



City of Ketchum

CITY COUNCIL MEETING AGENDA MEMO

Meeting Date: Staff Member/Dept:

Agenda Item:

Recommended Motion:

Reasons for Recommendation:

- In 2023, the City retained BestDayHR to review the outdated (2015) handbook for all federal/state employment regulations as well as best practices.
- Council adopted the update on December 18, 2023.
- The notable policy changes this year are described in 'Revisions' memo (attachment #2) and include following highlights:
 - 2025's established Vision and Values
 - Removed references of fire department personnel
 - Clarification regarding compensation variables (shift differentials and compensatory time)
 - New policies: Dogs in Workplace and Weapons

Sustainability Impact:

Financial Impact:

None OR Adequate funds exist in account:	None.
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Attachments:

- | |
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| 1. Resolution #25-026 |
| 2. Employee Handbook Suggested Revisions_BDHR memo |
| 3. 2025 Updated Handbook (redline) |
| 4. 2025 Updated Handbook (clean) |

RESOLUTION NUMBER 25-026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, TO APPROVE
AND ADOPT AN UPDATED EMPLOYEE HANDBOOK.

WHEREAS, the City of Ketchum retained human resource professionals (BestDayHR) to update all city employment and human resource-related policies to be in compliance with Idaho and federal employment laws.

WHEREAS, staff will provide training to all departments to ensure understanding and adherence of the new handbook policies.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO:

Approval and adoption of an updated employee handbook.

This resolution will be in full force and effect upon its adoption this 17th day of November 2025.

CITY OF KETCHUM, IDAHO

Neil Bradshaw
Mayor

ATTEST:

Trent Donat
City Clerk



To: City of Ketchum

From: Shawn Miller

Date: November 12, 2025

Re: Employee Handbook Suggested Revisions

All, below is a summary of the substantive redlined revisions included in the November 2025 draft of the *City of Ketchum Employee Handbook*. These updates reflect changes made to improve clarity, ensure compliance, and align City policies with current workplace practices and expectations.

1. Introduction

- Vision/Values - added the City's Vision and Values. P.6

2. Equal Employment Opportunity (EEO) and Anti-Harassment

- Lactation Accommodation - added Lactation Accommodation Policy establishing reasonable break time and a private space (other than a restroom) for nursing employees. P.11

3. Employee Selection, Compensation, Timekeeping, and Schedules

- Firefighters - eliminated references to firefighters.
- Personnel Files - clarified that the City stores personnel files electronically. P.14
- Shift Differential Pay - added shift differential policy establishing a 5% pay differential for eligible non-exempt employees regularly working outside of normal business hours. P.16
- Exempt Employee Compensatory Time - added that certain exempt employees are eligible for compensatory time. P.17

- Flexible Work Schedules - added the Culture Work Group's recommendation that a flexible schedule can only be cancelled with 30 days advance notice and created an appeal right to the City Administrator. P.21

4. Employee Leave, Holidays, and Benefits

- Military Leave - added that the City provides 15 days of paid military leave to standardize the offering across the City – before each department could authorize or not authorize paid leave. P.27
- Compassionate Leave – added that vacation must be drawn down to 32 hours and compensatory time must be exhausted before compassionate leave can be requested. P.27
- Insurance Coverage – added insurance coverage for employees working 20 or more hours per week. P. 28
- FMLA – simplified the FMLA policy. P.31

5. Workplace Conduct and Ethics

- Corrective Action – added that the City Administrator may have a designee at certain discipline meetings. P. 39
- Ethics and Conflicts of Interest – added a separate ethics and conflicts of interest policy. P. 40
- Dogs in the Workplace - added dogs on campus policy defining expectations and approval processes for bringing dogs to City facilities. P. 41
- Weapons - added weapons policy prohibiting employees and visitors from carrying firearms or other weapons on City property except for authorized law enforcement. P.42
- Technology Use - clarified electronic communications, social media expectations, artificial intelligence, and disciplinary procedures for consistent application across departments. P.45

6. Acknowledgement of Receipt of Employee Handbook

- Acknowledgement Page - revamped acknowledgement including electronic acknowledgment, employee responsibility for reviewing updates, and reaffirmation of the handbook's non-contractual nature. P.57



City of Ketchum, Idaho Employee Handbook

Revised and Adopted ~~December 18, 2023~~

TABLE OF CONTENTS

WORKING AT THE CITY OF KETCHUM.....	6
EMPLOYEE POLICY HANDBOOK	6
EQUAL EMPLOYMENT OPPORTUNITY	7
PROHIBITION AGAINST HARASSMENT, BULLYING, AND RETALIATION	8
1. Discrimination and Harassment.....	8
2. Bullying	9
3. Protection Against Retaliation	9
4. Complaint Reporting and Handling.....	<u>109</u>
REASONABLE ACCOMMODATION	10
1. Disability and Religious Accommodations.....	10
2. Pregnancy Accommodation	11
EMPLOYEE SELECTION, COMPENSATION, TIMEKEEPING, AND SCHEDULES	<u>1211</u>
1. Employment Status	<u>1211</u>
2. Recruitment and Selection	<u>1312</u>
a. Recruitment and Selection Guides	<u>1312</u>
b. Transfers at the City's Request.....	13
c. Employment Forms to be Completed	<u>1413</u>
d. Employee Personnel Files	<u>1413</u>
e. Access to Personnel Files	<u>1413</u>
3. Employee Compensation	14
a. Compensation and Benefits Approach.....	<u>1514</u>
b. Compensation Administration	<u>1514</u>
c. Compliance with State and Federal Pay Acts.....	<u>1514</u>
d. Classification Plan	<u>1514</u>
e. On Call and Call Back Pay.....	15
f. Right to Change Compensation	<u>1615</u>
g. Wage Payment and Overtime	<u>1615</u>
h. Extra Hours.....	<u>1716</u>
i. Overtime/Compensatory Time Authorization and Use.....	<u>1716</u>
j. Compensatory Time Eligibility and Accrual.....	<u>1716</u>
k. Payoff of Accrued Compensatory Time.....	<u>1716</u>
l. Workweek	<u>1816</u>
m. Trading Shifts	<u>1817</u>
n. Volunteered Time	<u>1817</u>
o. Working Out of Classification	<u>1817</u>
4. Reporting and Verifying Time Records	<u>1917</u>

5. Pay Periods	<u>1918</u>
6. Hybrid Work.....	<u>1918</u>
7. Flexible Schedules and Workweeks.....	<u>2018</u>
a. Flexible Schedule and Compressed Schedule	<u>2019</u>
b. Approval Process.....	<u>2019</u>
c. Cancelling a Schedule.....	<u>2120</u>
d. Supervisor Review	<u>2120</u>
e. Other Considerations	<u>2220</u>
EMPLOYEE LEAVE, HOLIDAYS, AND BENEFITS.....	<u>2224</u>
1. Annual Vacation Leave	<u>2224</u>
a. Full Time Employees	<u>2224</u>
b. Accrual Limits	<u>2324</u>
2. Holidays	<u>2322</u>
a. Holidays Falling on Days Off	<u>2423</u>
b. Working on a Holiday	<u>2423</u>
c. Recognized Holidays	<u>2423</u>
3. Leave	<u>2523</u>
a. Sick Leave	<u>2523</u>
b. Bereavement Leave	<u>2625</u>
c. Leaves of Absence.....	<u>2625</u>
d. Compensation while Serving on Jury Duty or as a Witness in a Court Proceeding	<u>2725</u>
e. Military Leave.....	<u>2726</u>
f. Compassionate Leave	<u>2826</u>
g. Parental Leave.....	<u>2826</u>
4. Benefits	<u>2927</u>
a. Benefits for Part-time or Casual/ Seasonal Employees	<u>2927</u>
b. Insurance Coverage.....	<u>2927</u>
c. Retired Employee's Health Insurance	<u>2927</u>
d. Retirement	<u>3028</u>
e. Education Assistance	<u>3028</u>
f. Miscellaneous Benefits	<u>3129</u>
g. Transfer of Benefits with Employee Transfer	<u>3129</u>
FAMILY AND MEDICAL LEAVE (FMLA)	<u>3129</u>
1. FMLA	<u>3129</u>
2. Eligibility.....	<u>3129</u>
3. Reasons for Leave.....	<u>3230</u>
4. Amount of Leave	<u>3530</u>
5. Intermittent Leave or a Reduced Work Schedule	<u>3634</u>

6. Employee Notice Requirement	<u>3631</u>
7. Designation of FMLA Leave	<u>3731</u>
8. Employee Status and Benefits During Leave	<u>3732</u>
9. Employee Status After Leave	<u>3732</u>
10. Use of Paid and Unpaid Leave	<u>3832</u>
11. Intent to Return to Work from FMLA Leave	<u>3833</u>
FAMILY AND MEDICAL LEAVE – MILITARY RELATED	<u>3833</u>
1. Employee Eligibility	<u>3833</u>
2. FMLA for Active Duty	<u>3833</u>
3. Exceptions	<u>3934</u>
4. Care for a Servicemember with a Serious Illness or Injury	<u>3934</u>
5. Amount of FMLA for Active Duty	<u>4035</u>
6. Amount of FMLA Leave	<u>4035</u>
7. Requesting FMLA Leave	<u>4136</u>
8. Certification For Active-Duty Leave	<u>4237</u>
9. Certification For Leave To Care For A Servicemember With A Serious Illness Or Injury	<u>4237</u>
10. While On FMLA Leave	<u>4237</u>
11. Scheduling FMLA Leave	<u>4237</u>
12. Pay and Benefits During FMLA Leave	<u>4338</u>
13. Return From Military-Related Leave	<u>4438</u>
RULES OF EMPLOYEE CONDUCT	<u>4439</u>
CORRECTIVE ACTION	<u>4842</u>
PERFORMANCE MANAGEMENT	<u>4843</u>
PROBLEM RESOLUTION	<u>4944</u>
EMPLOYEE USE OF CITY VEHICLES	<u>5144</u>
USE OF PORTABLE ELECTRONIC DEVICES WHILE DRIVING OR BICYCLING	<u>5445</u>
EMPLOYEE TRAVEL	<u>5446</u>
1. Same Day Out of Town Travel	<u>5446</u>
2. Out of Town Overnight Travel	<u>5546</u>
TELECOMMUNICATIONS SYSTEMS POLICIES	<u>5546</u>
ELECTRONIC MAIL AND INTERNET POLICY	<u>5847</u>

DRUGS AND ALCOHOL	<u>5848</u>
1. On-the-Job Use, Possession or Sale of Drugs or Alcohol.....	<u>5948</u>
2. Legal Drugs and Medication.....	<u>5948</u>
3. Illegal Drugs	<u>5949</u>
4. Searches	<u>6049</u>
5. Drug and Alcohol Screening	<u>6049</u>
a. Pre-Employment, Post-Offer Screening	<u>6049</u>
b. Reasonable Suspicion Testing	<u>6050</u>
c. Random Testing	<u>6150</u>
d. Post-Accident Drug and Alcohol Testing	<u>6150</u>
e. Test Refusal	<u>6251</u>
f. Employee Assistance Program	<u>6251</u>
g. Safe Harbor Referral	<u>6251</u>
h. Contract Personnel	<u>6352</u>
i. Commercial Driver's License.....	<u>6352</u>
CHILD ABUSE REPORTING	<u>6352</u>
GENERAL PROVISIONS.....	<u>6453</u>
1. Travel Expense Reimbursement	<u>6453</u>
2. On-the-Job Injuries	<u>6453</u>
3. Nepotism.....	<u>6554</u>
4. Use of City Meeting Space.....	<u>6554</u>
SEPARATION OF EMPLOYMENT	<u>6655</u>
1. Resignation	<u>6655</u>
2. COBRA Benefits	<u>6655</u>
3. Final Paycheck.....	<u>6655</u>
4. Exit Interview	<u>6756</u>
5. Reductions in Force	<u>6756</u>
6. Eligibility for Rehire	<u>6756</u>
7. Return of City Property	<u>6756</u>
ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK	<u>6857</u>

WORKING AT THE CITY OF KETCHUM

Welcome to the City of Ketchum. We are grateful you have joined us. Our Vision is very important to us and it is an important reminder why we work at the City. Likewise, our Values are critical in that they set the expectations of how we work together. You will hear and have the opportunity to move our Vision forward and practice our Values throughout your time at the City.

Our Vision

Elevating Ketchum: A community thriving together

Our Values:

- Built on Trust – honoring commitments, building confidence
- Shared Strength, Shared Success – Our success is shared and our teamwork sets the standard
- Purpose in Every Action – What we do matters, our actions create lasting benefits towards a brighter, sustainable future

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The following is information we believe will help you as you begin your career with the City.

The City is a political subdivision of the State of Idaho, though it is not a part of state government. The City Council serves as the governing body for the City. The City Council's primary authority is to establish terms and conditions of employment with the City administration. The City Council also appoints personnel to help carry out its administrative responsibilities.

The responsibility and authority for the enforcement and administration of the policies and procedures set forth herein are vested in the Mayor, City Administrator, and Department Supervisors.

As with all elected public officials, the City Council is ultimately responsible to the voters of the City of Ketchum. The terms set forth in this Handbook reflect public entity policy at the time of its approval, but they are subject to change at any time, without prior notice, and at the sole discretion of the City Council.

Only the City Council has authority to establish general policy for the City employees. Each employee should recognize that even when serving as an employee in the office of an elected or appointed official, that individual remains an employee of the City. The terms and conditions set forth in this Handbook, and in the resolutions and policy statements which support it, cannot be superseded by any other official's commitment, without the express written agreement of the City Council. That is particularly true for terms or conditions which would establish a financial obligation for the City now or in the future. It is important that all employees understand the relationship between policy adopted by the City Council and department policy implemented by other elected officials.

EMPLOYEE POLICY HANDBOOK

The purpose of the Employee Handbook (Handbook) is to inform employees of the City's general personnel policies and to ensure uniform application throughout City departments. The Handbook is not all-inclusive, but addresses the topics most likely to be encountered in the City's day-to-day operations.

The policies in this Handbook are not intended to supersede City ordinances or other applicable laws, ~~and in~~ case of any conflict between these policies and such ordinances or laws, the latter shall prevail.

THE POLICIES IN THIS HANDBOOK ARE NOT INTENDED AND SHALL NOT BE CONSTRUED TO CONSTITUTE AN EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. The City reserves the right to change or rescind these policies and regulations with or without notice, and to determine the application of these policies to specific circumstances. The City further reserves the right to alter or eliminate any benefits provided to its employees. Any alteration, elimination, or revision may be made applicable to current as well as future employees.

The Handbook will be maintained on the City's ~~internal~~ web site page. Departments shall provide employees without computers, access to a department computer upon request in order to access the Handbook. All employees shall read the electronic policies regularly, check for changes or revisions, and abide by their content. Employees who have questions about the policies contained in the Handbook, including any changes or revisions, shall contact their supervisor for explanation and clarification. Being aware of and understanding the City's policies contained in the Handbook is the employee's responsibility.

Certain provisions of this Handbook state that disciplinary action may result from specified conduct. The inclusion of these provisions does not, and is not intended to limit, in any way, the imposition of disciplinary action for other types of conduct or for other reasons.

The provisions of this Handbook apply to all City employees, except as otherwise specified within the Handbook or by ordinance, state or federal statute, rule, regulation, or collective labor agreement. Bargaining unit employees shall refer to their collective bargaining agreements for applicable terms and conditions of employment. This handbook shall apply ~~to~~ any topic or situation not superseded by the collective bargaining agreement.

Any matter not specifically covered by the Handbook or departmental rules and procedures shall be administered by the City Administrator in a manner consistent with the Handbook.

WAIVER OF RULES: The City Administrator reserves the right to temporarily waive any policy in specific instances when such waivers are legal, warranted and justified in the interests of a more effective and responsive system of personnel administration. Any subsequent changes from the City will supersede the contents of this Handbook.

If any chapter, section or portion of this Handbook is found to be invalid by a duly constituted authority, it shall not affect the validity of the balance of these policies and procedures. If any portion of these policies and procedures are in conflict, the most recent amendments shall apply.

