 hours in a designated 7-day workweek. Unless it is an emergency, all overtime shall be approved by the employee's Department Head or the City Administrator.

## **1.7 COMPENSATORY TIME**

Time off work is granted to FLSA non-exempt employees instead of payment for overtime worked.

## **1.8 RETIREE**

An employee eligible for retirement per the Social Security Act and/or IPERS as outlined in Chapter 97B of the Code of Iowa.

## **1.9 EXEMPT EMPLOYEE**

An exempt employee is an individual who is not required to receive overtime for work performed over 40 hours in an established 7-day work week.

## **1.10 NONEXEMPT EMPLOYEE**

A nonexempt employee is an individual who is required to receive overtime at the rate of time and one-half for all hours worked over 40 hours in an established 7-day workweek. A paid employee classified as non-exempt may not volunteer to perform the same type of work they are generally compensated to perform. Police Officers are subject to the special provision of the Fair Labor Standards Act.

## **1.11 WORK WEEK**

Except for the Public Works Department, the work week is Monday through Sunday. The Public Works Department's work week is Saturday through Friday. The City reserves the right to change work schedules, including work hours, without prior notification to the employee.



## **2 RECRUITMENT AND EMPLOYMENT**

### **2.1 JOB OPENINGS**

Whenever a vacancy occurs within the city, the opening will be posted on the city's website for at least ten days. Current employees may indicate their interest in being considered for the vacancy by applying for the position in writing to the City Clerk's Office within the stated posting period. The City of Dyersville reserves the right to use other recruiting sources to fill open positions at their discretion.

### **2.2 EQUAL EMPLOYMENT OPPORTUNITY**

The City of Dyersville's objective is to encourage employment and advancement of all individuals in a way that will utilize their talents to the maximum and develop their skills most effectively in a work and community environment free from discrimination.

The City of Dyersville shall provide equal opportunity for all where employment is based upon personal capabilities and qualifications without discrimination because of race, color, religion, sex (including pregnancy), age, national origin, sexual orientation, gender identity, disability, genetic information, or any other protected characteristic as established by law.

This policy of equal employment opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, promotion, termination, and all other terms and conditions of employment.

### **2.3 ANTI-HARASSMENT**

It is the policy of the City of Dyersville that no employee be harassed by any employee, supervisor, elected official, vendor, contractor, guest, regular visitor, or other person, and everyone must demonstrate respectful behavior and avoid engaging in harassment based on race, color, religion, sex (including pregnancy), age, national origin, sexual orientation, gender identity, disability, genetic information or any other protected characteristic as established by law. Harassment in any form is prohibited under this policy.

Illegal harassment, whether verbal or physical, will not be tolerated. In general, sexual, ethnic, racial slurs and other verbal, non-verbal, or physical conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work

environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's protected characteristic(s).

Suppose any employee believes that they have been subjected to illegal harassment. In that case, they should bring the matter directly to the immediate attention of their Department Head, the City Administrator, or the Mayor.

All complaints will be investigated, and appropriate disciplinary action will be taken, including termination. There will be no retaliation against anyone who submits a harassment complaint or participates in an investigation relating to such a complaint.

## **2.4 ANTI-SEXUAL HARASSMENT**

It is the policy of the City of Dyersville that no employee be sexually harassed by any employee, supervisor, elected official, vendor, contractor, guest, regular visitor, or other people, and everyone must demonstrate respectful behavior and avoid engaging in sexual harassment. Sexual harassment in any form is prohibited under this policy.

According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for employment decisions or such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment." Suppose any employee believes they have been subjected to sexual harassment. In that case, they should bring the matter directly to the immediate attention of their Department Head, the City Administrator, or the Mayor.

Sexual harassment includes any harassing conduct based on gender, regardless of whether the conduct is sexual in nature. Sexual harassment includes unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when such conduct:

- Is made explicitly or implicitly a term or condition of employment or
- Is used as a basis for an employment decision or
- Unreasonably interferes with an employee's work performance or creates an intimidating, hostile, or otherwise offensive environment.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to unwelcome behavior that is personally offensive, lowers morale, and interferes with work effectiveness. Any unwelcome conduct based on gender is also forbidden by this policy regardless of whether the individual engaged in harassment and the individual being harassed are of the same or different genders. Sexual harassment may take other forms.

Examples of conduct that may constitute sexual harassment are:

- Verbal: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks, threats. Requests for any sexual favor (this includes repeated, unwelcome requests for dates). Verbal abuse, or “kidding,” is oriented towards a prohibitive form of harassment, including that which is sex oriented and considered unwelcome.
- Non-verbal: The distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons, that are sexually suggestive or shows hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, electronic communication, that is sexual in nature.
- Visual: posters, signs, pin-ups, or slogans of a sexual nature, viewing pornographic material or websites.
- Physical: Unwelcome, unwanted physical contact, including but not limited to touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling; forced sexual intercourse or assault.
- Textual/Electronic: “sexting” (electronically sending messages with sexual content, including pictures and video), the use of sexually explicit language, harassment, cyberstalking, and threats via all forms of electronic communication (e-mail, text/picture/video messages, intranet/online postings, blogs, instant messages, and social networks).

Normal, courteous, mutually respectful, pleasant, non-coercive interactions between employees, including between men and women, that are acceptable to and welcomed by both parties are not considered harassment, including sexual

harassment. The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle and depends, to some extent, on individual perception and interpretation. The courts will assess sexual harassment by a standard of what would offend a “reasonable person.”

Everyone at the City can help assure that our workplace is free from prohibited discrimination and harassment. Employees are expected to avoid any behavior or conduct reasonably interpreted as prohibited harassment under this policy. Employees are encouraged to inform others whenever their conduct is unwelcome, offensive, inappropriate, or in poor taste. In addition, employees should always come forward with complaints about alleged problems or violations of this policy. No employees, not even the highest-ranking people in the City, are exempt from the requirements of this policy.

All complaints will be investigated, and appropriate disciplinary action will be taken, including termination. There will be no retaliation against anyone who submits a good-faith harassment complaint or participates in an investigation relating to such a complaint.

## **2.5 COMPLAINT PROCEDURE**

Any employee who believes they have been subject to or witnessed illegal discrimination, including sexual or other forms of unlawful harassment, is requested and encouraged to make a complaint. Complaints may be directed to your Department Head, the City Administrator, the Mayor, or any other member of management with whom you feel comfortable bringing such a complaint. Similarly, if you observe acts of discrimination toward or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above.