EQUAL EMPLOYMENT OPPORTUNITY

The City is committed to providing equal employment opportunity for all persons without regard to race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability, veteran status, or any other applicable legally protected status.

Equal opportunity extends to all aspects of the employment relationship, including hiring, transfers, promotions, training, discipline, working conditions, compensation, benefits, and other terms and conditions of employment.

Additionally, the City is committed to providing an employment environment that is free from discrimination and harassment. All individuals associated with the City are expected to conduct themselves at all times so as to provide a working atmosphere free from discrimination and harassment.

Employees who believe they have been subjected to discrimination or harassment related to their race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability, veteran status, or any other applicable legally protected status should report the behavior in accordance with the processes outlined in this Handbook.

PROHIBITION AGAINST HARASSMENT, BULLYING, AND RETALIATION

1. Discrimination and Harassment

Discrimination and harassment consist of unwelcome conduct, whether verbal, physical, or visual, that is based on a person's race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability, veteran status, or any other applicable legally protected status. Discrimination or harassment that affects job benefits, interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment will not be tolerated.

A specific category of harassment is sexual harassment. Sexual harassment is unwelcome sexual advances, requests for sexual favors or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; (3) such conduct unreasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive working environment; or (4) employment, pay, benefits, title, position or other opportunities for advancement or training are conditioned on the submission to such unwelcome sexual advances or requests.

The following are examples of prohibited conduct that violate the City's prohibition against discrimination and harassment:

- Threats, intimidation, hostile acts, ridicule, gestures, or offensive conduct regarding one's protected status.
- Slurs, "slang," derogatory, or other verbal conduct that denigrates or shows hostility or aversion toward an individual.
- Jokes or pranks regarding one's protected status or mimicking speech/accent.
- Oral, written, visual, or electronic material that stereotypes, degrades, belittles, mocks, or shows hostility toward one's protected status.
- Display or circulation of offensive printed, visual, or electronic materials or pictures.

- Unwanted physical contact or sexual conduct of any kind, including flirtations, touching, advances, propositions, or requests for sexual favors.
- Verbal comments of a sexual nature, such as derogatory comments, sexually explicit jokes, sexual innuendo, or comments about a person's body.
- Visual conduct such as leering or staring at one's body parts or making sexual gestures.
- Verbal or physical conduct that is directed at an individual because of their sex or sexual orientation.
- Stereotyping or denigrating terms about a person's physical or mental disability.
- Conditioning a raise or promotion on sexual favors.

This list provides examples and is not all-inclusive. Courteous, respectful, non-coercive interactions between employees that are welcomed by both individuals are not in violation of this policy.

2. Bullying

The City requires employees to treat one another with dignity and respect. The City will not tolerate any degree of bullying behavior. Bullying is an ongoing and deliberate misuse of power in relationships, by one or more individuals, through repeated verbal, physical, and/or social behavior that intends to cause physical, social, and/or psychological harm. It is abusive conduct that may include:

- Threatening, humiliating, or intimidating behaviors;
- Work interference/sabotage that prevents work from getting done;
- Verbal or physical abuse.

The following conduct will not be tolerated and are examples of bullying treatment.

- Verbal bullying: Slandering, ridiculing, or maligning a person or their family; persistent name-calling that is hurtful, insulting, or humiliating; using a person as the butt of jokes; or abusive and offensive remarks.
- Physical bullying: Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, or damage to a person's work area or property.
- Gesture bullying: Nonverbal gestures that can convey threatening messages.
- Exclusion: Socially or physically excluding or disregarding a person in work-related activities.

3. Protection Against Retaliation

The City forbids retaliation of any kind against employees who, in good faith, report discrimination, harassment, and/or bullying prohibited by any of its policies or against employees who participate in any investigation of such complaints. This means that an employee will not suffer economic harm, including but not limited to a loss of wages or benefits, as punishment for making a good faith report of violations of this policy or for participating in an investigation of such reports. If an employee feels they have been subjected to any form of retaliation, they should report the conduct to the City Administrator. If the City Administrator is the subject of the complaint, the employee should report concerns to the Mayor or the City's human resources representative.

4. Complaint Reporting and Handling

All employees of the City are responsible for helping to enforce this policy against discrimination, harassment, bullying, and/or retaliation. The reporting procedure outlined below should be used by any employee who believes they have been subject to, or have witnessed, workplace discrimination, harassment, bullying, or retaliation. The City's reporting and handling procedure provides for a prompt, thorough, and objective investigation as well as appropriate disciplinary action.

1. The unwanted behavior should be addressed immediately. The employee should tell the offender that the behavior in question is not acceptable, needs to stop, and any repeat of the behavior will be reported. An offender could include another City employee or any other person ~~who that~~ interacts with the employee while the employee is at work or performing work for the City. If an employee is uncomfortable confronting the offending individual, if the conduct is serious in nature, irrespective of any attempt to tell the individual to stop, or if the behavior did not stop upon the employee's request, the employee should immediately report the conduct as outlined below.
2. The City has several options for reporting potential violations of this policy. As soon as possible, any employee who believes they have been subjected to any form of discrimination, harassment, bullying, or retaliation, or ~~has~~ have observed or ~~is~~ are otherwise aware of such conduct, should provide a written or verbal report to their supervisor or the City Administrator. If the supervisor or City Administrator potentially violated this policy, employees can bring their concerns to the City Attorney. The report should be dated and signed and include details of the incident(s), the names of individuals involved, the names of any witnesses, and any documentary evidence (notes, pictures, emails, etc.).

The City endeavors to protect the privacy and confidentiality of all parties involved, but cannot assure complete confidentiality. Confidentiality is maintained on a "need to know basis" to the extent permitted by the circumstances and consistent with the City's obligations to conduct an effective investigation. A timely resolution of each complaint will be reached, and appropriate corrective action, up to and including termination, will be taken promptly against any employee engaging in discrimination, harassment, bullying, and/or retaliation. Employees are expected to take full advantage of the complaint reporting procedures, as well as any preventive measures or corrective opportunities that the City provides to avoid any discrimination, harassment, bullying, and/or retaliation.

REASONABLE ACCOMMODATION

1. Disability and Religious Accommodations

In compliance with applicable laws ensuring equal employment opportunities to qualified individuals with disabilities and to individuals whose sincerely held religious beliefs conflict with work obligations, the City will work with employees to provide a reasonable accommodation. A reasonable accommodation is a change or adjustment to the job application process, work environment, or work processes that would make it possible for a qualified individual with a disability to perform the essential functions of the job or an adjustment to the work environment that will allow the employee to comply with their religious beliefs.

An employee who requires an accommodation should contact their supervisor or the City Administrator and request an accommodation. The employee should specify the need for accommodation and that it is requested due to an inability to perform essential job functions or due to a conflict between religion and work. While the employee may request certain accommodations, the City may propose and may decide on an alternative reasonable accommodation. The City will make an individualized assessment and provide employees with a reasonable accommodation, unless doing so would result in an undue hardship to the City or a direct threat to the health or safety of themselves or others that cannot be reduced or eliminated by reasonable accommodation.

2. Pregnancy Accommodation

The City will provide reasonable accommodations to employees and applicants with limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation ~~would~~will cause undue hardship to the City's operations.

An employee or applicant may request an accommodation due to pregnancy, childbirth, or a related medical condition by submitting the request in writing to their supervisor. The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed, and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.

Upon receipt of a request for accommodation, the supervisor will contact the employee or applicant to discuss the request and determine if an accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.

While the reasonableness of each accommodation request will be individually assessed, possible accommodations include allowing the individual to:

- Sit while working.
- Drink water during the workday.
- Receive closer-in parking.
- Have flexible hours.
- Receive appropriately sized uniforms and safety apparel.
- Receive additional break time to use the bathroom, eat, and rest.
- Take time off to recover from childbirth.
- Be excused from strenuous activities and/or activities that involve exposure to compounds deemed unsafe during pregnancy.

The City will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

3. Lactation Accommodation

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The City supports employees who are breastfeeding and is committed to providing reasonable accommodations that allow them to express milk or breastfeed at work, consistent with federal and state law. Any employee who is nursing a child may request a lactation accommodation.

Employees will be provided with a reasonable amount of break time as often as needed to express milk or breastfeed a child. When possible, this time should run concurrently with any paid break periods. If additional time is needed beyond paid breaks, the extra time will be unpaid unless otherwise required by law.

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Supervisors and employees are encouraged to communicate openly to arrange schedules that balance operational needs with the employee's lactation needs.

Employees will be provided with a safe, private, and sanitary space to express milk or breastfeed. This space will:

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- Not be a bathroom;
- Be shielded from view and free from intrusion by coworkers or the public;
- include an electrical outlet, a chair, and a flat surface for a pump and personal items; and
- Be located as close as reasonably possible to the employee's work area.

Employees must be allowed to safely store expressed milk while at work, such as in a personal cooler, insulated container, or designated refrigerator. An employee's regular workspace may be used if it meets the privacy and safety criteria above.

Employees seeking an accommodation should contact their supervisor.

EMPLOYEE SELECTION, COMPENSATION, TIMEKEEPING, AND SCHEDULES

1. Employment Status

Employees of the City are considered **"AT WILL"** and may be terminated with or without cause, absent prior notice, regardless of any clause in this Handbook. Employee wages or salary, benefits, and job duties are affected, in part, by an employee's classification and job title. However, none of the employee classifications creates permanent employment status for any City employee. The primary classes of employees and their respective status are outlined as follows:

Full-Time Employee: Employees whose typical work schedule calls for thirty (30) or more hours of scheduled work during each seven (7) calendar-day payroll period. Full-time employees shall receive employee benefits provided by the City as such benefits now exist or may be subsequently changed.

Part-Time Employee: Any person who works less than thirty (30) hours a week, whose employment is expected to be on a continual basis in a regularly budgeted class or position. Such persons are considered "employees" but do not receive the benefits of full-time employees, nor do they enjoy any appeal rights, unless approved by the City Administrator.

Temporary/Casual/Seasonal Employees: Employees who provide services for the City on a (a) seasonal basis, or (b) temporary basis, or (c) whose scheduled hours of employment for the entity are typically fewer than nineteen and three-quarters (19.75) hours during each seven-calendar-day payroll period are classified as casual employees. Casual employees will receive no benefits provided to regular employees, except those required by law or those provided by express written authorization. Employees who average 20 hours or more of work over a six-month period are required to join the PERSI state retirement plan and pay the employee contributions as outlined under PERSI rules.

~~Paid On-Call Firefighters: The Ketchum Fire Department is a combination department comprised of full-time staff and paid on-call employees. The paid on-call members of the Fire Department are not covered by this Handbook. A separate handbook sets forth personnel rules for these employees.~~

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Significance of Employee Classification. The procedures for hiring, promotion, and transfer of full-time employees shall be subject to the provisions of this policy. Disciplinary and appeal actions concerning part-time or casual/-seasonal and temporary employees are not subject to the guidelines set forth in this Handbook.

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Statutory Employees. Appointed officers, pursuant to Idaho Code, are the City Clerk, Treasurer, City Attorney, ~~Chief of Fire Services,~~ and City Administrator. The terms and conditions of employment of these appointed officers are pursuant to applicable Idaho law, employment documentation between the City and the specific individual, or as outlined in this Handbook. Unless specifically agreed to otherwise, these appointed officers are at-will employees.

2. Recruitment and Selection

a. Recruitment and Selection Guides

The City typically uses a competitive hiring process to fill regular full and part-time positions. However, the Mayor, City Council, and/or City Administrator may determine, consistent with business needs, to select staff by whatever employment process deemed reasonable, providing it is consistent with applicable laws.

A Department Head shall notify the City Administrator in writing when a vacancy is anticipated or occurs in the department.

When using a competitive hiring process, vacant positions will be posted to allow external and internal applicants to apply. Typically, positions are posted for a minimum of five (5) consecutive workdays. A workday is defined as days that City Hall offices are open to the public.

b. Transfers at the City's Request

Transfers of current employees may be made at the City's request to satisfy management or operational needs. Additionally, a current regular employee who has gone through the City's competitive hiring

process may be transferred or promoted into a regular position within their own or another department, without having to post the vacancy, provided the employee is qualified for the position and the transfer/promotion is approved by the respective Department Heads and City Administrator.

~~c. Employment Forms to be Completed~~

~~The following pre-employment forms must be completed before an employee may begin work for the City:-~~

- ~~• Employment application form-~~
- ~~• Background check~~
- ~~• Drug test, if applicable to the position~~
- ~~• CDL Driver's only drug screening~~
- ~~• Immigration form (I-9)-~~
- ~~• Insurance information for self and dependents-~~
- ~~• Completion of W-4 Form-~~
- ~~• Direct deposit ACH authorization form-~~
- ~~• Acknowledgement and Receipt of Employee Handbook-~~

~~d.c. Employee Personnel Files~~

The City keeps official employee records ~~for the City shall be kept in the office of the City Treasurer in an electronic personnel file.~~ Within these personnel files will be kept ~~all~~ records of payroll, employee performance evaluation, employee status, and other relevant materials related to the employee's service with the City. ~~Materials may be contributed by any supervisory personnel and the employee, as long as the material is relevant to the employee's performance and tenure.~~

~~e.d. Access to Personnel Files~~

It is the policy of the City to allow limited access to the personnel files as required by law. Based upon the inherent confidentiality of personnel matters, access to other employees' personnel files shall be only with the authorization of the City Administrator, Mayor, City Treasurer, or ~~the~~ City Attorney. Department Heads, or Division Managers, with approval from the Department Head, are authorized to review personnel files of their department.

Information regarding personnel matters will only be provided to outside parties with a release from the employee or ~~in~~ in limited circumstances where the release is deemed necessary ~~with the concurrence of the City Treasurer who supervises the records Administrator~~ and the City Attorney. Each employee shall have the right to review materials placed within their employment file at any reasonable time. Copies of materials within a personnel file are available to each employee without charge. ~~However, personnel files shall not be removed from the premises where they are kept.~~

3. Employee Compensation

a. Compensation and Benefits Approach

The City takes a holistic approach ~~to~~ⁱⁿ providing compensation and benefits. Regarding compensation, the City's aim is for employees to feel valued and financially supported. Regarding benefits, the City's aim is for employees to have an understandable variety of benefits to address varied individual needs. In striving to achieve these aims regarding compensation and benefits, the City evaluates the following components:

- Fiscal responsibility and an acknowledgement that the City has one budget and values long-term financial forecasting to try and create stability for its employees.
- Internally equitable.
- Externally competitive and comparable in the marketplace.
- Recognition for employee contributions, performance, skills, certifications, and accomplishments.

b. Compensation Administration

An employee's rate of pay is based on an assessment of the position, training, experience, and the market for similar jobs. An increase in the wage rate or salary is dependent upon City budget considerations as well as each individual employee's job performance.

New hires will be placed at a salary based on their knowledge, education, and experience as determined by the Department Head with the approval of the City Administrator or designee, provided it is within the approved appropriation for that department.

c. Compliance with State and Federal Pay Acts

The City shall comply with all State and Federal pay acts respecting the compensation of employees for services performed in the public service.

d. Classification Plan

All employees of the City shall be classified in the position they hold with the City in the following manner:

- a. Elected officials.
- b. Exempt employees (as defined by the Fair Labor Standards Act "FLSA").
- c. Non-exempt employees (as defined by the FLSA).
- d. Part-time or casual employees.

e. On Call and Call Back Pay

On-call time refers to time outside an employee's regularly scheduled work hours during which they have concluded their regular shift and have left the worksite yet is expected (1) to be easily reached by telephone, text, radio or pager, (2) is ready and fit to work, and (3) is expected to respond within one hour to a problem or emergency situation. For on call pay, eligible non-exempt employees will be

compensated for two (2) hours of pay at straight time for a twenty-four (24) hour period. On call pay is not considered time worked.

Callback pay refers to unexpected instances when a non-exempt employee is requested to return to work at a time they were not expected to work, or called in to perform work on a day they were not expected to work. Non-exempt employees are guaranteed a minimum of two (2) hours of pay for a call back.

Shift Differential

The City recognizes that some positions require employees to work during evening, night, or weekend hours to meet operational needs and provide essential public services. To acknowledge the impact of these schedules, eligible non-exempt employees who are regularly assigned to work shifts outside of normal business hours will receive shift differential pay at a rate of 5% above their regular hourly rate for all qualifying hours worked.