There will be no retaliation against anyone who submits a good faith discrimination or harassment complaint or participates in an investigation relating to such a complaint. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

All complaints regarding confidentiality will be investigated promptly and to the extent possible.

If the investigation confirms conduct contrary to this policy has occurred, the City will take immediate, appropriate, corrective action, including discipline, up to and including immediate termination.

## **2.6 ANTI-BULLYING**

The City prohibits all forms of bullying, whether verbal, physical, written, or non-verbal, in the workplace. This includes any conduct that harasses, disrupts, or creates an intimidating, offensive, or hostile work environment for others.

All employees, supervisors, elected officials, vendors, contractors, guests, regular visitors, and others must demonstrate respectful behavior and avoid bullying. Bullying involves repeated, intentional actions that demean, threaten, humiliate, or abuse employees. Any employee who experiences or witnesses bullying should report it to their Department Head or the City Administrator. The City will thoroughly investigate all complaints and take appropriate corrective action, including termination if necessary. Retaliation against employees reporting bullying in good faith will not be tolerated.

Bullying refers to actions or conduct, whether verbal or physical, toward or about an individual that has the purpose or effect of substantially interfering with an employee's work or work environment and that adversely affects an employee's ability to contribute to work or the work environment by placing the employee in reasonable fear of physical harm and/or by causing emotional distress. Bullying may occur verbally, physically, in writing (including emails, text messages, and online postings), or non-verbally/non-physically (i.e., hand gestures). Bullying may also involve abusing power across different classifications of employees (i.e., supervisors, clerks, public safety personnel, etc.)

Bullying includes an individual's repeated, intentional, and/or targeted actions directed toward an employee (or a group of employees) that have the purpose or effect of abusing, intimidating, demeaning, degrading, threatening, coercing, and/or humiliating the employee(s). Workplace bullying is often characterized by the purposeful use of insulting, hurtful, hostile, vindictive, cruel, or malicious behaviors that undermine, disrupt, or negatively impact an employee's ability to do their job.

## **2.7 WHISTLEBLOWER PROTECTION**

It is the policy of the City that all employees and officials are encouraged to disclose, to the extent not expressly prohibited by law, improper governmental actions of any City representative. Every employee and official has the right to report to the appropriate person information concerning an alleged improper government action, which includes but is not limited to a violation of law or policy, mismanagement, gross abuse of funds, an abuse of authority, or a substantial

and specific danger to public health or safety.

An employee or official aware of improper governmental actions shall raise the issue first with their Department Head, City Administrator, or Mayor. If the activity involves an elected official, the report shall be made to the City Administrator, the City Attorney, or the Assistant City Attorney.

The City is prohibited from taking retaliatory action against an employee or official because they have reported an improper governmental action in good faith and in accordance with this policy. An employee or official who believes they have been retaliated against for reporting an improper governmental action shall first raise the issue with their Department Head, City Administrator, or Mayor. If the action involves the supervisor or an elected official, the report shall be made to the City Administrator, the City Attorney, or the Assistant City Attorney. Employees or officials who knowingly make false reports may be subject to disciplinary procedures.

In addition to the procedures mentioned above, employees and officials may contact the State Ombudsman with reports of improper governmental action. According to the Iowa Ombudsman Act, Iowa Code Chapter 2C, the State Ombudsman's Office has the authority to investigate complaints about improper action or inaction taken by governmental entities. The State Ombudsman's Office is a non-partisan agency and may be reached at 1-888-426-6283.

## **2.8 ORIENTATION PERIOD**

New employees shall serve an orientation period of 6 consecutive months. This orientation period may be reduced upon the recommendation of the Department Head that the employee has demonstrated full capability of performing the work and has been serving as a reliable employee of the City.

## **2.9 PERFORMANCE EVALUATION**

The performance of each employee may be evaluated once each year by the Department Head or the City Administrator before June 30 of each Fiscal Year. In addition, as deemed necessary, the City reserves the right to conduct a special evaluation.

The performance evaluation shall be conducted in writing, reviewed with the employee, and placed in the employee's personnel file.

## **2.10 PHYSICAL EXAMINATIONS**

The City may require a pre-employment post-job offer physical examination to determine the applicant's fitness to perform the work for which the applicant

may be hired. This pre-employment physical shall be by a doctor designated and paid for by the City. A copy of the report shall be made available to the City and the applicant.

The City may require any employee thought to be unable to perform his designated responsibilities to submit a physical and/or medical examination by a licensed medical practitioner of the City's choice. The City shall pay for the physical and/or medical examination costs. A copy of the report shall be available to the City and the employee.

## **2.11 FAMILY MEDICAL LEAVE ACT (FMLA)**

As required by the Family and Medical Leave Act (FMLA) of 1993, the City will grant a leave of absence for eligible employees meeting one of the requirements below.

- a. The care of a child after birth or placement with the employee for adoption or foster care.
- b. The care of a family member (spouse, child, or parent) with a serious health condition.
- c. An employee's serious health condition that makes the employee unable to perform the functions of the employee's job or incapacity due to the employee's pregnancy or prenatal medical care.
- d. Any qualifying exigency (as defined below) arising out of the fact that a family member (spouse, son, daughter, or parent) is serving in any branch of the Armed Forces, including the National Guard or Reserves on active duty, or has been notified of an impending call or order to active duty in support of a contingency operation.
- e. The care of a service member with a serious injury or illness if the employee is the spouse, child, parent, or next of kin of the service member.

Leaves will be granted for up to twelve weeks (or up to 26 weeks in the case of care for a service member) in any twelve-month period. The twelve-month period is a rolling period from when qualifying leave is first taken.

## **2.12 AMERICANS WITH DISABILITIES (ADA)**

It is the policy of the City to comply with all provisions of the Americans with Disabilities Act ("ADA"). The City will not discriminate against any qualified employee or job applicant to any terms, privileges, or conditions of employment because of his physical or mental disability. The City will make reasonable accommodations wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform

the essential duties and assignments connected with the job. Suppose an employee has a disability and requires a reasonable accommodation to perform the essential functions of their job. In that case, the employee should contact the City Administrator's Office to request such an accommodation.

## **2.13 PERSONNEL FILES, PRIVACY & EMPLOYEE ACCESS**

The City of Dyersville maintains a personnel file for each employee. The personnel file includes information such as the employee's job application, resume, training records, performance appraisals and salary increases, and other employment records.

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

Employees wishing to review their files should contact the city clerk's office. With reasonable advance written notice, employees may review their personnel file, except for letter(s) of reference, in the appropriate office and in the presence of an individual appointed by the City of Dyersville to maintain the files.



### **3 GENERAL EMPLOYEE CONDUCT**

#### **3.1 NEPOTISM**

The City shall not employ any person whose relationship to a current employee of the City is that of an “immediate Family” member, as defined in Section 1.1, unless specifically approved in advance by the City Council.

If one employee marries another, the City Council shall make arrangements to avoid either employee supervising the other. If possible, arrangements shall be made to place the married employees in different departments.

#### **3.2 CONFLICT OF INTEREST**

Elected officials, commission members, board members, committee members, employees, and professional consultants shall not use their official position or the knowledge gained therein in such a manner that a conflict would develop between the City of Dyersville’s interests and their personal affairs. These individuals shall avoid any conflicts between their personal and outside interests and the interests of the City of Dyersville. They shall avoid any conduct which might adversely affect or appear to affect the exercise of their official judgment.

Elected officials, commission members, board members, committee members, employees, and professional consultants must conduct business within guidelines that prohibit actual or potential conflicts of interest. These individuals shall not have a direct or indirect financial interest that conflicts substantially or appears to conflict substantially, with their City duties and responsibilities or engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through their service for the City or through City employment. In addition, these individuals shall not give a competitive advantage to any public member, including former employees or the City's elected officials.

#### **3.3 POLITICAL ACTIVITY**

To serve the best interests of the employee, taxpayers, and the City government, it is the policy of the City to restrict certain types of political activity without infringing upon the employee's right to exercise their voting as citizens. The purpose is to safeguard the employee from pressure to support any political party or person financially or otherwise. Another essential reason is to protect the public's interest, which all municipal employees must serve without political bias

and regard to their political opinions or affiliations.

This policy has been developed not to restrict one's constitutional rights but to emphasize and protect the neutrality of public service personnel. Therefore, employees are prohibited from:

- a. Using their official authority or influence to interfere with or affect the result of an election or a nomination for office.
- b. Directly or indirectly coercing, attempting to coerce, commanding, or advising a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee organization, agency, or person for political purposes.
- c. Having political campaign items in their offices, City facilities, City vehicles, or wearing such things on their person while on duty. Campaign items retrieved due to having been illegally placed on City property and being transported for disposal are exempt. Employees are allowed to have campaign bumper stickers on their vehicles.
- d. The use of the following in political advertisements is prohibited, and City employees shall not facilitate or accommodate such use:
  - i. City property not ordinarily accessible to the public
  - ii. Employees in uniforms that display City insignia and logos or any use of City employees while on City time.
  - iii. City equipment

Employees, on their own non-working time, shall be permitted to:

- a. express their opinions on political subjects and candidates.
- b. Take an active part in political management and political campaigns.
- c. Campaign for a candidate in a partisan election by making speeches or writing on behalf of the candidate.
- d. Attend political rallies or partisan campaign meetings.
- e. Transport voters to the polls for the vote's convenience
- f. Make voluntary contributions to a political party or organization.

### **3.4 EMPLOYEE APPEARANCE**

Employees are expected to maintain their appearance, grooming, and hygiene appropriately to the task at hand and at all times, befitting a representative of

the City of Dyersville.

### **3.5 ATTENDANCE/LATENESS**

Good attendance cannot be stressed enough. Each employee is responsible for maintaining exemplary attendance while working for the City.

Examples of poor attendance are:

- a. Absenteeism
- b. Leaving early
- c. Being chronically late
- d. Taking longer than the time designated for breaks and lunch.

Suppose an employee cannot report to work at the established starting time. In that case, the employee shall notify their Department Head as soon as reasonably possible but not less than thirty (30) minutes before the scheduled starting time unless mitigating circumstances make such notification impossible. Failure to provide such notice may result in a loss of pay for that day or a portion thereof.

Arrangements for time off, except sick leave, must be made in advance with the Department Head by the provisions regulating leaves.

### **3.6 CITY PROPERTY**

Any misuse or misstatement concerning income, reimbursements, or use of employer property is strictly prohibited. This includes, but is not limited to:

- a. The improper use of official travel.
- b. The improper use of payroll and other vouchers and documents on which payments are based; taking or failing to account for funds an employee is entrusted in their official employment position; or taking additional funds for personal use.
- c. Employees shall not directly or indirectly allow the use of the employer's property, including leased property, for other than officially approved activities.
- d. Each employee must protect and conserve the employer's property, including, but not limited to, equipment, supplies, and other property entrusted or issued to the employee.
- e. All property or materials gathered by an employee while on official City business becomes the property of the City unless paid for personally by the employee.

- f. All City property issued to an employee, including uniforms, tools, software, manuals, brochures, and information proprietary to the City, must be returned when the employee terminates employment or upon request of the Department Head or City Administrator.
- g. Employees are permitted to use City telephones for limited personal use. Such use will not conflict with job performance. Employees shall observe the rules of telephone courtesy in answering and placing calls.
- h. Equipment, supplies, and tools shall not be used for private or personal purposes. Employees shall be responsible for the care and conservation of City equipment, supplies, and tools and shall report promptly any loss or breakage.

### **3.7 CITY VEHICLES**

*Assignment of City Vehicles.* The assignment of City vehicles to employees shall require the approval of the Department Head or City Administrator. The City Administrator reserves the right to review the continuing need for any vehicle assignment.

*Use of City Vehicles.* Aside from providing City services and conducting City business, Employees assigned to a city vehicle shall have the option to use the vehicle for activities incidental to public use within the city limits at a rate of \$10.00 per month, according to Internal Revenue Service (IRS) regulations.

All operators of City vehicles shall possess a valid driver's license. Employees are responsible for notifying the City if their license is suspended. Employees must forward a copy of their driver's license to the Department Head annually. Employees must report any violations received while possessing or operating a City vehicle to a Department Head.

Only City employees are authorized to operate City vehicles, except upon approval from the Department Head.

All drivers and City business travelers must obey traffic laws. Employees are strictly prohibited from operating a City vehicle while under the influence of alcohol or illegal drugs. They are likewise prohibited from using prescription or over-the-counter medication, which may impair their ability to operate a motor vehicle safely.

In the case of an accident, the employee driving the vehicle shall immediately notify their Department Head and the nearest Police Department to report the accident and complete a full accident report. Copies of the completed

accident report shall be forwarded to the Department Head and City Administrator.

Employees must comply with any preventive maintenance programs which the City may require. Vehicles shall be kept free of litter and debris. The physical appearance of the vehicle must create a good impression.