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Eligibility for shift differential pay is determined by the Department Director based on established work schedules and operational requirements. Occasional or temporary assignments to evening or weekend shifts do not automatically qualify for shift differential pay. When applicable, shift differential pay will be included in the calculation of overtime consistent with the Fair Labor Standards Act. Department Directors are responsible for ensuring accurate recording of shift differential hours, and questions regarding eligibility or application of this policy should be directed to Human Resources.

f. Right to Change Compensation

The City reserves the right to change general compensation through the budget process for any reason deemed appropriate by the City Council. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent entity budget.

g. Wage Payment and Overtime

The FLSA requires all employees to be classified according to the provisions of the law. Therefore, for purposes of paying any compensation, all employees are classified as either "Exempt" or "Non-Exempt." Exempt refers to employees who are not covered by and are "exempt" from the FLSA's overtime requirements.

Regular employees who are non-exempt under the FLSA and applicable state wage and hour laws are eligible for either overtime pay or compensatory time at a rate of one and one-half times their regular hourly rate for actual hours worked in excess of forty (40) hours in one FLSA work week. Temporary non-exempt employees are eligible to earn overtime but are not eligible to earn compensatory time. As a condition of employment, the City retains sole discretion to provide non-exempt employees with compensatory time off in lieu of cash overtime.

Part-time non-exempt employees are not eligible for overtime pay or compensatory time until they have worked over 40 hours in their FLSA work week.

Employees who serve as sworn law enforcement officers ~~and as fire fighters~~ will be subject to special exceptions found in the FLSA (See 207K).

According to the FLSA, only actual hours worked are computed for purposes of determining hours worked for overtime calculation. Therefore, the City will not count paid leaves of absence, such as vacation or any other time for which the employee is compensated but does not actually perform work when computing hours worked in a work week, unless specifically outlined in this Handbook.

h. Extra Hours

When required by heavy work demands or customer service needs, the City can require any employee to work extra hours. The City will attempt to give at least one day's notice when extra hours must be worked, but reserves the right to require any employee, exempt and non-exempt, to work extra hours when the need arises.

i. Overtime/Compensatory Time Authorization and Use

Employees shall seek and receive authorization from their supervisor prior to working overtime or accumulating compensatory time. Employees are expected to seek prior approval from their supervisor to use compensatory time. The supervisor shall allow an employee to use the employee's accrued compensatory time within a reasonable amount of time after requested, provided such use does not unduly disrupt the operation of the department or work unit.

j. Compensatory Time Eligibility and Accrual

Non-exempt regular employees are eligible to accrue compensatory time but are not authorized to accrue more than ~~680~~ hours of compensatory time during a fiscal year. Non-exempt employees who have accrued ~~680~~ hours of compensatory time shall be paid for any additional hours worked in accordance with the City's overtime procedures. Employees must use their compensatory time before using accrued vacation.

Exempt regular full-time employees, other than Department Heads, may accrue compensatory time at the rate of one hour for each hour worked in excess of their standard workweek, not to exceed 40 hours. Compensatory time for exempt employees is a discretionary benefit offered by the City and is not required under the FLSA.

Regardless of the accrual limit, exempt employees are expected to work the hours necessary to fulfill their job responsibilities. Compensatory time for exempt employees does not constitute an entitlement and may be modified or discontinued by the City at any time.

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k. Payoff of Accrued Compensatory Time

All non-exempt employees' unused, accrued compensatory time balances, in excess of forty (40) hours shall be paid down toward the end of each fiscal year. No payment shall be made for the first 40 hours of accrued compensatory time until separation of employment or as allowed in this policy.

Employees promoted from non-exempt to exempt positions shall be paid for accrued compensatory time prior to their promotion. Non-exempt employees shall be paid for all accrued compensatory time when:

- Changing to a lower paying position and/or
- Changing departments or funds.

There is no monetary value associated with compensatory time for exempt employees, and it will not be paid out during employment or upon separation.

l. Workweek

The City designates all employees ~~(except shift firefighters)~~ FLSA workweeks to be 12:00 a.m. Saturday through 11:59 p.m. Friday. 9/80 schedules are not permitted for exempt or non-exempt employees. The FLSA workweek has been designated by the City and it shall not be changed for the purpose of avoiding overtime payment. ~~Shift firefighter's workweek is as defined in the collective bargaining agreement.~~

m. Trading Shifts

A Department Head may allow employees to trade shifts if it will not create an overtime situation in terms of hours worked and provided that: (a) it is voluntarily agreed to by both employees and (b) it is at the employees' request.

n. Volunteered Time

Non-exempt employees of the City shall not "volunteer" time for the purpose of avoiding overtime.

o. Working Out of Classification

Compensation for working out of classification is provided as monetary recognition to an employee for the assumption and performance of duties normally performed by an employee of higher classification.

The assumption and performance of the duties of the higher classification must encompass the full range of responsibilities of the higher classification. This shall not apply to temporary assignments which are made pursuant to prior mutual agreement between the employee and the immediate supervisor for the purpose of providing a training opportunity to the employee, for a mutually agreed upon period of time.

The performance of such duties must be for an extended period of time, wherein a need exists to fulfill the duties and responsibilities of the vacant position. An extended period of time is generally considered as an assumption of duties and responsibilities that will last in excess of thirty (30) calendar days. Pay will be retroactive to the first day those duties were assumed.

Working out of classification compensation for employees shall be allowed only after written recommendation of the Department Head and concurrence by the City Administrator. For employees who are asked to work out of classification as a Department Head, the City Administrator shall recommend a proposed salary adjustment to the Mayor for approval. Recommendation and designation shall be accomplished prior to the assumption of the higher classification [of](#) responsibilities.

The employee's compensation will be increased to the starting salary of the higher classification in which the employee is substituting, or five percent (5%), whichever is higher.

When the temporary assignment is completed, the employee's salary will be readjusted to its previous level, or the level where it would have attained, including general salary adjustment and step increases, if the out of classification pay had not been made. The employee's date of hire and anniversary date will remain unchanged throughout the temporary assignment.

4. Reporting and Verifying Time Records

It is the responsibility of each non-exempt employee to properly record [the](#) time that they worked during a payroll period. Each time sheet shall bear the electronic signature of the employee with a statement verifying its accuracy and a counter approval signature by a supervisor indicating that the hours claimed were actually worked. By recording clock in and clock out times and/or by diligently recording any deviations from their regular work hours on their time record, employees are certifying that their time record accurately reflects their hours worked and absences. Failure to carry out these duties may result in [a](#) delay ~~in~~[of](#) payment and disciplinary action.

5. Pay Periods

Each employee is paid every two (2) weeks, and the regular payday is every other Friday. If the payday falls on a holiday, the payday will occur on the first business day preceding the holiday.

6. Hybrid Work

Hybrid work is when an employee splits their work week or workday between working at a designated onsite City location and their home or another pre-approved offsite location. Hybrid work is meant for unique personal circumstances, requires supervisor approval, and is typically for limited periods of time. There are some City positions that do not align with hybrid work with the main determination being whether all essential job duties can be effectively and safely performed offsite through remote access to the City's technology systems.

Employees that believe they need hybrid work must provide their supervisor:

- [A](#) verbal or written request with the reason to perform hybrid work;
- [T](#)he duration and schedule related to the requested hybrid work; [and](#)
- [A](#)ny other relevant information that the employee believes is relevant and/or as the supervisor requests.

If the supervisor approves hybrid work, the employee and supervisor will monitor the hybrid work arrangement to ensure it meets the needs of the City. All relevant City policies and procedures apply to hybrid work. Hybrid work can end at the supervisor's discretion based on the needs of the department and/or the City.

If an employee is denied hybrid work or is informed that a hybrid work arrangement is ending, the employee may request a review of the situation from the supervisor and City Administrator. Ultimately, the decision of the supervisor and City Administrator on the situation is the final determination.

Internet, office set-up, [and](#) travel costs, including mileage to and from the employee's work responsibilities while performing hybrid work, are ineligible for reimbursement.

Employees are responsible for maintaining their hybrid workspace in a safe condition. Employees are responsible for determining any tax implications, if any, related to maintaining a hybrid workspace.

7. Flexible Schedules and Workweeks

Each City department establishes the work schedules for employees assigned to that department. Because the nature of the work varies across the City, starting and ending times vary according to the needs of individual departments. Consequently, employees may be assigned to begin and/or end their workday outside of the typical 8:30 a.m. to 5 p.m. Monday through Friday schedule. Additionally, employees may be assigned to work a compressed schedule, or begin and/or end their workweek on a Saturday or Sunday.

Business needs permitting, departments may also offer a flexible work schedule or compressed work schedule to accommodate personal, family, and other obligations. The City permits employees to have flexible schedules and compressed work schedules when such schedules align with the City's and department's business needs.

a. Flexible Schedule and Compressed Schedule

A flexible schedule is a schedule that allows employees to start or end their workday outside the typical 8:30 a.m. to 5 p.m. Monday through Friday work schedule.

A compressed schedule allows employees to work the equivalent of a full 40-hour work week in fewer than five days.

b. Approval Process

Employees who would like to work a flexible schedule and/or compressed workweek shall make their request verbally or in writing to their Department Head or designee. Whether an employee's request is granted is at the discretion of the department in consultation with the City Administrator. Employees' requests for flexible schedules are evaluated on a case-by-case basis and may not be feasible in some departments or for certain positions.

When evaluating an employee's request, the following factors should be considered:

- Nature of the employee's responsibilities;
- Reasons for the employee's request;
- Staffing levels required to maintain service and production levels;
- Department's capacity to handle changing workloads;
- Employee's work record, including punctuality, reliability, productivity, and ability to meet deadlines;
- Potential for an increase in the department's overtime/compensatory time numbers;
- Employee's willingness to depart from a flexible schedule when needed;
- Seasonal or cyclical changes in workloads might restrict the ability to grant flexible schedules during certain times of the year; or
- Other business needs.

Departments are responsible for ensuring flexible schedules are granted in a manner that does not violate the city's Equal Opportunity Employment responsibilities.

If a department is unsure of how a flexible schedule will affect their operations, the department can approve a flexible schedule for a limited period, so they can evaluate whether the flexible schedule interferes with or hinders a business need.

If an employee's request for a flexible schedule is approved, the department shall document the new schedule and its effective date and notify the City Clerk.

As discussed and agreed to between an employee and supervisor, employees may take paid breaks lasting 15 minutes or less, or unpaid meal breaks lasting 30 minutes or more. The agreed upon schedule should align with the needs of effectively providing services and balancing an employee's need for breaks/meal periods during a workday. The City does not expect an employee to adjust their regular work schedule in order to accommodate the taking of a break.

c. Cancelling a Schedule

There is no right to a flexible schedule. The City retains the right to cancel or suspend a flexible schedule. If the timeframe for canceling the flexible schedule is not mutually agreed upon between the department and the employee, the department shall provide the employee with notice at least ~~ten~~ thirty (30) calendars-business days prior to canceling the flexible schedule. This timeframe may be shortened based on a stated emergency. An employee whose flexible schedule is cancelled or suspended can appeal that decision to the City Administrator within five (5) days of being informed of the cancellation or suspension.

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d. Supervisor Review

Supervisors are expected to periodically evaluate how an employee's flexible schedule affects the employee's productivity, leave usage and accruals, the number of overtime or compensatory hours worked, holiday pay, and on-call/call-in pay.

Departments can require an employee adjust their work hours, within the parameters of applicable wage and hour laws and City policies and regulations, to ensure the employee does not work over 40 hours within their FLSA workweek, creating an overtime/compensatory time liability for the City.

e. Other Considerations

Non-exempt employees are not restricted from working hours or days outside their approved flexible schedule, providing all alterations to their approved schedule, including hours worked over 40 in the employees FLSA work week, are approved in advance by the employee's supervisor and meet the requirements of the City's wage and overtime requirements. Non-exempt employees can be required to depart from their flexible schedule to work overtime hours.

Exempt employees are expected to work as needed to meet business needs; therefore, a flexible schedule does not restrict exempt employees from working outside their approved schedule, including a flexible schedule.

Flexible schedules resulting in employees regularly working more than 12 hours per day are not permitted unless agreed to by the employee and supervisor and approved by the City Administrator.

As outlined in the Holiday policy, flexible schedules that consist of working more than 8 hours in a day do not change the amount of holiday pay an employee receives.

EMPLOYEE LEAVE, HOLIDAYS, AND BENEFITS

The City offers a number of employee benefits for full-time employees only. These benefit offerings are subject to change or termination [at](#) the sole discretion of the City Council or the City Administrator. If a program is terminated and not replaced with comparable benefits, participants will be notified. In some cases, there may be a waiting period before coverage begins. The policy terms may also limit coverage or eligibility depending on the number of hours an employee works. -For information on these, consult the applicable benefits booklet or contact your supervisor or the City Administrator.

1. Annual Vacation Leave

a. Full Time Employees

Vacation leave is available to full-time employees who have completed the equivalent of six (6) months of full-time employment. Each full-time employee, ~~except shift work assigned firefighters, who completes thirty (30) consecutive days of employment with the City~~ accrues paid annual leave according to the length of such consecutive employment as follows:

YEARS OF SERVICE	VACATION ACCRUAL
Up to two (2) years of continuous service	8 hours a month/96 hours a year
Two (2) years, but less than five (5) years of continuous service	10 hours a month/120 hours a year
Five (5) years, but less than ten (10) years of continuous service	12 hours a month/144 hours a year

Ten (10) years, but less than fifteen (15) years of continuous service 14 hours a month/168 hours a year

Fifteen (15) years, but less than twenty (20) years of continuous service 16 hours a month/192 hours a year

Twenty (20) years of continuous service or more 20 hours/240 hours a year

~~i. Shift Work~~

~~Shift work firefighters shall accrue vacation leave in accordance with the effective Collective Bargaining Agreement.~~

b. Accrual Limits

The maximum accrual for regular, full-time employees is 300 hours.

An employee shall receive supervisor approval to take vacation time. Whenever possible, vacations are scheduled as requested by the employee, subject to the City's needs in ensuring proper service coverage and in balancing the various requests of employees. For purposes of leave accrual, all past service shall be included in determining the duration of employment, provided that service is continuous with no separation longer than six (6) months or the separation is (1) due to military service, (2) a written approved leave of absence, or (3) covered under conditions of reinstatement. ~~For purposes of leave accrual, all past service shall be included in determining the duration of employment, provided that such service is continuous with no separation longer than six (6) months, or military service, or on written approved leave of absence or under conditions of reinstatement.~~

Upon separation from employment, after six (6) months' continuous service, all employees shall receive a lump-sum payment for earned, but unused, vacation leave at the hourly rate of pay for the employee's grade and step. Nonexempt employees also receive a lump sum payment for unused compensatory time. Where possible, such payment, in addition to the regular salary payment, shall be made to the employee on the regular payroll immediately following the employee's termination. In the event of an employee's death, payment for accrued vacation leave shall be made to the employee's estate.

2. Holidays

Twelve official holidays are provided for full-time employees. A paid holiday is computed at the employee's regular rate of pay. A paid holiday in which the employee does not work shall be considered time worked for the purpose of overtime or compensatory time calculations for non-exempt employees.

Employees who have full-time active status on the date of any holiday shall receive compensation for that day, even though they do not work on the holiday, as long as the holiday falls on the employee's regularly scheduled workday. The City Administrator, as necessary, may change the holiday schedule at any time.

Eligible holiday hours for regular employees equates to 8 holiday hours for employees working 30 or more hours per week. If a non-exempt employee is typically scheduled to work more than 8 hours, such as a 4/10 shift, in order to not receive a reduction in pay, the employee may account for the excess scheduled hours by:

- Using accrued vacation;
- Using accrued compensatory time;
- Flexing their schedule within the same FLSA workweek with supervisor approval; or
- Taking leave without pay.

For example, if a full-time employee is regularly scheduled to work 10 hours and is eligible for an 8-hour holiday, the employee has the option of accounting for the remaining two hours by using vacation, compensatory time, taking leave without pay, or by working two additional hours within the same FLSA workweek with prior supervisor approval. Supervisors are encouraged, if business needs allow, to accommodate an employee's request to flex a work schedule. Sick leave shall not be used to make up the extra hours.