### **3.8 DRUG-FREE WORKPLACE/SUBSTANCE ABUSE**

The City of Dyersville is subject to the Drug-Free Workplace Act of 1988. The City of Dyersville is committed to maintaining a drug-free workplace. Thus, the unlawful manufacture, distribution, dispensation, possession, or use of alcohol or any controlled substance by any employee in the workplace is prohibited. A controlled substance within the meaning of this policy means any controlled substance as defined by state or federal law. Any violation of this prohibition will result in discipline up to and including discharge.

The use of controlled substances, either on or off the job, is inconsistent with the behavior expected of employees, subjects all employees and the public to unacceptable safety risks, and undermines the City's ability to operate effectively and efficiently.

The Drug-Free Workplace Act of 1988 requires you to report any conviction under a criminal drug statute for violations occurring on or off the City's premises while conducting official business. A report of a conviction must be made to your Department Head within five working days after the conviction.

### **3.9 ALCOHOL AND DRUG TESTING**

The purpose of drug and alcohol testing is to deter employees from using or being under the influence of drugs and alcohol while on duty. As such, the City may test employees for alcohol and drug use for the following reasons:

- Pre-Employment. The City may require drug and/or alcohol testing as a condition of employment.
- Post-Accident. Testing employees involved in on-the-job near accidents or unsafe job-related activities that pose a significant danger to themselves, other employees, or the public.
- Follow-up. Testing employees who violated the City's policy but were allowed to keep their jobs conditioned on successful rehabilitation and no further "positive" tests.

- Reasonable Suspicion. Testing is conducted when information about an employee's appearance, conduct, or behavior would cause a reasonable person to believe that the employee has used or may be impaired by drugs or alcohol.
- Random. As federal or state law authorized, testing is conducted on a neutral selection basis for employees in safety-sensitive positions.

### **3.10 WORKPLACE VIOLENCE PREVENTION**

The City is dedicated to a safe, violence-free workplace for all employees. This policy applies to any violent or potentially violent behavior occurring in the workplace, during City business, or at City-sponsored functions. All employees are responsible for maintaining a violence-free environment.

Acts of aggression, threats, or violent behavior towards any employee are strictly prohibited. This includes verbal or physical harassment, intimidation, stalking, or hostile actions to intimidate others. Any witnessed or experienced violent behavior should be reported to the Department Head or the City Administrator for immediate investigation.

All reported incidents will be thoroughly investigated, and appropriate action will be taken, potentially leading to disciplinary measures up to and including termination. Retaliation against employees reporting threats in good faith will not be tolerated.

Except for sworn law enforcement officers acting officially, weapons are strictly prohibited on City property and during duty hours. This includes handguns, rifles, automatic weapons/firearms, knives used as weapons, martial arts paraphernalia, and stun guns. State concealed weapons laws apply to all employees while on City premises.

The City reserves the right to inspect employees' belongings and workspaces for compliance with policies and may remove any items that violate City rules.

Violation of this policy may result in disciplinary action, including dismissal, for the first offense.

## **4 DISCIPLINE**

### **4.1 DISCIPLINE**

Formal disciplinary actions include verbal warning, written reprimand, suspension, and termination. It shall be the practice of the City of Dyersville to utilize a system of progressive discipline in addressing an employee's work deficiencies; however, any of the disciplinary measures cited above may be initiated on the more serious first offense.

In most cases, disciplinary action will be issued to the employee by their immediate supervisor. Disciplinary action will be issued in a manner that will minimize embarrassment to the employee.

All disciplinary actions appropriate to the infraction committed will be thoroughly documented in writing.

It shall be the duty of all employees to maintain high standards of conduct, cooperation, efficiency, and effectiveness in their work. Department Heads and supervisors shall organize and direct the work of their units in a manner calculated to achieve these objectives. Whenever an employee's work habits, attitude, production, or personal conduct falls below an acceptable standard, the employee is subject to corrective and/or disciplinary action. All such actions shall be promptly and consistently administered and not based on political considerations, personal bias, or prejudice.

Letters of clarification shall precede formal discipline whenever, in the judgment of the Department Head or City Administrator, an infraction is readily correctable and is of lesser consequence.

### **4.2 GROUNDS FOR DISCIPLINARY ACTION**

The seriousness of an offense will often vary with the circumstances prevailing at the time it occurred and the motives that prompted it. Related and mitigating factors would be considered when determining the appropriate action. The following work-related infractions may be cause for disciplinary action, up to and including dismissal. The list presented herein is not intended to be all-inclusive.

1. Unreasonable and/or abusive treatment of a client, citizen, other City employee, or individual in the community, including verbal or nonverbal sexual or racial harassment.
2. Violation of any lawful and reasonable City or departmental policy.

3. Destruction or loss of City property, including abuse of tools, equipment, and/or clothing allotments.
4. Absence from duty without permission, proper notice, or satisfactory reason.
5. Falsifying records, knowingly giving inaccurate information, or unnecessarily withholding information.
6. Obtaining materials or leave time based on fraudulent information, dishonesty, stealing, and other criminal acts.
7. Being under the influence of narcotics, alcohol, or other physically impairing or illegal substances on the job.
8. Possession of any firearms, explosives, or concealed weapons on city property (without specific authority).
9. Conviction of a crime involving moral turpitude, casting doubt on the individual's ability to perform their City job effectively. (NOTE: Dismissal or non-prosecution for criminal charges shall not preclude the City from taking disciplinary action.)
10. Incompetence, ineffectiveness, inefficiency, or wastefulness in assigned duties.
11. Disregard safety policies, procedures, reporting requirements, and/or proper use of safety equipment.
12. An attendance record demonstrates a consistent or continual lack of availability for work to the extent that ineffective or inefficient services result.

The Department Head or City Administrator may place an employee on investigative leave before determining corrective or disciplinary action.

#### **4.3 TERMINATION BENEFITS**

An employee discharged for cause shall be paid for hours worked and their vacation pay prorated from their anniversary date when employment ceases. Insurance benefits will end on the last day of the month of the employee's discharge date. A final check will be issued no later than the next regular payday.



## **5 HEALTH AND SAFETY**

### **5.1 GENERAL**

The City of Dyersville will attempt to provide its employees with the safest possible working conditions as mandated by the Occupational Safety and Health Act (OSHA) requirements.

### **5.2 REPORTING OF WORK RELATED INJURIES AND/OR ACCIDENTS**

All work-related injuries and/or accidents must be reported within 1 hour after the incident to either the Department Head, the City Clerk, or the City Administrator or as soon as possible. In addition, written documentation of the incident shall be completed immediately after the accident to ensure coverage under the Worker's Compensation Law, if appropriate.

### **5.3 WORK RELATED INJURY—LIGHT DUTY**

Light duty is defined as the temporary assignment of an employee to a position or duties other than their regular duties to rehabilitate a work-related injury or illness. The City may attempt to create a light duty assignment for employees returning to work from a work-related injury or illness if the physician designated by the City or the City's insurance carrier releases the employee to return to work with physical restrictions which would inhibit the employee from returning to their normal position and if the City has available light duty work.

### **5.4 PERSONNEL SAFETY**

It shall be the practice of the City that employees follow the safety requirements of the operator's manual for each vehicle or machine used in the operations and functions of the City Departments. Specifically, employees must not ride on the outside of machines and vehicles such as front-end loaders, backhoes, and dump trucks. All other requirements, as laid out in the individual operator's manuals for each piece of equipment, are to be observed. It shall be the responsibility of each employee to comply with this policy and each Department Head to monitor compliance.

## **6 SEPARATION OF EMPLOYEES**

### **6.1 RETIREMENT COVERAGE**

Employees who retire from employment before age 65 are eligible to continue in the City's group health insurance plan up to age 65. Coverage must be contiguous (must elect the same coverage at retirement), and the retired employee must pay the entire premium cost.

### **6.2 EXIT INTERVIEW**

An employee who has resigned may be required to complete an exit interview process conducted by the City Administrator and/or the employee's Department Head.

## **7 HOURS OF WORK**

### **7.1 WORK WEEK AND HOURS OF WORK**

In general, the work schedule of employees will not change from week to week. However, varying workload conditions and the public's demand may necessitate changing your work schedule. It may be necessary to shorten or lengthen the number of scheduled hours. If it is required to change your regular work schedule, you will be given as much advance notice as possible.

The standard workweek for all full-time employees will be 40 hours as scheduled by the Department Head.

All employees shall maintain an accurate timecard. Department Heads shall approve all their hourly employees' timecards. The City Administrator shall approve all salaried employees' timecards except for the City Administrator's timecard, which the City Clerk shall approve.

## **8 PAY AND COMPENSATION**

### **8.1 PAY DAYS AND CASHING OF PAYCHECKS**

Generally, employees shall be paid on Friday of each week for time worked in the previous week. No advance payment of wages will be made.

Direct Deposit of checks shall be a requirement of the employee. An employee shall obtain and fill out the appropriate form from the City Clerk's Office.

### **8.2 REIMBURSEMENT FOR EXPENSES**

City employees and City elected officials will be reimbursed for travel expenses incurred when required for their regular job performance, provided the following conditions are met:

- a. Receipts for all expenditures, including gas, accommodations, and other travel-related expenses, must be presented, dated, and paid for by the employee before reimbursement by the City Clerk. Employees shall follow the per diem amount established by the Federally designated rates by the General Services Administration. ([www.gsa.gov](http://www.gsa.gov)). No receipts are required for the meal reimbursement per diem.
- b. The employee completes a travel expenditure reimbursement form supplied by the City Clerk's office.
- c. Prepayment by check by the City Clerk may only be made for registration, accommodations, and meals if advance registration forms are correctly presented and items are indicated. Employees not authorized to have a City-owned vehicle on a 24-hour basis shall be paid a mileage fee based on the IRS allowable reimbursement rates (contact the City Clerk's Office for current rate) per each mile their private vehicle is used for city-related business.

### **8.3 OVERTIME**

Employees holding classifications designated for purposes of the Fair Labor Standards Act as exempt will not be eligible for overtime pay or compensatory time off. They are paid an annual salary commensurate with the requirements of their position.

Exempt employees are required to work all hours necessary to perform the duties of their position correctly.

Employees holding classification designated for purposes of the Fair Labor Standards Act as nonexempt will be eligible for overtime as follows:  
All hours worked more than 40 hours per week.

All hours worked on recognized holidays will be compensated at one and one-half times their hourly rate; however, hours paid but not worked do not count in the calculation of overtime eligibility.

All overtime work must be approved in advance by the Department Head. Hours for vacation, sick days, compensatory time, birthdays, and leaves of absence will not be used in computing compensatory time or overtime.

There shall be no duplication or pyramid in the computation of overtime or other premium wages.

*(Res. 118-19, 01/06/20)*

#### **8.4 COMPENSATORY TIME**

Compensatory time may be taken instead of overtime compensation. Compensatory time shall accrue at one and one-half hours for each hour of employment for which overtime compensation is required. Any employee who has accrued over 80 hours of compensatory time shall be paid overtime compensation for any additional overtime hours of work. An employee who has requested the use of such compensatory time shall be permitted by the Department Head to use such time within a reasonable period after making the request if the use of compensatory time does not unduly disrupt the operation of the City of Dyersville. The City of Dyersville will pay the accrued compensatory time at the hourly rate of pay to the employee at the end of employment.

*(Res. 118-19, 01/06/20)*

#### **8.5 SPECIAL COUNCIL MEETINGS**

If a Department Head is required to attend a special council meeting, they shall be reimbursed at the same rate as a City Council Member.

## **9 HOLIDAYS**

### **9.1 HOLIDAY TIME**

The City of Dyersville will grant holiday time off to all full-time employees on the holidays listed below (part-time employees shall be granted holiday time off on a pro-rated basis):

- a. New Year's Day
- b. Good Friday
- c. Memorial Day
- d. Independence Day
- e. Labor Day
- f. Veterans Day
- g. Thanksgiving Day
- h. Day after Thanksgiving
- i. Christmas Eve Day
- j. Christmas Day

To be eligible for the holiday pay, the employee must have begun their shift on the holiday. Hours not worked on the holiday will be compensated at a straight-time rate.

If a holiday falls on Saturday or Sunday, the Department Head shall schedule the observed holiday.

## **10 VACATIONS**

### **10.1 VACATION TIME—FULL-TIME EMPLOYEES**

Full-time employees shall be eligible to receive vacation to be taken at such times as are mutually agreed upon by both Department Head and employee. One week shall be interpreted as 40 hours. Increased vacation based on credited service shall be as follows:

- a. One (1) week (40 hours) after the employee has completed 1 year of credited service.
- b. Two (2) weeks (80 hours) during the calendar year in which the employee will complete 2 years of credited service.
- c. Two and a half (2.5) weeks (100 hours) during the calendar year in which the employee will complete 5 years of credit service.
- d. Three (3) weeks (120 hours) during the calendar year in which the employee will complete 8 years of credited service.
- e. Four (4) weeks (160 hours) during the calendar year in which the employee will complete 15 years of credited service.
- f. Five (5) weeks (200 hours) during the calendar year in which the employee will complete 22 years of credited service

### **10.2 VACATION TIME— PART-TIME EMPLOYEES**

Part-time employees shall be eligible to receive vacation to be taken at such times as are mutually agreed upon by both Department Head and employee. One week shall be interpreted as the scheduled weekly hours determined by the annual budget. Increased vacation based on credited service shall be as follows:

- a. One week after the employee has completed 1 year of credited service.
- b. Two weeks during the calendar year in which the employee will complete 3 years of credited service.
- c. Three weeks during the calendar year in which the employee will

complete 8 years of credited service.