If a holiday falls during an employee's vacation, the holiday will not count as a vacation day.

Employees shall not be compensated for unused holidays upon separation of employment.

a. Holidays Falling on Days Off

Generally, for employees who work Monday through Friday, holidays falling on Saturday are observed on the preceding Friday and those falling on Sunday are observed on the following Monday. However, when a designated holiday falls on an employee's regularly scheduled day off, other than Saturday or Sunday, the employee shall receive straight compensatory time for the number of eligible holiday hours allowed.

b. Working on a Holiday

If a non-exempt employee is required to work on a holiday, the employee will receive 1.5 times the normal hourly rate for all hours actually worked on the holiday, plus 8 hours of holiday pay. At the employee's discretion, the holiday hours may be awarded in compensatory time.

c. Recognized Holidays

New Year's Day

Labor Day

Martin Luther King, Jr./ Human Rights Day

Veteran's Day

President's Day	Thanksgiving Day
Memorial Day	Day After Thanksgiving
Juneteenth	Christmas Eve Day
Independence Day	Christmas Day

~~Additional holidays may include~~In addition, those~~any day~~ appointed by the President of the United States, ~~or by~~ the Governor of the State of Idaho, or the Mayor of Ketchum ~~for a holiday.~~

3. Leave

a. Sick Leave

Qualified employees begin to earn sick leave at the completion of the first full month after the date of hire. Full-time employees accrue sick leave benefits at the rate of 9 hours for each calendar month of continuous employment. Part-time employees and seasonal employees do not earn sick leave benefits. Employees do not earn sick leave benefits during any portion of a leave when they are not receiving their regular wages.

Sick leave may be used for the employee and when the employee is attending to their immediate family members. Sick leave can be used for the following reasons:

- Illness or injury
- Health care visits
- Mental and emotional health needs
- Preventative self-care

When a business need arises regarding the use of an employee's sick leave, the City may request medical certification from the employee. Employees may be required to present a fitness-for-duty release from their health care provider prior to returning to work. Employees are subject to disciplinary action for using sick leave in a manner that is not consistent with this policy.

Employees who know in advance that they need to use sick leave shall provide their supervisor with as much notice as possible. If an emergency or sudden illness prevents ~~the~~ advanced notification, notification shall be provided as soon as possible.

Employees that use sick leave for reasons that qualify under the Family and Medical Leave Act (FMLA) shall comply with the FMLA's procedural requirements addressed in the Family Medical Leave section.

Upon supervisor review and approval, a non-exempt employee may be entitled to compensatory time in a workweek where the employee takes sick leave and also works outside of their regular hours of work. This provision may also apply to other approved special circumstances.

All sick leave shall be forfeited at the time of separation from service, and no employee shall be reimbursed for accrued sick leave at the time of separation. ~~H;~~ however, if the employee is reinstated to service within ninety (90) days after the date of separation, all sick leave credits accrued at the time of separation shall also be reinstated.

Notwithstanding the above, employees with a minimum of ten (10) years of service qualify for a payment for a portion of their accumulated sick leave at the time of separation. This payment is computed as follows:

- Retirement after ten (10) years of continuous employment:
 - ~~o~~ Cap of 1,080 hours or fifty (50) % of accrued sick leave hours, whichever is less, times current Idaho hourly minimum wage.
- Retirement after fifteen (15) years of continuous employment:
 - ~~o~~ Cap of 1,620 hours or seventy-five (75) % of accrued sick leave hours, whichever is less, times current Idaho hourly minimum wage.
- Retirement after twenty (20) years of continuous employment:
 - ~~o~~ Cap of 2,200 hours or ~~one-hundred~~ ~~100~~ (100) % of accrued sick leave hours, whichever is less, times current Idaho hourly minimum wage.

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At the election of the employee, this payment can be ~~either~~:

- ~~a~~ A cash payment to the employee, a cash payment deposited directly into ~~the~~ employee's 401k or other qualified retirement savings plan, or a combination of both (up to the qualifying limits); ~~or~~
- ~~U~~ Used to pay for a continuation of the City's Medical/Dental Insurance coverage for that employee and/or their family as proscribed by COBRA; ~~or~~
- ~~U~~ Used to pay the premiums for some other Medical Insurance Plan for which that employee and/or their family qualify; ~~or~~
- ~~D~~ Deposited directly into a qualifying Health Savings Account (HSA) type of Medical Insurance Plan (up to the qualifying limits).

b. Bereavement Leave

Up to three (3) days of additional paid leave of absence for a death in the immediate family (spouse, parents, grandparents, children, grandchildren, brothers, and sisters). This time off may be used to arrange for and attend a funeral or memorial service and to attend to other family matters. Additional leave may be granted from accrued vacation and/or sick leave. When there are unique circumstances related to bereavement leave and the employee needs additional time off, the employee should confer with their supervisor and the City Administrator.

c. Leaves of Absence

The City Administrator, after recommendation by the supervisor, may grant up to fifteen (15) days of unpaid leave for any justifiable purpose when the employee's vacation and sick leave ~~have has~~ been exhausted. An employee may request, in writing, an unpaid leave of absence for up to fifteen (15) days. However, no employee is guaranteed a leave of absence. Unpaid leave in excess of thirty (30) days shall require written approval of the City Council.

Because of fluctuating City needs, the City cannot guarantee reemployment when an employee's leave of absence expires. If the employee's position or comparable position is not available, the employee's name will be placed on a hiring list, and they will be considered for future vacancies if the employee meets the qualifications.

d. Compensation while Serving on Jury Duty or as a Witness in a Court Proceeding

Employees receiving a jury summons or a summons to appear as a witness in a court proceeding should immediately advise their supervisor so arrangements can be made to accommodate the absence. In recognition of performing the responsibilities of a citizen, leave will be granted to full-time employees called to jury duty or to serve as a court witness. Full pay will be provided during the first three days of service. The City will pay the difference between the income employees receive from a scheduled forty (40) hour work week and the compensation received for jury duty, excluding mileage compensation. After the first three days, employees may elect to use accrued vacation time or an unpaid leave of absence. Special allowance may be made by the City Administrator upon a showing of inordinate hardship.

If employees are dismissed from jury duty before the end of the workday, they must report to their supervisor for instructions on whether to return to work for the remainder of the workday.

In the event ~~that~~ the commitment to a trial may last for an extended period of time, employees must notify their supervisor. Jury duty for an exceptionally long duration may be compensated upon the discretion of the City Administrator.

e. Military Leave

A paid leave of absence will be granted to employees who are members of the National Guard, military reserves, or other uniformed services to participate in ordered and authorized field training, subject to a maximum number of fifteen (15) working days per calendar year. This paid military leave will not affect an employee's vacation or sick leave accruals.

The City will comply with all applicable federal and state laws related to military leave, including the Uniformed Services Employment and Reemployment Rights Act (USERRA). If paid leave is not available, employees who are required to attend annual military training, extended active duty, or other qualifying military service may take the time as either regular vacation or unpaid leave. Employees are expected to provide advance notice of military duty and official documentation of orders when available.

Upon completion of military service, employees will be reinstated to their former position or a position of similar seniority, status, and pay, consistent with the requirements of USERRA.

~~A paid leave of absence will be granted to participate in ordered and authorized field training, subject to a maximum number of days as set by the Department Head. The City will comply with the provisions of applicable federal and state laws related to leaves of absence for military service. If paid leave is not available, employees who are required to attend annual military training or other active military duty may take the time as either regular vacation or unpaid leave.~~

f. Compassionate Leave

Employees may donate leave time to any City employee who has exhausted their vacation down to 32 hours, sick leave, and or compensatory time and who requires absence from work due to illness or injury in accordance with FMLA. The following applies to donations:

- Donations may be made in a minimum of 1 (one) hour increments. For every hour of sick, vacation, or compensatory time donated by the donor, the recipient will be credited with one hour of sick leave. The pay levels of the two employees shall not affect the transaction.
- A donating member must retain a minimum of 12044 hours of sick leave for their own use.
- A recipient can receive a combined maximum to the equivalent of the maximum allowable leave time in accordance with FLMA.
- An employee who returns to work either on a limited duty or on a part time basis may continue to use the donated time up to the maximum allotment.
- The donated time will not count as the donor's hours worked in any pay period.
- Participation as a donor is voluntary. A donor cannot be directly or indirectly intimidated, threatened, or coerced, or promised any benefit by any employee for the purpose of donating or using leave.
- Unused donated time will be returned to the donor or donors in the event the time is no longer needed.
- Donated time shall not count towards any leave cash out or conversion to retirement upon the employee's separation from the City.
- The employee's Department Head must approve the use of compassionate leave.

g. Parental Leave

The City recognizes that it is in a unique position to be a model for other government organizations. As such, in an effort to provide an opportunity for parents to bond and welcome a new child to their family, the City offers paid parental leave.

Parental leave is available to regular, full-time employees, regardless of gender.

Employees become eligible for parental leave on the first day of the month following 6 months of regular employment. The leave may be used only for the birth of the employee's natural child or adoption of a child (up to the age of 18 years old) in order to promote bonding with the child. When an employee is eligible for Family Medical Leave (FMLA), paid leave under this program will run concurrently with FMLA (please refer to the Family and Medical Leave policy for details). Employees shall designate, at the time they request FMLA, when parental leave will be used during the FMLA period. FMLA eligibility does not dictate parental leave eligibility.

Parental leave refers to paid time off following the birth of an employee's natural child or the legal placement of a child with an employee for the purposes of adoption. The maximum amount of paid parental leave is six (6) work weeks. However, employees may be eligible for additional leave, such as Family and Medical Leave, which may be paid or unpaid as outlined in that policy.

Parental leave may be taken in a single, continuous block of time or in one workday increments. However, employees are only eligible for parental leave ~~one time~~ once in the 12 months following the birth/adoption date.

The employee's actual workweek counts as a week of leave regardless of the number of hours worked.

Parental leave shall be requested at least 30 days prior to the child's anticipated due date/adoption date, absent any unforeseeable circumstances.

4. Benefits

The City, through the City Administrator, reserves the right to change, condition, or terminate any benefits set forth in this section. No employee shall acquire any rights in any current or future status of benefits except as law otherwise requires.

a. Benefits for ~~Part-time or~~ Casual/ Seasonal Employees

~~C~~~~Part-time or~~ casual/ seasonal employees shall only receive Worker's Compensation Insurance and hours worked.

b. Insurance Coverage

The City provides health, vision and dental insurance to employees who are hired to work 20 or more hours per week. The plan document and other benefit information outlines the cost of health care coverage. full-time employees and offers family coverage at the employee's option. Insurance coverage begins on the first day of the month following the start of employment with the City. All coverage is subject to policy terms and ~~to~~ changes at any time. Claims procedures are administered by the City Treasurer's Office.

Limited life insurance coverage and limited disability programs may be provided to full-time employees. Questions regarding the terms of these programs should be directed to the City Treasurer.

Worker's' Compensation insurance covering job-related injuries is provided for all employees. Questions about ~~w~~Worker's' ~~e~~Compensation insurance should be directed to the City Treasurer's Office.

c. Retired Employee's Health Insurance

The City offers health insurance to retired employees under the following conditions and eligibility rules:

1. An employee must be a full-time, active employee of the City and enrolled under the III-A plan for a period of at least one year prior to being eligible for the benefit. Elected officials are excluded from coverage.
2. Attain the Rule of 80/90 as defined by PERI (For purposes of the definition of the Rule of 80/90 the PERI definition applies, notwithstanding whether an employee is participating in PERI, or
3. An employee may retire early if:
 - a. Employment ends employment after meeting the minimum age requirement, and

- b. Employee has at least 60 months of full-time employment with that employer or 60 months of credited service, whichever applies.
4. Minimum Age Requirements for ~~E~~arly ~~R~~etirement
 - a. General members: ~~—~~The minimum retirement age for general members is 55. Employees may retire the first day of the month following the month they turn 55.
 - b. Public Safety Officers: ~~—~~The minimum retirement age for public safety officers (police/firefighters) is 50. Employees may retire on the first day of the month following the month they turn 50.
 - c. Members with Mixed Service who have accrued service credit as both a general member and as a public safety officer have mixed service. The minimum retirement age for someone with mixed service will be between the ages of 50 and 55.
5. There can be no lapse in coverage. The employee must transition from active to retiree status with no lapse in coverage. If they leave the plan after their employment ends for any length of time, they are no longer eligible for retiree coverage.
6. Survivor Benefits are also extended to ~~retirees~~retirees' dependents. If a retiree passes away while covered under the III-A, their covered spouse and dependents are allowed to remain on the III-A plan until the spouse becomes Medicare eligible. As previously stated, there cannot be a lapse in coverage.
7. When a retiree reaches the age of 65 and is termed from the plan, their covered spouse and dependents are also termed from the plan.
8. These rules also apply to ~~the~~ vision and dental plans, if applicable.

d. Retirement

The retirement plan of the City combines benefits of the Public Employees Retirement System of Idaho (PERSI) with Social Security (FICA). PERSI charges a percentage of an employee's gross salary, which is presently exempt from the Federal and State income taxes, and the City matches this with an additional larger contribution. Contact the City Treasurer for further information.

e. Education Assistance

The City offers employees financial assistance with their education. Education assistance applies towards college courses, certificate programs, and professional/technical badges. All of these categories are considered Professional Development. -Education assistance is guided by the following:

- Professional Development must directly relate to the employee's present or potential promotional assignment within the City.
- Departments must have sufficient budgetary resources prior to approval. The aAbsence of budgeted funds is a reason for the denial of the request.
- If approved, the City shall reimburse the cost of the Professional Development opportunity.
- To participate in the City's Education Assistance program, an employee must submit a request to their supervisor and obtain approval from the Department Head prior to enrolling in the Professional Development opportunity.
- The employee must submit evidence of satisfactory completion of the Professional Development opportunity.
- The employee shall refund the City a proportional amount of the Professional Development opportunity if the employee terminates employment or is terminated for cause within two (2)

calendar years of completion of the approved course. To determine the prorated amount, the approved cost of the Professional Development opportunity will be divided by twenty-four (24) months, and the employee will be responsible for repaying the cost of the course less the prorated amounts for the months worked since completion of the course.

All employees who pursue professional certification (i.e. paramedic licenses, Police Academy, Water and Wastewater Operator's License, etc.) and who participate in the Education Assistance program, at the City's Expense, will be required to accept the following reimbursement schedule if the employee voluntarily leaves employment with the City.

Date of Separation % of Reimbursement

Up to 12 months from receiving assistance	100%
12-18 months from receiving assistance	50%
18-24 months from receiving assistance	25%

f. Miscellaneous Benefits

In addition to the benefits listed above and on the previous pages, other miscellaneous benefits are available to full-time regular employees. The City may offer miscellaneous benefits to its employees in accordance with the policies or other documents which establish the programs.

g. Transfer of Benefits with Employee Transfer

Accrued benefits for each employee continue to the benefit of that employee if the employee transfers from one department to another within the City. Any such transfer will not result in a reduction of benefit offerings separate and apart from those realized by employees similarly situated.

FAMILY AND MEDICAL LEAVE (FMLA)

1. FMLA

The City complies with the Family and Medical Leave Act (FMLA) and will grant up to 12 weeks of leave during a 12-month period to eligible employees (or up to 26 weeks of military caregiver leave).

2. Eligibility

To be eligible for leave under this policy, employees must meet **all** of the following requirements:

- ~~H~~have worked at least twelve (12) months for the City;
- ~~H~~have worked at least 1,250 hours for the City over the twelve (12) months preceding the date the leave would commence; ~~and~~;
- ~~c~~Currently work at a location where there are at least fifty (50) employees within seventy-five (75) miles.

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The 12 months of employment do not have to be consecutive. All periods of absence from work due to or necessitated by service in the uniformed services are counted as hours worked in determining eligibility.

3. Reasons for Leave

Employees can use this leave for the following reasons:

- To care for the employee's child within the first year after birth or placement for adoption or foster care (if the leave is for a child of spouses that both work for City of Ketchum and are eligible for FMLA leave, the spouses can take a combined total of 12 weeks of FMLA leave);
- To care for a family member with a serious health condition;
- For an employee's own serious health condition which makes the employee unable to perform any of the essential functions of the employee's position; or
- For employees with a spouse, child, or parent in the military, to attend to a "qualifying exigency;" or
- To care for a spouse, child, parent, or next-of-kin who is a covered service member of the armed forces and suffered a serious injury or illness that was incurred or aggravated in the line of duty ("military caregiver leave").

Employees may take up to 26 weeks of unpaid time off in a single 12-month period for military caregiver leave, beginning on the first day of leave. Up to 12 of those weeks may be for a reason other than military caregiver leave.

Important Definitions

- Family member: means a parent, spouse, or child.
- Parent: means the biological parent of an employee or an individual who had parental responsibility for an employee when the employee was a child.
- Child: means a biological, adopted, or foster child; a stepchild; a legal ward; or a child for whom the employee has parental responsibility and who is either under 18 years of age or older than 18 and incapable of self-care because of a mental or physical disability.

Qualifying exigencies include:

- Advance notice of military deployment of 7 days or less (for which employees can take up to 7 days of FMLA leave);
- Short-term rest and recuperation leave (for which employees can take up to 15 days of FMLA leave);
- Making childcare arrangements for the military member's child;
- Attending certain military ceremonies and briefings; and
- Making financial or legal arrangements to address a military member's absence.

Other Types of Leaves

Any leave taken under this policy may run concurrently with leave taken under applicable state law where the statutes allow for leave for the same reasons.

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Leave under this policy used for military caregiver leave will run concurrently with any other military leave the employee is eligible for.

Employees may substitute any unused paid time off for while taking FMLA leave if the reason for FMLA leave also qualifies for paid time off. However, during any part of FMLA leave when an employee is receiving disability, ~~W~~Workers' ~~C~~ompensation, or paid family leave benefits, available paid time off can only be used to supplement those benefits if the employee and the City mutually agree, and state law permits that. The substitution of paid leave for unpaid FMLA leave does not extend the length of the FMLA leave period.

Leave Usage

Employees must generally take FMLA leave in full-day increments, but they can take leave on a reduced schedule or intermittently in some circumstances, including when the leave is related to:

- ~~A~~a medical necessity due to a chronic serious health condition;
- ~~a~~A medical necessity due to an expected medical treatment of a serious health condition;
- ~~a~~A medical necessity related to a covered service member's serious injury or illness;
- ~~a~~A qualifying exigency related to covered military service; or
- ~~t~~he birth, adoption, or foster placement of a child (if approved by the Organization).

For incremental leave or reduced schedules, employees must take leave in at least one-hour increments.

Notice

Employees must provide at least 30 days' notice of their need to take leave if the need is foreseeable. Otherwise, they must provide as much notice as practicable. Employees must try to schedule planned medical treatments to not disrupt City operations. If the leave is for a qualifying military exigency, employees must provide notice as soon as practicable, whether the need for leave is foreseeable or not.

Failure to comply with these rules may result in deferral of leave until the employee complies with this policy. If an unforeseen need for leave arises, employees must follow the City's standard absence notice procedures, unless unusual circumstances prevent the employee from doing so.

Documentation

The City may request that employees provide certification of leave within 15 days of their request for leave unless that's impracticable in the circumstances. If the City determines a medical certification is incomplete or insufficient, the City will provide the employee with written notice of the deficiencies, and the employee will have 7 days to provide complete information. If the employee does not provide the requested information within that time frame, the City may deny the leave request.

If the leave is needed to care for a sick child, spouse, or parent, employees must provide a certification from a health care provider that states: (1) the date the serious health condition started, (2) an estimate of how long the condition will last, (3) the estimated amount of time the health care provider will provide care, and (4) a confirmation that the family member needs the employee's help. If the leave is needed for an employee's own serious health condition, they must provide certification from a health care provider that states: (1) the date the serious health condition started, (2) an estimate of how long the condition will last, and (3) that the employee is unable to perform their

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essential job functions because of the serious health condition. If the City has reason to doubt the truth of the certification, it may require, at its expense, a second opinion from a health care provider designated by the City. If the second opinion differs from the first opinion, the City may require, at its expense, that the employee obtains~~get~~ the opinion of a third health care provider designated or approved by the City and the employee. The opinion of the third health care provider will be final and binding.

The City may also request medical certification for other leave-qualifying reasons if not prohibited by applicable law. The City requires certification from an employee's health care provider that the employee is fit to return to work. Failure to provide this certification will result in the denial of reinstatement until the certificate is obtained. If employees don't provide the certification within 3 business days after the employee's scheduled return date, they will be considered to have voluntarily resigned. The City may ask for recertification from the employee's health provider. For example, if an employee's medical condition lasts longer than 1 year, the City may request a new certification from the employee's health care provider every 12 months. If an employee is absent from work due to an ongoing medical condition covered under this policy, the City may ask for a new certification from the employee's health care provider every 6 months.

Leave Calculation

Only the amount of leave taken may be counted against an employee's FMLA leave. Where an employee takes FMLA leave for less than a full workweek, the amount of FMLA leave used is determined as a proportion of the employee's actual workweek. The amount of FMLA leave taken is divided by the number of hours the employee would have worked if the employee had not taken leave of any kind (including FMLA leave) to determine the proportion of the FMLA workweek used. For example, an employee who normally works 30 hours a week but works only 20 hours in a week because of FMLA leave would use one-third of a week of FMLA leave. The City may convert the FMLA leave usage into hours so long as it fairly reflects the employee's actual workweek.

Leave under this policy is calculated on a rolling 12-month basis, measured backward from the date an employee uses any FMLA leave. Each time an employee takes FMLA leave, the remaining leave entitlement equals the balance of the 12 weeks that has not been used during the immediately preceding 12 months. This method ensures that no more than 12 weeks of leave are available within any 12-month period (or 26 weeks for military caregiver leave).

Time that an employee is not scheduled to report for work may not be counted as FMLA leave. If the City temporarily stops business activity and employees aren't expected to report for work for 1 or more weeks (for example, a school that closes 2 weeks for the winter holiday, or a plant that closes for a week for repairs), the days the business activities have stopped don't count against the employee's FMLA leave.

When a holiday falls during a week in which an employee is taking the full week of FMLA leave, the entire week is counted as FMLA leave. However, when a holiday falls during a week when an employee is taking less than the full week of FMLA leave, the holiday is not counted as FMLA leave, unless the employee was scheduled and expected to work on the holiday and used FMLA leave for that day. When an employee's schedule varies so much that the City is unable to determine how many hours the employee would have worked during the week the employee takes FMLA leave, the City may use a weekly average to calculate the employee's FMLA leave entitlement. The weekly average is determined

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by the hours scheduled over the 12 months prior to the beginning of the leave and includes any hours for which the employee took any type of leave.

Required overtime hours that are not worked by the employee because of an FMLA-qualifying reason may be counted as FMLA leave. However, voluntary overtime hours not worked due to an FMLA-qualifying reason may not be counted as FMLA leave.

Checking In

If an employee takes FMLA leave because of their serious health condition or to care for a family member, they must contact the City periodically regarding the status of the condition and their intention to return to work. Employees must also give notice as soon as they can (within 2 business days if feasible) if the dates of leave change, are extended, or initially were unknown.

Other Information

The City will never retaliate against employees for requesting or taking FMLA leave. Employees have the right to return to the same position they had before they took leave or an equivalent position with the same pay, benefits, working conditions, privilege, status, duties, and responsibilities, subject to any exceptions under the law. Employees will be able to continue participating in any health benefit plan while on leave but must continue to pay their portion of the insurance premium. In some instances, the City may recover premiums paid to maintain health coverage for employees who fail to return to work following FMLA leave. Employees will not accrue any paid leave while taking FMLA leave.

To qualify as FMLA leave under this policy, the leave must be for one of the following reasons:-

- ~~• The birth of a child or placement of a child with the employee for adoption or foster care.~~
- ~~• To care for a spouse, child or parent who has a serious health condition.~~
- ~~• For a serious health condition that makes the employee unable to perform the essential functions of his or her job.~~
- ~~• For any qualifying exigency arising out of the fact that a spouse, child or parent is a military member on covered active duty or on call to covered active duty status.~~
- ~~• To care for a covered service member with a serious injury or illness.~~

4. Amount of Leave

~~An eligible employee can take up to 12 weeks of FMLA leave during any 12-month period. The City will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the City will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time.~~

~~An eligible employee can take up to 26 weeks for the FMLA military caregiver leave during a single 12-month period. For this military caregiver leave, the City will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.~~

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Eligible spouses who both work for the City may only take a combined total of 12 weeks of leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition. Both may only take a combined total of 26 weeks of leave to care for a covered injured or ill service member (if each spouse is a parent, spouse, child or next of kin of the service member). Employees should also refer to the City's Parental Leave and short-term disability policies for potential leave benefits and to learn how Parental Leave and short-term disability interacts with FMLA leave.

5. ~~Intermittent Leave or a Reduced Work Schedule~~

Employees may take FMLA leave in one consecutive block of time, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member) in a 12-month period.

The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth or placement for adoption or foster care.

For the birth, adoption or foster care of a child, the City and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the City's operations.

6. ~~Employee Notice Requirement~~

All employees requesting FMLA leave must provide verbal or written notice of the need for leave to the department supervisor or City Administrator or designee.

When the need for the leave is foreseeable, the employee must provide the City with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave fewer than 30 days in advance, the employee must provide notice of the need for the leave either the same day the need for leave is discovered or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the City's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Within five business days after the employee has provided this notice, the City Administrator or designee will complete and provide the employee with a Notice of Eligibility and Rights and request a medical certification or other supporting documentation as necessary.

~~7. Designation of FMLA Leave~~

~~Within five business days after the employee has submitted the required certification or other documentation, the City Administrator or designee will complete and provide the employee with a written response to the employee's request for FMLA leave using the FMLA Designation Notice.~~

~~8. Employee Status and Benefits During Leave~~

~~The City will continue an employee's health benefits during the leave period at the same level and under the same conditions as if the employee was continuously at work.~~

~~While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of insurance premiums. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the City Treasurer's office. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave.~~

~~The City will provide 15 days' notification prior to the employee's loss of coverage. If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the City will require the employee to reimburse the City the amount it paid for the employee's health insurance premium during the leave period.~~

~~If the employee contributes to a life insurance or disability plan, the City will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay their portion of the premiums, or the City may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the City will discontinue coverage during the leave. If the City maintains coverage, the City may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.~~

~~Employees continue to accrue vacation and sick leave while in a paid status. Vacation and sick leave do not accrue when an employee's FMLA leave is unpaid.~~

~~9. Employee Status After Leave~~

~~An employee who takes leave under this policy may be asked to provide a fitness for duty clearance from a health care provider. This requirement will be included in the City's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one that is virtually identical in terms of pay, benefits and working conditions. The City may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of their status as a key employee.~~

~~10. Use of Paid and Unpaid Leave~~

~~An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member may use accrued paid leave and compensatory time during FMLA leave.~~

~~Leave for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.~~

~~An employee who is using military FMLA leave for a qualifying exigency may use all accrued paid leave and compensatory time during FMLA leave. An employee using FMLA military caregiver leave may use all accrued paid leave and compensatory time during FMLA leave.~~

~~11. Intent to Return to Work from FMLA Leave~~

~~On a basis that does not discriminate against employees on FMLA leave, the City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.~~

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~~FAMILY AND MEDICAL LEAVE — MILITARY RELATED~~

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~~The following addresses Family and Medical Leave (FMLA) for eligible employees when the employees' circumstances qualify for leave due to a spouse, child, or parent being called up for or on active duty in the Armed Forces, or to care for a servicemember who is their spouse, child, parent, or next of kin and becomes seriously ill or injured while serving on active duty in the Armed Forces.~~

~~-~~

~~1. Employee Eligibility~~

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~~To be eligible for FMLA, employees shall have worked for 12 months and have worked at least 1,250 hours in the 12 months prior to taking FMLA.~~

~~-~~

~~Previous periods of employment with the City can be counted to meet the 12-month service requirement. Employment periods prior to breaks in employment of seven years or more are not counted; however, employment periods prior to a break in employment of more than seven years are counted if such breaks are due to National Guard or Reserve military duty.~~

~~Employees who return to work from National Guard or Reserve military duty are credited for the time that they are on military leave to meet the 1,250 hours of service.~~

~~-~~

~~2. FMLA for Active Duty~~

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~~Eligible employees can take up to 12 weeks of FMLA in a 12-month period because employees' circumstances qualify due to a spouse, child, or parent who is a servicemember of the Armed Forces' Reserve components or National Guard or retired servicemember of the Armed Forces or Reserves and is on active duty or called to active-duty status in support of a contingency operation. FMLA is not~~

available for servicemembers who are part of the regular Armed Forces. Circumstances that qualify for leave include:-

- ~~Short notice deployment activities~~
- ~~Military events and related activities~~
- ~~Childcare and school activities~~ • ~~Financial and legal arrangements~~
- ~~Counseling activities~~
- ~~Rest and recuperation activities~~
- ~~Post deployment activities, and/or~~
- ~~Additional activities as mutually agreed upon by the City and the employee~~

~~3. Exceptions~~

~~Eligible employees can take up to seven calendar days of FMLA for short notice deployments beginning on the date servicemembers are notified of an impending call or order to active duty. Short notice deployment leave can be used to address issues that arise from servicemembers' call or order to active duty seven calendar days or less prior to the date of deployment. Employees also can take up to five days of FMLA for rest and recuperation. Rest and recuperation leave can be used to spend time with servicemembers on short term, temporary rest and recuperation leave during a period of deployment.~~

~~A call for active duty refers only to a federal call to active duty; a state call for active duty is not covered unless under order of the President according to federal law in support of a contingency operation.~~

~~A contingency operation refers to a military operation that is designated by the Secretary of Defense as an operation in which members of the armed forces are or can become involved in military actions, operations, or hostilities against an enemy of the United States or opposing military force or a military operation that results in the call, order to, or retention on active duty of members of the uniform service according to federal military law or any other provision of federal law during a war or national emergency that is declared by the president or Congress.~~

~~4. Care for a Servicemember with a Serious Illness or Injury~~

~~Eligible employees can take up to 26 workweeks of FMLA during a single 12 month period to care for a servicemember who is their spouse, child, parent, or next of kin with a serious illness or injury incurred in the line of duty while on active duty as a member of the Armed Forces, including the National Guard or Reserves, and is: undergoing medical treatment, recuperation, or therapy; assigned as an outpatient to a military medical treatment facility; assigned to a unit providing command and control of Armed Forces' members who are receiving outpatient medical care; or on the temporary disability retired list. Leave is not available for former servicemembers of the Regular Armed Forces, Reserves, or National Guard and servicemembers on the permanent disability retired list.~~

~~A serious illness or injury is an illness or injury that servicemembers receive while they are in the line of duty on active duty and makes them medically unfit to perform the duties of their office, grade, rank, or rating.~~

A child of a servicemember is a biological child, adopted child, or foster child; a stepchild; a legal ward; or a child for whom a servicemember has day-to-day responsibilities to care for and financially support. The child can be any age.

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A parent of a servicemember is servicemembers' biological mother or father or person who had day-to-day responsibilities to care for and financially support servicemembers as children. Parents do not include parents-in-law.

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Next of kin of a servicemember is the nearest blood relative other than the servicemembers' spouse, parent, son, or daughter in the following order of priority: blood relatives who have legal custody of servicemembers; brothers and sisters; grandparents; aunts and uncles; and first cousins, unless servicemembers have specifically designated in writing another blood relative as their nearest blood relative. If no designation is made and there are multiple family members with similar levels of relationship to servicemembers, all such family members are considered next of kin.

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If a dispute arises about whether leave qualifies as FMLA, Human Resources will discuss resolution of the dispute with employees. Any discussions and the decision about leave will be documented.

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5. Amount of FMLA for Active Duty

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The City designates the 12-month period as a "rolling" 12-month period backward from the date employees take any FMLA. During this 12-month period employees can take FMLA because employees' circumstances qualify due to a spouse, child, or parent who is a servicemember of the Armed Forces' Reserve components or National Guard or retired servicemember of the Armed Forces or Reserves and is on active duty or called to active-duty status in support of a contingency operation.