- d. Four weeks during the calendar year in which the employee will complete 17 years of credited service.

### **10.3 PROMOTION FROM PART-TIME TO FULL-TIME STATUS**

Part-time employees promoted to full-time status shall retain prorated vacation status for a period of one year from the date of promotion. Conversion of credited service to determine vacation benefit shall be as follows:

- a. One week after the employee has completed 2,080 hours of credited service.
- b. Two weeks during the calendar year in which the employee will complete 6,240 hours of credited service.
- c. Three weeks during the calendar year in which the employee will complete 16,640 hours of credited service.
- d. Four weeks during the calendar year in which the employee will complete 35,360 hours of credited service.

### **10.4 USE OF VACATION TIME**

Vacation must be used within the current calendar year. The Department Head and City Administrator must approve any other arrangements.

### **10.5 EXEMPT EMPLOYEE PAY**

The city shall pay no more than one (1) week of outstanding vacation time to an Exempt Employee on December 31 of each year.



## **11 SICK LEAVE**

### **11.1 SICK LEAVE**

- a. Sick leave shall accumulate at one day per month of continuous service at the basic pay rate, with a maximum of 120 working days of sick leave. Sick leave shall be carried over from one year to another. Sick leave used shall be deducted from sick leave credit. Terminating employees shall collect payment on any of their remaining sick leave balance at their basic pay rate.
- b. Two casual days shall be allowed for each employee per year. These casual days shall be deducted from their sick leave balance.
- c. An eligible employee may use sick leave benefits for an absence due to illness or injury or that of the employee's child, parent, spouse, or step-family.
- d. All absences from work chargeable against sick leave shall be reported to the Department Head as soon as possible and no later than the time for the start of work on the day of absence. All absences due to illness over three consecutive days shall be considered extended sick leave. The employee may be required to produce a doctor's certificate at the discretion of the City Administrator or Department Head. When the city has reason to believe that an employee is abusing the sick leave privilege, a doctor's certificate may be requested for each authorization for sick leave.
- e. In the event an employee with five or more years of continuous service uses up their accrued sick leave of 30 days or more for a serious illness or injury in any one year, they shall be allowed to borrow ten days' sick leave at the start of the following calendar year. Regular accrual shall begin with the eleventh month.
- f. In the event of serious illness to an employee necessitating extended leave beyond the period of accrued sick leave, a leave of absence may be granted at the discretion of the City Council.
- g. Sick leave is intended as a privilege extended to employees only for legitimate authorized purposes.

- h. Part-time employees shall receive 48 hours per calendar year credited on January 1<sup>st</sup> of each year. Part-time employees will not accrue sick leave benefits beyond one calendar year, and their remaining sick leave balance shall be paid at the end of the calendar year. Terminating part-time employees shall collect payment on any of their remaining sick leave balance at their basic pay rate.

## **11.2 COMMUNICABLE/CONTAGIOUS DISEASES**

The City Administrator and/or Department Head shall make decisions involving employees who have communicable diseases based on current and well-informed medical judgments concerning the condition, the risks of transmitting the illness to others, the symptoms and particular circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternative for responding to an employee with a communicable disease. An employee who has a communicable disease or is a carrier of a communicable disease, or an employee who is reasonably suspected of having a communicable disease or being a carrier may be temporarily excluded from work or transferred to another position if such exclusion or transfer is necessary to determine the employee's fitness for duty or whether there is a risk of illness to others.

## **12 OTHER LEAVE**

### **12.1 BEREAVEMENT/SERIOUS ILLNESS LEAVE**

- a. Absence from work without loss of pay shall be allowed for serious illness or death of a member of the employee's immediate family, necessitating the employee's absence from work. Absence from work without loss of pay shall be limited to 3 days for death and 1 day for serious illness.
- b. Time off for the funeral of a close friend, relative, or City Employee. Absence from work without loss of pay shall be limited to 2 hours for attendance at the funeral ceremony. Close relative shall mean Aunt, Uncle, Niece, or Nephew. This is at the sole discretion of the Department Head
- c. The above are privileges to full-time employees and may be granted by the Department Head.

### **12.2 LEAVE OF ABSENCE**

- a. Full-time employees may submit a written request for a leave of absence without pay with the consent of the Department Head and City Administrator without jeopardizing seniority.
- b. No fringe benefits will be allowed during leave of absence. Insurance may be kept in force by an employee paying the premium after one month.
- c. Such leave of absence shall be limited to one year. Leave of absence shall not be granted to accept other employment. Employee shall submit a written request with stated reasons for the leave of absence.

### **12.3 MILITARY LEAVE**

The City of Dyersville shall adhere to state and federal law related to military leave and re-employment rights.

### **12.4 VOTING LEAVE**

A full-time employee not having time off during the polls are open shall be

entitled to time off, with pay, sufficient to allow them to vote. Such time off shall be requested and granted by the City Administrator or Department Head.

## **12.5 JURY LEAVE**

An employee required to report for jury duty shall be excused from work without loss of pay for the time that they are required to serve. Any compensation, not including mileage, which the employee receives for jury duty or jury service shall be submitted to the City.

## **12.6 BIRTHDAY LEAVE**

After two years of continuous service, a full-time employee shall be allowed a floating day off for their birthday. The Department Head shall be notified one week before an employee takes their birthday off.

## **12.7 BREAK TIME FOR NURSING MOTHERS**

An employee needing lactation accommodations should inform their supervisor or Department Head and discuss any relevant workload or scheduling issues. Each Department will work with employees to arrange a room near the employee's work area, other than a bathroom, where the mother can express milk in privacy. Lactation breaks will typically be between 15 and 20 minutes long and may be taken as frequently as necessary.

## **13 INSURANCE BENEFIT PLAN**

### **13.1 INSURANCE COVERAGE**

- a. The City agrees to offer a group medical, dental, optical, life, and disability insurance policy to the employee. The City Council may adjust the terms of employers' contribution and type of health insurance at the end of the benefit period.
- b. When an employee has acquired 3 years of continuous service, the City shall continue to pay the insurance premium for one additional month after all accrued sick leave/vacation time has been utilized. The employee shall then pay the premium to the City Clerk no later than the 25th day of the month before the premium due date.