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6. Amount of FMLA Leave

A single 12-month period of leave to care for a servicemember with a serious illness or injury begins on the first day employees take leave to care for the servicemember and ends 12 months after that date. If employees do not take the full 26 workweeks of leave during a single 12-month period, they forfeit the remaining amount of leave. The City provides leave on a per-servicemember, per-injury basis.

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Employees can take more than one period of 26 workweeks of leave if leave is used to care for different servicemembers or to care for the same servicemember who has a subsequent serious illness or injury, except that no more than 26 workweeks of leave can be taken within any single 12-month period. Employees can take more than one period of 26 workweeks of leave for a servicemember, with more than one serious injury or illness, only when the injury or illness is a subsequent injury or illness. If employees take leave to care for more than one servicemember or for subsequent serious injuries or illnesses of the same servicemember and the single 12-month periods overlap, employees are limited to 26 workweeks of leave in each single 12-month period.

If servicemembers' serious injury or illness extends beyond employees' 26 workweeks of leave, employees cannot take additional FMLA to care for the servicemember unless employees are eligible for leave to care for a family member with a serious health condition.

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The 26 workweeks of FMLA to care for a servicemember with a serious illness or injury can include leave taken for other FMLA-qualifying reasons, but no more than 12 workweeks of such leave can be used for other FMLA-qualifying reasons. For example, employees can take 12 workweeks of leave for the birth of a child and 14 workweeks of leave to care for a seriously ill or injured servicemember.

If two spouses work for the City and take FMLA to care for a servicemember with a serious illness or injury, they are limited to a total of 26 workweeks of leave during the single 12-month period for all FMLA-qualifying reasons. They remain subject to the 12-workweek limit for the portion of leave that can be taken to care for a newborn child or seriously ill parent.

7. Requesting FMLA Leave

Employees who request FMLA because employees' circumstances qualify due to a spouse, child, or parent who is a servicemember of the Armed Forces' Reserve components or National Guard or retired servicemember of the Armed Forces or Reserves and is on active duty or called to active-duty status in support of a contingency operation must notify their supervisors as soon as practicable.

Employees who request FMLA to care for a servicemember with a serious illness or injury must give 30 days' advance notice to their supervisors. If employees fail to provide notice, they can be required to explain to their supervisors why such notice was not provided. If employees request FMLA to care for a servicemember with a serious illness or injury and such leave was previously approved, employees must specify the particular reason for leave or the need for FMLA. Employees who cannot provide at least 30 days advance notice of their need for leave must notify their supervisors as soon as practicable.

When employees are previously approved for leave due to more than one FMLA-qualifying reason, the City may inquire further to determine for which qualifying reason the leave is needed. After employees submit requests for leave, the City will provide the following notices within five business days:

- FMLA Eligibility Notice that states whether employees are eligible for FMLA. Employees do not receive additional eligibility notices for subsequent FMLs during a 12-month leave period if their eligibility status remains unchanged; if employees' eligibility status changes, the City will notify them of any ineligibility for leave within five business days of the request.
- FMLA Rights and Responsibilities Notice that describes employees' rights and responsibilities under FMLA and consequences for failing to comply. If specific information in the notice changes, the City will provide written notice to employees within five business days of receiving employee's first notice of need for leave after any change; the notice will reference the prior notice and provide new information. At any time, the City can be contacted about and will respond to any questions about employees' rights and responsibilities under FMLA.
- FMLA Leave Designation Notice that describes whether leave is designated and counted as FMLA. If employees' leave qualifies as leave to care for a servicemember with a serious illness or injury and leave to care for family member with a serious health condition, it will be designated as leave to care for a servicemember with a serious illness or injury in the first instance. Employees will receive one designation notice for each FMLA-qualifying reason per 12-month leave period. Employees also will receive written notification if any information changes in designation notices for subsequent requests within five business days.

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Employees are notified of the number of hours, days, or weeks that will be counted against their 12 or 26 weeks of leave. If such information is known at the time leave is designated, employees will be notified in the designation notice. If it is not possible for the City to provide such information, employees will receive such information upon request once in a 30-day period when leave is taken during that time. If employees receive oral notice from the City of such information, they will receive written confirmation no later than the following payday unless the payday is less than one week from the oral notice in which case written confirmation will be provided no later than the subsequent payday.
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~~8. Certification For Active Duty Leave-~~

Employees who request leave due to a spouse, child, or parent who is a servicemember of the Armed Forces' Reserve components or National Guard or retired servicemember of the Armed Forces or Reserves and is on active duty or called to active duty status in support of a contingency operation must provide the City with a copy of servicemembers' active military orders and other certification.
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~~9. Certification For Leave To Care For A Servicemember With A Serious Illness Or Injury-~~

Employees who request leave to care for a military servicemember with a serious illness or injury incurred while serving on active duty in the Armed Forces must obtain certification completed by authorized health care providers. Health care providers from the federal Department of Veterans Affairs, federal Department of Defense, and DOD TRICARE network and non-network private health care providers are authorized to complete certification for such leave.

~~10. While On FMLA Leave-~~

During FMLA, employees must keep their supervisors informed of the estimated duration of leave and their intended date to return from leave. While on leave, if employees need to take more or less FMLA than originally anticipated, they must notify the City within two business days. While on FMLA, employees shall not engage in other employment.

~~11. Scheduling FMLA Leave-~~

FMLA can be taken all at once or, under certain circumstances, on an intermittent or reduced leave schedule. Intermittent leave is leave taken in separate blocks of time for a single FMLA-qualifying reason. An FMLA reduced leave schedule is a work schedule that reduces employees' usual number of working hours per workday or workweek. Employees will be informed whether they can take intermittent leave or a reduced leave schedule when they apply for FMLA. When it is physically impossible for employees using intermittent leave or working on a reduced schedule leave to begin or end their work midway through a shift, the entire time that employees are absent will be designated as FMLA.

Employees who request intermittent leave or a reduced leave schedule because employees' circumstances qualify for leave due to a spouse, child, or parent who is a servicemember of the Armed

Forces' Reserve components or National Guard or retired servicemember of the Armed Forces or Reserves and is on active duty or called to active duty status in support of a contingency operation must provide proper notice and required certification.

Employees who request intermittent leave or a reduced leave schedule must arrange medical treatments and appointments to minimize work disruptions. The City can transfer such employees temporarily to positions that permit them to take intermittent leaves or reduced leave schedules with limited work interruptions.

Employees who take intermittent leave or a reduced leave schedule and are unable to work required overtime because of a FMLA qualifying reason can have the hours that they would have been required to work counted against their 12 or 26 weeks of leave.

12. Pay and Benefits During FMLA Leave

FMLA is unpaid. The City allows employees use their accrued leave, including compensatory time, concurrently with FMLA. Employees shall comply with the City's policies on accrued paid leave when such leave is substituted for unpaid FMLA. Employees who are not eligible for accrued paid leave, or have exhausted their accrued paid leave, or do not meet the requirements of the City's policies regarding accrued paid leave, shall take unpaid FMLA.

The City will continue an employee's health benefits during the leave period at the same level and under the same conditions as if the employee was continuously at work.

While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of insurance premiums. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the City Treasurer's office. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave.

The City will provide 15 days' notification prior to the employee's loss of coverage. If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the City will require the employee to reimburse the City the amount it paid for the employee's health insurance premium during the leave period.

If the employee contributes to a life insurance or disability plan, the City will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay their portion of the premiums, or the City may elect to maintain such benefits during the leave and pay the employee's share of the premium payments. If the employee does not continue these payments, the City will discontinue coverage during the leave. If the City maintains coverage, the City may recover the costs incurred for paying the employee's share of any premiums, whether or not the employee returns to work.

Employees continue to accrue vacation and sick leave while in a paid status. Vacation and sick leave do not accrue when an employee's FMLA leave is unpaid.

13. Return From Military-Related Leave

~~Employees who return from FMLA will be reinstated to their former positions or to positions with equivalent pay, benefits, and other employment terms and conditions. If employees are no longer qualified for their former positions because of their inability to attend certain work-related functions or classes as a result of leave, the City will provide them with a reasonable opportunity to fulfill those conditions upon returning to work.~~

~~Certain "key" employees, who are among the highest paid employees at the City, might not be reinstated to any position. "Key" employees will be notified of their status in writing when they apply for FMLA and will receive notice at that time of the potential consequences with respect to reinstatement and maintenance of health benefits if they are not reinstated. The City will notify "key" employees in writing the reasons for denying reinstatement when such decision is made. The City will make a final determination whether to reinstate "key" employees if they request job restoration; such employees will be notified in writing of the City's final determination.~~

RULES OF EMPLOYEE CONDUCT

The City expects and encourages a work environment of respect and professionalism. All City employees are required to conduct themselves in a respectful and courteous manner that is appropriate for the workplace. This policy applies to all City employees, elected officials, representatives, and volunteers. While it is impossible to list every type of conduct that is acceptable/unacceptable, the following are the City's expectations and also includes examples of conduct that when violated may result in disciplinary action, up to and including termination.

1. Shall be prompt and regular in attendance at work or other required functions. If an employee will be unable to report to work, or will be late, the employee must let their immediate Supervisor know as soon as possible, and always before the scheduled starting time. If the Supervisor is unavailable, a message may be left that includes the reason for being late or absent and a telephone number where the employee may be reached. If an employee's absence or tardiness is due to an emergency, the employee should call in, or have someone call in on the employee's behalf, as soon as possible.
2. Shall comply with the dress standards established in a department for which the employee works. The City Administrator or other department head may set dress standards. In the absence of any departmental dress standards, clothing shall be appropriate for the functions performed and shall present a professional appearance to the public.
3. Shall dedicate primary efforts to City employment with secondary employment subject to approval by the department head or City Administrator. The request for secondary employment shall be made in writing. ~~This policy excludes paid-on-call firefighters.~~
4. Shall not accept gifts, gratuities or loans from organizations, business concerns, or individuals with whom the employee has official relationships while on business of the City in violation of applicable laws. No gift may be accepted which would create the impression that the giver was seeking special favor from the employee.
5. Shall not serve on any board or commission which regulates or otherwise affects the official duties or personal interests of an official or employee in a way that could create disadvantage for other members of the public or advantage for the employee.

6. Shall not release personnel information or any other public record absent adherence to state law and without the express authority of the public official responsible for custody of the record or without an order from a court of competent jurisdiction.
7. Shall not use substances, unlawful or otherwise, which will impair the employee's ability to function as a valued and competent part of the City's work-force. Smoking and use of tobacco products is prohibited in all City-owned buildings and vehicles. Smoking by employees is permitted only during rest or meal periods and only outside of City buildings. As the abuse of alcohol or any other drug is a serious threat to both personal health and job performance, employees are strictly prohibited from possessing, selling, consuming, or being under the influence of alcohol or drugs, except as authorized by a physician, while on the job.
8. Shall not engage in conduct in the operation of a motor vehicle that impairs the ability of the employee to perform job functions even though the driving conduct does not occur during hours of employment.
9. Shall not engage in workplace or public conduct otherwise detrimental to the accomplishment of the goals established by the City Council or the official or department for whom the employee works.
10. Shall not engage in criminal conduct of any kind while on or off duty. City employees are expected to behave in a lawful manner and failure to do so is a violation of the trust placed in such employees by the public and the appointing official.
11. Shall not engage in conduct away from work that, although not criminal, may reflect adversely upon the City or its officials or otherwise impair the employee's ability to perform.
12. Shall avoid conflicts of interests in appointments and working relationships with other employees, contractors and potential contractors in the City and related agencies.
13. Work cooperatively and constructively with fellow workers and members of the public to provide public service of the highest quality and quantity.
14. Give efforts to accomplish the work of the City for public benefit in accordance with policies and procedures adopted by the City Council and elected officials. Each employee shall be subject to the administrative authority of the Mayor, City Administrator, and the department head who supervises the department where the employee works.
15. Adhere to any code of ethics in their profession and not engage in conflicts of interest or use their public position for personal gain.
16. Follow all rules for the care and use of public property to assure ensure that the public investment in equipment is protected and that the safety of the public and other workers is maintained.
17. Abide by all departmental rules whether they be are written or issued orally by the supervisor. No employee shall be required to follow the directive of a supervisor that violates laws of any local jurisdiction, the state, or the United States.
18. Abide by all pertinent statutes, and City ordinances concerning the dissemination of information to the public from public records or about public matters. The decision to release information from the public records or to disclose writings or other information in the hands of a public official belongs with the responsible official who has official custody of that record. Each employee shall maintain the confidential nature of records or information that is not open to public scrutiny in accordance with the direction of the responsible official.
19. Adhere to the defined work schedule and procedures for an exception exceptions to normal work schedules. Each employee shall follow all rules regarding the reporting of work hours and the approval which must be given for pay record submittal. Failure to follow such rules may be grounds for delayed payment of wages, salaries, or reimbursements, or for imposition of appropriate disciplinary penalties.

20. Follow all rules regarding work hours, breaks and lunch periods, including provisions granting supervisors authority to adjust them. The timing of work hours, including breaks and lunch periods, may be changed to accommodate the completion of necessary work.
21. Follow all rules for reporting accidents on the job. Each employee shall cooperate in the reporting and reconstruction of any job-related accident in order that workplace hazards can be eliminated, and that proper consideration can be accorded to injured workers and the public.
22. Report any accidents observed to have occurred on City property or involving City property. Each employee shall provide as much information as they can from the observations made in the course of activities associated with the employee's work. Such information should be reported to the employee's immediate supervisor as soon as physically possible, and reasonable efforts should be made to assist those persons in need. A workers' compensation injury report may need to be completed.
23. Follow all rules regarding safety in the workplace whether established formally by the department or by outside agencies. Employees are encouraged to suggest ways to make the workplace or work procedures safer.
24. Keep their general work area clean and orderly. While the City employs custodial services to maintain larger areas, individual employees are responsible for the neatness of their own work areas. Computers used in conjunction with employee workstations shall be used for office-related functions only. Passwords assigned to employees shall be kept confidential and changed on a periodic basis. Employees must not write their login password and information down or share it with others.
25. Maintain security of records and property of the City. Employees shall immediately report any suspicious circumstances or missing items to their supervisor. All employees shall secure their individual workstations using designated log off prompts or other password-related security checks when away from their station.
26. City Employees should not disclose any confidential information, or disclose information from internal discussions, related to property, permitting, government, or affairs of the City without prior approval of the City Attorney or City Administrator. Under no circumstances should an employee use such information to advance the financial or private interests of the employee or others.
27. Perform such obligations and duties as are necessary to carry out the work of the City in an efficient and effective manner at minimal costs and with limited risk to the public and fellow workers.
28. Use City issued credit cards in a lawful and fiscally responsible manner. Such credit cards may only be used for valid authorized expenses. Credit cards shall be issued by the City Treasurer and may be revoked for any reason. City credit card policy must be signed and retained in an employee's personnel file.
29. Engage in abusive, unprofessional, or inappropriate conduct to fellow employees or to the public, or use abusive or inappropriate language in the presence of fellow employees or the public. Abusive language shall include, but is not limited to, profanity and loud or harassing speech.
30. Engage in malicious gossip and/or spreading rumors; engaging in behavior designed to create discord and lack of harmony; willfully interfering with another employee's work output; or encouraging others to do the same.
31. Use work time for personal business including but not limited to the following actions: selling of goods and services or; voicing religious, political, social, or personal views to members of the public during the workday. Employees should minimize the amount of work time spent on similar activities engaged in with fellow employees. While employed, it is essential to maintain a

clear distinction between personal opinions and representing the City's views. When expressing personal opinions, whether in person or on social media, it is crucial for an employee to clarify that the opinions are the employee's and not reflective of the City's position.

32. Engage in political activities while on duty in public service. This rule shall not apply to elected officials. Employees shall enjoy full political rights when not carrying out their work obligations.
33. Provide false or misleading information on employment applications, job performance reports, or any other related personnel documents or papers.
34. Harass or discriminate in the treatment of co-workers or members of the public on the basis of a protected class status.
35. Violate state statutes or local rules regarding the inappropriate use, alteration, destruction, or removal of any public records required by law to be kept by the entity or other public officials.
36. Abuse employee benefit offerings by taking unjustified sick leave, annual vacation, or otherwise participate in a scheme or deception designed to create incorrect personnel records or to claim benefits which are not deserved in accordance with City policy.
37. Violate rules concerning absence from the workplace without proper authorization. Employees must obtain prior permission as required by the City policy for use of annual leave, sick, bereavement, or other types of leave granted by the City.
38. Engage in prolonged visits with children, friends, or family members; salespersons; or others not related to City business, whether in person, over the telephone, or in an electronic manner, including email and instant messenger, or engage in any personal endeavor which interfere with the course of work in the office or department in which the employee serves.
39. Use telephones, computers or other City property in the office or workplace in a manner that disrupts the work or workflow. Workplace equipment shall not be used for any purpose relating to the employee's business or other personal interests.
40. Fail to report to the City Administrator within forty-eight (48) hours, or in accordance with the Drug Free Workplace Act, a felony or misdemeanor conviction, excluding minor traffic violations.
41. Disregard any rule established by the Mayor, City Administrator, or department head to maintain order and productivity in the workplace.
42. The City strictly prohibits a supervisor from dating or engaging in a romantic or sexual relationship with an employee that they supervise. Romantic or sexual relationships between other employees shall not create conflicts of interest or discord or distractions that interfere with other employees' productivity.
43. Employees are encouraged to report in good faith any waste of public funds, property, or resources; any unsafe acts; or any violation of law, City policies, or regulations. When possible, such reports should be at a time and in a manner that gives the City a reasonable opportunity to correct the waste or violation.
44. Employees are expected to fully cooperate with investigations. This policy prohibits any adverse action against an employee for participating or giving information in an investigation, hearing, court proceeding, legislative or other inquiry, or other form of administrative review. Employees who engage in adverse actions or retaliation are subject to disciplinary action, up to and including termination of employment, and may be subject to civil fines pursuant to applicable law.
45. Employees are prohibited from making reports when the employee knew or reasonably should have known the report was malicious, false, or frivolous.

CORRECTIVE ACTION

The City's corrective action procedures are designed to provide City departments with a standardized process to communicate expectations and prevent a recurrence of undesirable employee behavior. Outlined below are the progressive steps of the City's discipline procedure. The City reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling or training; the employee's work record; and the impact the conduct and/or performance has on the work group or organization.

Discipline is typically administered in a progressive manner so that the least amount of corrective action needed is used to correct the employee's conduct. However, as determined by the City, the discipline issued will depend on the seriousness of the behavior, which could include termination as the first disciplinary step. All matters involving discipline will remain confidential to the extent possible.

The following actions, in no particular order, are among the available disciplinary steps that can be taken by the City Administrator or Department Head in response to personnel policy violations:

- Oral warning
- Written warning
- Formal written reprimand
- Suspension with or without pay
- Involuntary demotion
- Probation
- Termination

There is no appeal from any of the above levels of discipline. However, the City requires that employees receive written notice and an opportunity to be heard before any of the following actions occur: ~~termination of employment, an involuntary demotion where~~when there is a loss ~~in~~of pay, or an unpaid suspension. The employee will receive a Notice of Intent to Discipline outlining what the employee allegedly did, referencing any policies or regulations, rules, laws, or previous directives that the employee allegedly violated, a statement that termination, involuntary demotion, or unpaid suspension may be issued if a violation is found, and sets forth a time to discuss the contents of the letter.

The meeting to discuss the contents of the Intent to Discipline letter will include the Department Head, the City Administrator or designee, and the employee. At the meeting, the employee will be informed of the information supporting the allegations and will have an opportunity to share any relevant information. If the employee fails to attend the meeting, the City will base the decision on the available information.

The Department Head and City Administrator or designee will consider all of the information and make a decision and notify the employee in writing of the outcome of the Intent to Discipline meeting. There is no internal appeal of the written decision.

PERFORMANCE MANAGEMENT – *The City is currently revising the performance management process, working in partnership with the Employee Engagement Committee to create*

an improved tool for providing feedback on employee performance, which is currently undergoing beta testing with the Planning & Building Department.

Each employee may be evaluated at six months of employment to receive any cost-of-living adjustment or bonus program increases and then on an annual basis to assess the performance of that employee in the job being performed for the City. Formal performance appraisals are usually conducted after an employee's first six-months of employment with the City in a new position of responsibility. Thereafter, formal performance evaluations may take place at the end of each year thereafter. Formal evaluations may also be completed at other times as the need arises.

Regular performance appraisals provide both the employee and their supervisor the opportunity to discuss how well each employee is meeting expectations, to clarify job responsibilities, make corrections when needed, and to explore possibilities for the development of skills and advancement. Each evaluation will be given on the basis of the direct supervisor's observations of the employee's performance, the accuracy of the employee's work in addition to the quantity, and additional efforts expended by the employee on behalf of the City. Each supervisor must complete a standard evaluation form, or other format provided by the City Administrator, which shall be placed in the employee's ~~permanent-personnel record~~ file. The City may ask the employee to sign the performance appraisal to indicate that it was reviewed with the employee, but the employee's signature does not signify that the employee agrees or disagrees with the City's evaluation.

PROBLEM RESOLUTION

Employees are encouraged to openly discuss employment-related concerns with their supervisors at any time. Supervisors should maintain an open-door approach for such discussions. If a concern develops into a grievance, the following process can be used to resolve employment-related grievances promptly. A grievance is a work-related matter, excluding matters or issues where a separate review or hearing process exists, such as allegations of discrimination or harassment and discipline and termination decisions.

If an informal discussion between the employee and their direct supervisor does not resolve the employee's concerns, the employee must put in writing their concerns and provide this to the supervisor within ten workdays of when the informal discussion occurred. If a resolution is reached, this must be documented and signed and dated by the employee and the supervisor. The supervisor shall put the written resolution in the employee's personnel file. If [a](#) resolution is not reached, the supervisor shall provide a written reason to the employee.

If [a](#) resolution is not reached, the employee can appeal in writing the supervisor's decision to the next level of supervision. The next level supervisor must receive the employee's written appeal within five workdays of when the employee received the supervisor's written decision. The next level supervisor can choose to meet with the employee to discuss the matter. If a resolution is reached, this should be documented and signed and dated by the employee and the next level supervisor. The next level supervisor must put the written resolution in the employee's personnel file. If [a](#) resolution is not reached, the supervisor shall provide a written reason to the employee.

If resolution is not reached or the next level of supervision is the City Administrator, the employee can appeal the decision to the City Administrator or Mayor, if the City Administrator is the subject of the grievance. The employee's appeal must be in writing and submitted within five workdays of receiving the previous level supervisor's decision. The City Administrator/Mayor can choose to meet with the employee to discuss the matter. The City Administrator/Mayor will make a final, written determination of the matter. There is no appeal from the final determination. The final written determination will be placed in the employee's personnel file.

ETHICS AND CONFLICTS OF INTEREST POLICY

The City expects all employees to uphold the highest standards of honesty, integrity, and impartiality in performing their duties. Employees are responsible for conducting themselves in a manner that promotes public trust and confidence in the City's operations.

Employees must avoid situations that could create a real or perceived conflict between their personal interests and the interests of the City. A conflict of interest exists when an employee's personal, financial, or other interests could improperly influence—or appear to influence—the performance of their official duties.

Employees are required to disclose any potential or actual conflicts of interest as soon as they arise. Ethical concerns or possible conflicts should be brought to the attention of the City Administrator or their designee.

The City also provides a confidential reporting option for employees who wish to report concerns anonymously through the City's internal employee portal. Retaliation against individuals who raise concerns in good faith is strictly prohibited.

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DOGS IN THE WORKPLACE

The City recognizes that dogs can contribute to a positive and welcoming work environment. Employees may bring their dogs to work with prior approval from their Department Director, provided that doing so does not interfere with operations, safety, or the comfort of others.

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Eligibility and Expectations

- Employees must ensure their dogs are house-trained, well-behaved, and current on vaccinations.
- Dogs must be under control at all times, either on a leash or confined to the employee's immediate work area. Public safety is a priority. Having a dog in an area that the public regularly frequents may be cause for a denial to bring a dog to work.
- Dogs may not be left unattended in City facilities.
- The presence of dogs must not disrupt others, create odors, excessive noise, or cause allergic or safety concerns.
- If another employee objects due to allergies, fear, or other reasonable concerns, the Department Director will determine an appropriate resolution, which may include revoking permission.

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Responsibility and Liability

- Employees are solely responsible for the behavior and actions of their dogs.
- Any damage or injury caused by an employee's dog, including bites or property damage, is the employee's personal responsibility.
- The City will not assume liability for injuries or damages arising from an employee's decision to bring a dog to work.

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Revocation of Privilege

Bringing a dog to work is a privilege, not a right. This privilege may be revoked at any time at the discretion of the Department Director or City Administrator if:

- The dog exhibits aggressive, disruptive, or unsafe behavior;
- The employee fails to maintain control or cleanliness; or
- The presence of dogs negatively affects workplace safety, productivity, or morale.

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Employees are expected to remove their dogs immediately if requested by leadership.

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Exceptions

This policy does not restrict or replace reasonable accommodations for service animals or emotional support animals as required by law.

WEAPONS

The City is committed to providing a safe and secure environment for employees. While the City respects the rights of individuals to lawfully own and possess firearms, weapons in the workplace present serious safety concerns. To maintain a safe and productive environment, employees must follow the guidelines below.

Prohibited Weapons in City Buildings

Employees are prohibited from carrying or possessing firearms or other dangerous weapons inside any City-owned or leased building or facility, including City Hall, the Recreation Center, Public Works offices, and other indoor workspaces.

This restriction applies whether employees are on duty or off duty and includes concealed and openly carried weapons.

Weapons in Private Vehicles

The City does not restrict employees from lawfully transporting or storing firearms in their privately owned vehicles while parked in City-designated parking areas, provided that all of the following conditions are met:

- The employee is legally permitted to own and carry the firearm.
- The vehicle is authorized to be parked in the area.
- The firearm is:
 - kept out of sight while the employee is in the vehicle; or
 - stored out of sight and locked inside a compartment, container, or securely attached part of the vehicle when unattended.

If these conditions are not met, possession of a firearm on City property is prohibited.

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Definitions

For the purpose of this policy:

- City property means all property owned, leased, or controlled by the City of Ketchum, including buildings, vehicles, parking lots, and workspaces.
- Dangerous weapons include, but are not limited to, firearms, explosives, large knives, or any object designed or used to cause serious bodily harm.

Work Tools and Exceptions

Small tools such as box cutters, utility knives, or scissors that are required for an employee's job duties are permitted. Employees are responsible for ensuring that any item they bring to work is not considered a dangerous weapon.

This policy does not restrict or replace reasonable accommodations for lawful service weapons carried by law enforcement or authorized personnel.

Enforcement

Violations of this policy will be addressed in accordance with the City's standard disciplinary procedures, up to and including termination of employment. The City reserves the right to make appropriate inquiries or take action if it believes an employee poses a risk of harm to themselves or others.

EMPLOYEE USE OF CITY VEHICLES

If an employee uses one of the City's vehicles or uses their own vehicle while performing their work duties, the following applies:

1. To use a City owned vehicle, the employee must have and carry with them a valid Idaho driver's license. If an employee uses their own vehicle for City business, evidence of satisfaction of insurance and a copy of their current driver's license must be kept in the employee's personnel file.

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2. Employees may not loan out City-owned vehicles or equipment to others without permission from the City Administrator or Department Head. The employee must operate a vehicle in a safe, courteous, and lawful manner.
3. Employees may not use City-owned vehicles for personal use, including but not limited to errands and travel to and from an employee's home, unless otherwise authorized by the City Administrator or Department Head.
4. If an employee has a City-owned vehicle for use on an on-going basis, the employee must maintain the vehicle in proper working order.
5. Employees must not operate a City vehicle while under the influence of drugs, alcohol, or any controlled substance.
6. Employees must promptly notify their supervisor and the City Administrator of any citations for moving violations or accidents, and provide a copy of the employee's driving record upon request. Any citation will require the Employee to submit to a drug or alcohol test, unless waived by the City Administrator. Vehicle damage may require the Employee to submit to a drug or alcohol test.
7. Each employee must report any state-imposed driving restrictions to their immediate supervisor. Each employee is also obligated to notify their supervisor in the event that their driving abilities are impaired by anything other than state restrictions.
8. Only authorized signs shall be placed on any City owned vehicle.

USE OF PORTABLE ELECTRONIC DEVICES WHILE DRIVING OR BICYCLING

The use of portable electronic devices shall be prohibited while an employee is operating a motor vehicle or bicycle on City business. Use of a hands-free system, such as Bluetooth or headphones, or an affixed GPS system, or a vehicle mounted mobile data computer is permitted.

Portable electronic device means a hand-held, mobile telephone, personal digital assistant, MP3 or other hand-held music player, electronic reading device, laptop computer, pager, broadband personal communication device, GPS or navigation system, electronic gaming device, or portable computing device.

Handheld cell phone use is permitted in the event of an emergency, such as calling 9-1-1 to report a crime or an accident. Even in an emergency situation, it is best to pull over and come to a complete stop before using or operating any mobile or handheld device.

EMPLOYEE TRAVEL

1. Same Day Out of Town Travel

Travel time to and from out-of-town training or meetings will be considered time worked for employees classified as non-exempt under wage and hour laws. Employees must submit all receipts along with a travel expense voucher in order to receive reimbursement. The time spent traveling to and returning

from the other City is work time, except that the City deducts/does not count that time the employee would normally spend commuting to the regular work site.

2. Out of Town Overnight Travel

For overnight travel, travel time during the employee's regular workday is compensable for employees classified as non-exempt under wage and hour laws. Therefore, if an employee will be away from home overnight, the travel should be planned and scheduled (whenever possible) to occur during the employee's normal work hours. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on nonworking days.

Employees shall use the most practical mode of travel from the standpoint of time and expense. Supporting documentation shall be attached to the travel expense voucher.

Reimbursement for travel by common carrier shall be limited to the lowest cost means of travel unless it is impractical or not available. When for personal reasons a traveler is authorized by the Department Head to use a private conveyance in lieu of a common carrier, reimbursement will be limited to an amount for travel, meals, lodging and miscellaneous expenses equal to the amount which would have been incurred had the travel been by common carrier. Authorized travel time shall be limited to that which would have been allowed had the employee traveled by common carrier. Unless the Department Head specially authorized a leave of absence, excess travel time incurred by the authorized use of a private conveyance for personal reasons during working hours shall be charged to the traveler's accrued leave.

A Travel Request Form shall be submitted and approved prior to any travel taking place. For reimbursement of travel expenses, a Travel Expense Report shall be filed by the employees for reimbursement of expenses, which must be approved by the department head. The purchase of alcohol will not be reimbursed.

TELECOMMUNICATIONS SYSTEMS POLICIES-TECHNOLOGY USE

The City provides access to technology, telecommunications, and data systems to assist employees in conducting City business efficiently and securely. These systems include telephones, cellular devices, computers, software, electronic mail, internet access, and network resources. All information created, received, sent, or stored on these systems is the property of the City.

General Use

City communications and technology systems are provided primarily for business purposes. Limited personal use is permitted if it is infrequent, does not interfere with work performance, and does not violate any City policy. Employees must exercise good judgment, professionalism, and respect in all communications and use of City systems.

All City policies concerning conduct—including those addressing courtesy, confidentiality, harassment, discrimination, and solicitation—apply to all technology and communication systems. The display, transmission, or receipt of any sexually explicit, harassing, discriminatory, or otherwise inappropriate

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material using City systems is strictly prohibited and may result in disciplinary action up to and including termination. Employees who become aware of the misuse of City technology should report it immediately to their supervisor or the City Administrator.

Telephones, Mail, and Facsimile

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Personal telephone calls should be kept to a minimum and must not interfere with work duties. Employees may be required to reimburse the City for any charges resulting from personal use of City-owned telephones or other communication systems.

The use of City-paid postage for personal correspondence is not permitted, and employees should not use the City's mailing address for regular receipt of personal mail.