### **13.2 HEALTH INSURANCE COVERAGE EXTENSION**

In accordance with the Consolidated Omnibus Budget Reconciliation Act (COBRA), the City will offer covered employees, spouses, and dependent children the opportunity to continue their group medical coverage under the City's current plan if coverage terminates.

### **13.3 EMPLOYEE RESPONSIBILITY**

Each employee or qualified beneficiary is responsible for notifying the City Clerk in case of divorce or legal separation of the employee or the end of a dependent child's status as a dependent under your group medical insurance program.

## **14 GENERAL POLICIES AND PROVISIONS**

### **14.1 INCLEMENT WEATHER**

City offices and services will not close due to inclement weather unless expressly authorized by the Mayor or City Administrator for safety reasons. If an employee feels they cannot safely report to work in inclement or adverse weather conditions, they shall notify their Department Head or City Administrator. A FLSA non-exempt employee who cannot report to work due to inclement weather shall be required to utilize vacation hours or compensatory time to receive pay.

### **14.2 TRAINING**

The City agrees to pay for any specialized training required by the State of Iowa for any position, provided the employee receiving such training agrees to remain as a City employee for at least 24 months after completing the training. Any position with the City that requires specialized training will be mandated at the time of hiring, and the employee will execute a contract with the City agreeing to the following schedule for mandatory reimbursement of the cost of training, including mileage, meals, lodging, and any other fees pertinent to the training:

- a. Any employee leaving their position within 12 months after completing specialized training shall reimburse the City for 75% of the costs.
- b. Any employee leaving their position after 13 months but less than 24 months after completing specialized training shall reimburse the City for 50% of said costs.
- c. Any employee who does not successfully pass the first training course must retake it at their own expense for mileage, meals, clothing, and salary.
- d. Police department employees may be subject to their training agreement.

### **14.3 CITY PURCHASES**

- a. No Department Head shall authorize any expenditure not budgeted for without the approval of the City Council unless the expense is for emergency repairs. The City Council reserves the right to set expenditure limits for discretionary purchases.
- b. There shall be five credit cards, one of which shall be issued to each City employee: City Administrator, Chief of Police, Public Works Supervisor, City Clerk, and Library Director. Each card shall have a maximum credit limit as set forth by Resolution.
- c. City-authorized credit cards may be used while the employee is on official City business, including but not limited to the following uses: Travel, Emergency vehicle maintenance, Gasoline, Meal expense (No alcohol or liquor of any type), Lodging (If at all possible, cost should be determined in advance in which event City will issue check to cover lodging expense.)
- d. All receipts from credit card use must be turned in to the City Clerk's Office as soon as possible. Suppose anyone fails to turn in receipts within a reasonable time after the expense was incurred. In that case, the employee will be responsible for such payment unless the City Clerk or City Administrator approves the absence of a receipt. If the City Clerk or City Administrator is the employee unable to provide a receipt, such absence of receipt must be approved by the City Administrator.

### **14.4 COMPUTER USAGE**

Computers, computer files, the email system, and software furnished to employees are the City of Dyersville property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. Computer and email usage may be monitored to ensure compliance with this policy.

The City strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the City prohibits the use of computers and the email system in ways that are disruptive, offensive to others, or harmful to morale.

For example, displaying or transmitting sexually explicit images, messages, and

cartoons is prohibited. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be constructed as harassment or showing disrespect for others.

Employees should notify their Department Head or the City Administrator upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action up to and including termination of employment.

#### **14.5 INTERNET USAGE**

The City of Dyersville provides Internet access to global electronic information resources on the World Wide Web to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive Internet usage. While Internet usage is intended for job-related activities, personal use may be permitted with prior authorization.

All Internet data composed, transmitted, or received via city computer communications systems is considered a part of the official records of the City of Dyersville and, as such, is subject to disclosure to third parties. Consequently, employees should ensure that the business information in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain the property of the City of Dyersville. As such, the City of Dyersville reserves the right to monitor Internet traffic and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

Data composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or another person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone based on race, color, religion, sex, age, national origin, sexual orientation, gender identity, disability, or any other protected characteristic as established by law.

Abuse of Internet access provided by the City of Dyersville in violation of law or policies will result in disciplinary action, including termination of employment.



Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- a. Sending or posting discriminatory, harassing, or threatening messages or images
- b. Using the organization's time and resources for personal gain
- c. Copying, pirating, or downloading software and electronic files without permission
- d. Violating copyright law
- e. Failing to observe licensing agreements
- f. Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions
- g. Sending or posting messages or material that could damage the organization's image or reputation
- h. Attempting to break into the computer system of another organization or person
- i. Refusing to cooperate with a security investigation
- j. Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- k. Using the Internet for political causes or activities, religious activities, or any gambling
- l. Passing personal views as representing those of the organization
- m. Engaging in any other illegal activities

A password shall always protect the internet system supplied by the City of Dyersville. The password shall be available from the City Administrator.

#### **14.6 CELL PHONE REIMBURSEMENT**

Employees required by their Department Head to use their personal cell phone for

official City of Dyersville purposes shall be reimbursed \$50 monthly. The reimbursement shall be paid quarterly.

*(Res. 118-19, 01/06/20)*

#### **14.7 SOCIAL MEDIA SITES**

- a. The establishment and use of city social media sites are subject to approval by the City Administrator or their designees. The Department Head or their designees shall administer all City of Dyersville social media sites. Designees must provide the account login information (username and password) to the Department Head and the City Administrator. This policy shall also apply to social media sites/accounts for City projects facilitated by consultants and/or partner agencies.
- b. The City of Dyersville's website ([cityofdymersville.com](http://cityofdymersville.com)) will remain the City's primary and predominant internet presence. The best, the most appropriate City of Dyersville uses of social media tools generally fall into two categories:
  - 1) As channels for disseminating time-sensitive or emergency information as quickly as possible.
  - 2) As educational or marketing/promotional channels to engage residents and stakeholders and to increase the City's ability to broadcast its messages to the widest possible audience.
- c. City social media sites shall make clear that the City of Dyersville maintains them and that they follow the City of Dyersville Social Media Comments Policy. The City logo or branding shall be used on all social media accounts to confirm the site's authenticity. City social media accounts will only join a group or become a fan of a page if it is related to official City business, services, and events.
- d. Wherever possible, City social media sites should link back to the official City of Dyersville website for forms, documents, online services, and other information necessary to conduct business with the City of Dyersville.
- e. The Department Head or their designees will monitor content on city social media sites to ensure adherence to the City of Dyersville Social Media Comments Policy and the interests and goals of the City of Dyersville.
- f. All city social media users shall adhere to applicable federal, state, and local laws, regulations, and policies.
- g. The City reserves the right to restrict or remove any content deemed violating the City of Dyersville Social Media Comments Policy or any

applicable law. Any content removed based on these guidelines must be retained by the Department Head or their designees for a reasonable period of time, including the time, date, and identity of the poster, when available.

- h. City of Dyersville social media sites are subject to the State of Iowa public records laws. Any content maintained in a social media format related to City business, including a list of subscribers and posted communication, is a public record. The Department Head is responsible for responding completely and accurately to any public records request for public records on social media. Content related to City business shall be maintained in an accessible format according to City policy and practice so that it can be produced in response to a request. Wherever possible, such sites shall indicate that any articles and other content posted or submitted for posting are subject to public disclosure.
- i. Employees representing the City of Dyersville via social media accounts must always conduct themselves as representative of the City of Dyersville. Employees who fail to conduct themselves appropriately shall be subject to the disciplinary action procedures outlined in the Personnel Policy Handbook.

*(Res. 07-19, 01/21/19)*

#### **14.8 SOCIAL MEDIA COMMENTS**

Although the City of Dyersville encourages posts and comments on the social media sites managed by the City, the sites are limited public forums and are moderated by City staff. The City reserves the right to deactivate the comment feature on City-affiliated social media sites, where applicable, without prior notice.

- a. A comment posted by a public member on any City of Dyersville social media site is the opinion of the commentator or poster only. Publication of a comment does not imply endorsement of, or agreement by, the City of Dyersville, nor do such comments necessarily reflect the opinions or policies of the City of Dyersville.
- b. Comments containing any of the following inappropriate forms of content shall not be permitted on City of Dyersville social media sites and are subject to removal and/or restriction by the Department Head or their designees after consultation with the City Administrator:
  - 1) Profane, vulgar, or obscene comments;
  - 2) Sexual content or links to sexual content;
  - 3) Comments not related to the original topic;
  - 4) Content that promotes, fosters, or perpetuates discrimination based on race, creed, color, sex, national origin, religion,

- 5) Defamatory or personal attacks;
  - 6) Threats to any person or organization;
  - 7) Comments in support of, or opposition to, any political campaigns or ballot measures;
  - 8) Solicitation of commerce, including but not limited to advertising of any business or product for sale;
  - 9) Solicitation of commerce, including but not limited to advertising of any business or product for sale;
  - 10) Conduct in violation of any federal, state, or local law;
  - 11) Encouragement of illegal activity;
  - 12) Information that may tend to compromise the safety or security of the public or public systems or
  - 13) Information that may tend to compromise the safety or security of the public or public systems or
  - 14) Content that violates any party's legal ownership interest, such as a copyright.
- c. Comments that contain the following information defined by the City as "protected" should be recorded/captured (i.e., screenshot) and be immediately removed. Protected information includes the following:
  - 1) Social Security numbers
  - 2) Financial account numbers
  - 3) Dates of birth
  - 4) Names of minor children
  - 5) Individual taxpayer identification numbers
  - 6) Personal identification numbers
  - 7) Other unique identifying numbers.
- d. The City of Dyersville reserves the right to deny access to City of Dyersville social media sites to any individual who violates the City of Dyersville Social Media Comments Policy at any time and without prior notice. The City reserves the right to restrict or remove any content that violates this social media policy or any applicable law.
- e. The following verbiage can be used to warn individuals about their content: "Your recent post violates the City of Dyersville Social Media Comments Policy. Please refrain from posting inappropriate content in the future. We will block you from this forum if you do not refrain from posting such content. Thank you for understanding."
- f. Department Heads or their designees shall monitor their social media sites daily for comments requesting responses from the City and for usage violating this policy. Responses or acknowledgment of the request should be provided within 24 hours.

- g. Department Heads or their designees shall determine how employees must identify themselves when participating in the social media forum.
- h. The social media comments policy must be displayed to users on the social media site or contain information about where they may find the social media policy.

*(Res. 07-19, 01/21/19)*

## **14.9 PERSONAL SOCIAL MEDIA USE**

The purpose of this Policy is to promote a respectful work environment. Therefore, all individuals working on behalf of the City are expected to comply with these guidelines regarding the use of social media. Social media is the use of blogs, wikis, social networks, virtual worlds, or any other kind of online social interaction. Individuals engaging in social media activity are advised that City rules and policies, including but not limited to the anti-discrimination, anti-harassment (including sexual harassment), and anti-bullying policies, as found in this Handbook and applicable SOP and public record laws, may apply to social media conduct, including when off duty. Conduct on social media can serve as a basis for discipline to the same extent as other off-duty conduct that impacts the work environment. Users of social media need to do so responsibly. If you have questions or need further guidance, please contact the City Administrator's Office.

Ultimately, everyone is solely responsible for what they post online. Before creating online content, consider some of the risks and rewards involved. Remember that any of your conduct that adversely affects your job performance, the performance of co-workers, or otherwise adversely affects customers, suppliers, residents, or people who work on behalf of the City may result in corrective action or discipline up to and including termination.

## **14.10 ON-CALL SCHEDULE AND PAY**

The Department Head and City Administrator, solely at its discretion, may establish the on-call schedule for its employees, which is subject to change from time to time by the City as circumstances warrant. The actively on-call employee shall be compensated at \$24.00 per diem. No overtime compensation shall be computed while the Employee is on the on-call status.

*(Res. 118-19, 01/06/20)*

**ACKNOWLEDGMENT OF RECEIPT  
AND UNDERSTANDING OF THE CITY OF DYERSVILLE  
EMPLOYEE HANDBOOK**

I have received my copy of the City of Dyersville employee handbook. I know that I must read the handbook to understand my rights and responsibilities as an employee of the City.

I understand that the handbook is not an employment contract but an explanation or guide of City policies, procedures, and benefits. The City has not solicited my consent or agreement to the policies and procedures set forth in this handbook, and my employment is not in consideration of or in return for my being bound by this handbook. I realize that the City may interpret, clarify, revise, and/or deviate from the procedures set forth in this handbook.

I also realize the employment relationship between the City and me is terminable at will by either party and that nothing in this handbook creates additional rights or provides a basis for me to believe my employment is not terminable at will.

I understand that I am to talk with my immediate supervisor if I have any questions.

\_\_\_\_\_  
(Employee Name)

\_\_\_\_\_  
(Employee Signature)