City fax machines and similar systems are to be used for City business purposes.

Cellular Phones and Stipends

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City-issued cellular telephones are intended for official business use. Limited personal use is allowed when it does not interfere with City operations.

Some employees may be required or permitted to use their personal cellular phones for City business. With approval from the City Administrator, employees using their personal cell phone as their primary/ancillary work phone may receive a \$30 monthly stipend as reimbursement. Messages, texts, and other communications on personal phones used for City business may be considered City records and subject to disclosure under Idaho public records laws.

Electronic Mail, Internet, and Network Systems

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Employees should have no expectation of privacy in any communication, data, or document created, sent, received, accessed, or stored using City systems. Although employees may use personal passwords, the City's information system administrators have access to all electronic communications and data to ensure compliance with City policies, maintain system integrity, and respond to public records requests.

The City uses software and network systems capable of monitoring, logging, and recording internet and email activity. The City may access, review, copy, and delete information or files at any time, with or without notice. The City may also analyze usage patterns to ensure systems are used appropriately and securely.

Employees must not use City systems to conduct personal business, solicit sales, promote private ventures, or distribute unapproved materials. All postings to City websites or social media platforms must be authorized by the appropriate department. Employees are responsible for the content of all messages, files, or materials they create or transmit. Unauthorized copying, downloading, or installation of software, data, or applications is prohibited.

Cybersecurity and Information Protection

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All employees share responsibility for protecting City information and technology systems. Employees must:

- Use strong, confidential passwords and protect them from disclosure.

- Lock or log off devices when unattended.
- Avoid downloading unapproved software or connecting unauthorized devices.
- Report suspicious emails, links, or system activity to the Information Technology (IT) department immediately.
- Scan all downloaded or uploaded items for viruses and malware using City-approved antivirus software.

The City reserves the right to restrict or revoke access to its systems when necessary to maintain security or integrity.

Data Privacy and Public Records

Electronic communications and information created, received, or stored on City systems may be considered public records. Employees must handle all data—including personal, confidential, and sensitive information—in compliance with public records, data privacy, and records retention requirements. The City Clerk is responsible for maintaining public records consistent with Idaho law.

Artificial Intelligence and Digital Tools

Employees may use artificial intelligence (AI) or automated tools only when authorized by their Department Director. Employees must not enter confidential, proprietary, or sensitive City data into public AI tools. AI systems must not be used to make or communicate official City decisions without review and approval.

Enforcement

Improper, unauthorized, or unsafe use of City technology or communication systems may result in disciplinary action, up to and including termination of employment. The City reserves the right to monitor, review, and regulate system access at any time to protect its operations, employees, and data.

~~Personal use of telephones, faxes, electronic mail and Internet access is strongly discouraged and must not interfere with the employee's work. City communications and electronic equipment are provided for business purposes.~~

~~Telephones: The City recognizes that employees may be required to use the telephone for personal calls. Employees may be required to reimburse the City any charges resulting from their personal use of the telephone and other communications systems owned and operated by the City. Personal calls should be kept to a minimum and should not interfere with an employee's work duties.~~

~~Mail: The use of City paid postage for personal correspondence is not permitted. Employees should not use the City address for regular receipt of personal mail.~~

~~Facsimile: Transmission using City facsimile machines are to be made for business purposes.~~

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~~Cellular Phones: The City may issue cellular telephones to employees when necessary for the efficient conduct of business. Use of the cellular telephones is restricted to City business, with the exception of de minimis personal use.~~

~~Certain employees of the City are required to use their personal cell phones to conduct business. Other employees may choose to use their personal phone as their primary phone for City business. Subject to approval of the City Administrator, the City will pay a \$30.00 monthly phone stipend as reimbursement for using a personal phone for City business. Messages generated and received on these phones, including audio, text and visual may be considered City property. As such, City may be subject to Idaho public records request laws.~~

~~-~~

~~ELECTRONIC MAIL AND INTERNET POLICY~~

~~-~~

~~Although employees may have a personal, private password on their City provided technology, the administrator of the information system has access to all electronic mail messages in order to ensure compliance with City policies.~~

~~-~~

~~The City does not permit the posting of items for solicitation on bulletin boards or the circulation of memos soliciting sales or contributions to charity, and likewise such posting is prohibited through the electronic mail system.~~

~~-~~

~~All City policies concerning conduct of employees, such as courtesy, solicitation, and harassment, apply to the use of the voice mail, electronic mail system and the Internet.~~

~~-~~

~~Employees have no personal privacy right to anything created, received, or sent on or from the City's e-mail or voice mail system, and by accessing the system, employees expressly waive any right of privacy in anything that they create, store, send, or receive on the system. By accessing the system, employees further consent to allowing personnel of the City to access all material created, sent, or received on the system.~~

~~-~~

~~Employees are not to place personal copies of software or data on any computer without prior authorization. Each employee is responsible for the content of all text, audio or images they place on or over the City e-mail or Internet system.~~

~~All items downloaded to the City Web site must be scanned for viruses. All items downloaded from the City site or any other locations must also be scanned for potential viruses. Anti-virus software must be used to scan for viruses before any material is placed on the City internet system.~~

~~Electronic information may be a public record pursuant to Idaho law. Accordingly, maintaining such public records shall be at the direction of the City Clerk.~~

DRUGS AND ALCOHOL

The City has a vital interest in maintaining safe, healthy, and efficient working conditions for its employees. Drug and alcohol use may impose serious safety and health risks to the employee and the

workplace and may also impair the efficient operation of the City business. For these reasons, the City has established the following policy with respect to the use, possession or sale of alcohol or drugs.

1. On-the-Job Use, Possession or Sale of Drugs or Alcohol

Employees are prohibited from consuming alcohol while working or while on-call. Employees are also prohibited from reporting to work under the influence of alcohol. This includes unanticipated call-in situations. If an employee cannot meet this requirement, it is the employee's responsibility to tell their supervisor, or person initiating the call-in, that they cannot report to work.

Because alcohol is a legal substance, it is not the intention of this policy to prohibit employees from consuming alcohol when not on duty, or while participating in activities or events at City facilities while not on duty, or during the course and scope of employment when the employee's performance of duties has concluded for the day.

Listed below are examples of situations in which the responsible use of alcohol by employees during the course and scope of City business may be acceptable. However, employees are expected to seek prior direction from their Department Head or the City Administrator regarding the appropriateness of consuming alcohol in these situations.

- While attending seminar or conference function where alcohol is being served.
- While traveling on business, provided all work duties for the day have been completed.
- Although alcohol use may be permitted under limited circumstances, employees are expected to use good judgment and behave in a professional and respectable manner while in the course and scope of City business. Misuse of alcohol under these circumstances is a violation of this regulation and may result in disciplinary action up to and including termination.

2. Legal Drugs and Medication

Except as provided below, the use or being under the influence of legally obtained drugs, to the extent that an employee is affected in any manner, while performing City business or in a City facility is prohibited to the extent that such use or influence may affect the safety of co-workers or members of the public, the employee's job performance, or the safe or efficient operation of the City facility. An employee may continue to work, even though under the influence of a legal drug, if the City has determined, after consulting with appropriate medical authorities, that the employee does not pose a safety threat to themselves or the safety of co-workers or the public, and that the employee's job performance is not significantly affected by the legal drug. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate actions determined by the City.

3. Illegal Drugs

The use, sale, purchase, transfer, or possession of any illegal drug by any employee while in a City facility, vehicle or while performing business is strictly prohibited. The presence of any amount of any illegal drug in or on an employee while performing City business is prohibited.

4. Searches

The City may conduct unannounced searches for illegal drugs or alcohol on property. Employees shall cooperate in conducting such searches. Searches of employees and their personal property may be conducted when there is reasonable suspicion to believe that the employee or employees may be in violation of this policy. Law enforcement may be involved in this process.

5. Drug and Alcohol Screening

The City may conduct drug and alcohol screening as outlined in this policy. For the purpose of this policy, a safety sensitive position is defined as a position in which impaired job performance could affect the health and safety of the employee and others. Sensitive positions are those in which the responsibilities of the position require employees to:

- qQualify and maintain qualification standards to carry firearms;
- pPerform emergency medical, lifesaving, and/or fire suppression activities;
- sSupervise employees during the performance of critical incident functions which require employees to qualify to carry firearms or, perform emergency medical, lifesaving, and/or fire suppression activities;
- operate, maintain, or inspect emergency vehicles, heavy equipment, or vehicles having a gross combination weight rating of 26,001 or more pounds and/or lifesaving equipment used for emergency services;
- Obtain a national security clearance as a condition of employment;
- eExercise custodial responsibility for illegal drugs or precursors;
- work directly with and oversee minors in the absence of their parent or guardian, or work directly with and oversee vulnerable adults in the absence of their caretaker or guardian; or
- Handle hazardous materials that, if mishandled, place the public at risk of serious injury.

The job functions associated with these positions directly and immediately relate to public health and safety, the protection of life, and law enforcement.

a. Pre-Employment, Post-Offer Screening

Individuals applying for safety sensitive positions who are given a conditional offer of employment will be subject to testing for illegal drugs. This includes current employees promoting, demoting, transferring, or being reassigned from a non-safety sensitive position to a safety sensitive position.

b. Reasonable Suspicion Testing

Any employees will be tested for alcohol and/or illegal drugs when there is reasonable suspicion of on-duty use or impairment. Reasonable suspicion testing may be based upon, among other things: (1) observable phenomena, including but not limited to direct observation of drug or alcohol use or possession and/or the physical symptoms of being under the influence of a drug or alcohol; (2) a pattern of abnormal conduct or erratic behavior; (3) arrest or conviction for a drug or alcohol-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking; (4) information provided by reliable and credible sources or which is independently

corroborated; or (5) newly discovered evidence that the employee has tampered with a previous alcohol or drug test. Although reasonable suspicion testing does not require certainty, mere hunches alone are not sufficient to meet the standard for a test.

If an employee is suspected of using alcohol or illegal drugs, the appropriate supervisor will gather all information, facts, and circumstances leading to and supporting this suspicion and present them to the City Administrator in writing.

The employee shall not be allowed to operate a vehicle or perform sensitive duties until the circumstances are evaluated, and the supervisor receives higher concurrence. Employees who are subject to reasonable suspicion testing shall at the City's expense be transported to and from the collection facility.

c. Random Testing

Random testing for alcohol and/or illegal drugs will be conducted on employees whose positions are designated as safety sensitive and in accordance with the procedures related to employees required to hold a commercial driver's license.

Random tests will be unannounced and occur throughout the calendar year. The random selections will be conducted by the designated drug testing contractor using a lottery system, and City will notify the individual's supervisor or designee and provide the name of the individual selected for random testing. The employee shall not be given advance notice of the scheduled testing. Upon notification by the supervisor, employees shall proceed immediately to the testing site. Because the selection process is truly random, it is possible that some employees will be selected multiple times while others may never be selected.

d. Post-Accident Drug and Alcohol Testing

Employees involved in on-the-job accidents or who engage in unsafe on-duty job-related activities that pose a danger to themselves, or others, or the overall operation of the City may be subject to drug and alcohol testing. Based on the circumstances of the accident or unsafe act, the City Administrator or Department Head may promptly initiate testing when such circumstances involve:

- Death; or
- Serious personal injury requiring immediate emergency room or urgent care center treatment; or
- Damage to government or private property estimated more than \$5,000.

An employee subject to post-accident testing shall remain available for such testing, or the City may consider the employee to have refused to submit for testing. An employee subject to post-accident testing shall not consume alcohol or drugs, either legal or illegal, prior to the testing. Exceptions may be made for prescribed maintenance medications and/or medications administered to treat an injury related to the accident.

e. Test Refusal

Employees will be considered to have refused testing if they:

- ~~R~~efuse to test;
- ~~f~~ail to report for a required test at the scheduled time;
- ~~e~~Engage in conduct that clearly obstructs the testing process;
- ~~t~~amper with the test; or
- ~~f~~ail to provide adequate breath or specimen volume without a verified medical explanation.

Employees who refuse to be tested, as described in the test procedures, when-sowhen required, shall be subject to the full range of disciplinary consequences up to and including termination.

f. Employee Assistance Program

Any employee needing help in dealing with problems is encouraged to use the City's Employee Assistance Program (EAP) and the benefits available through the City's medical plan.

g. Safe Harbor Referral

A fundamental purpose of the City's drug-free workplace policy is to assist employees who themselves are seeking treatment for alcohol or illegal drug use. For this reason, the City will not initiate disciplinary action against any employee regarding the disclosure of their drug or alcohol related problem who meets all three of the following conditions:

- ~~V~~oluntarily identifies themselves to their supervisor or the City Administrator as a user of alcohol and/or illegal drugs, as they apply to this policy, prior to being identified through other means, or prior to being asked to provide a urine and/or breath sample for testing;
- ~~O~~btains evaluation, counseling, or rehabilitation from an approved facility; and
- ~~T~~hereafter refrains from using illegal drugs or misusing prescription drugs and/or alcohol.

This provision is not intended to allow an employee to evade disciplinary action. The key to this provision's rehabilitative effectiveness is an employee's willingness to admit their problem. Since the key to this provision's rehabilitative effectiveness is an employee's willingness to admit their problem, this provision is not available to an employee who requests protection under this provision after:

- ~~b~~Being identified through other means; ~~or~~
- ~~b~~Being asked to provide a urine sample for testing; ~~or~~
- ~~h~~Having had a verified positive test result for alcohol and/or illegal drugs pursuant to this regulation; ~~or-~~
- ~~D~~rug or alcohol related incidents that are subject to discipline and occurred prior to seeking Safe Harbor ~~are not covered by Safe Harbor~~ protections.

- An employee who requests Safe Harbor will be required to sign an agreement outlining their obligations under Safe Harbor.

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h. Contract Personnel

The policy provisions stated above are applicable to contract personnel. Violation of these provisions or refusal to cooperate with implementation can result in the City barring contract personnel from City facilities or participating in City operations.

i. Commercial Driver's License

The City complies with all provisions outlined in the federal and state laws regulating commercial drivers' licenses.

CHILD ABUSE REPORTING

It is the City's desire to provide as safe an environment as possible for children who participate in City programs, and to give notice to employees of the reporting requirements of State laws covering child abuse, abandonment, or neglect (abuse).

When an employee has reason to believe that another employee is abusing a child, the following steps should be followed:

- The employee who becomes aware of another employee's suspected abuse shall immediately notify their supervisor of the suspicion. The supervisor shall require the employee to immediately contact Child [Protective Services](#) ~~[(CPS)]~~, or in the case of an emergency, the City Police. Neither the supervisor nor the employee shall engage in any form of investigation.
- The supervisor shall notify their Department Head who will advise the City Administrator that a report has been filed, consistent with ~~s~~State law.

Following the completion of the reporting and investigative process, an in-house debriefing session will be conducted to review each phase; to determine needs ~~s~~ for additional training; and to review the reporting procedure for possible revisions.

If a child is suspected of being a victim of child abuse, these steps will be followed:

- The employee will immediately notify their supervisor of the suspected abuse and report the suspicions to ~~CPS~~[Child Protective Services](#) ~~[(CPS)]~~.
- The supervisor shall notify their Department Head who will advise the City Administrator.
- The proper authorities will conduct the investigation. Neither the supervisor nor the employee shall attempt any form of investigation.
- In order to protect the privacy of all persons involved, all phases of the reporting procedure shall remain strictly confidential. The person(s) making the report will remain anonymous, provided their report was made in good faith; however, persons with a legitimate need to know will be notified. Confidentiality of principals and witnesses cannot be guaranteed if criminal investigation or prosecution is pursued.
- Any and all media contact will be exclusively coordinated through the City Administrator.

Any person who has reason to believe that a child has been abused, abandoned, or neglected and, acting upon that belief, makes a report of abuse, abandonment, or neglect as required by law shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any person who reports in bad faith or with malice shall not be protected.

Any person who makes a report or allegation of child abuse, abandonment, or neglect knowing the same to be false, or who reports or alleges the same in bad faith or with malice, shall be liable to the party or parties against whom the report was made.

GENERAL PROVISIONS

1. Travel Expense Reimbursement

An employee on City business shall be reimbursed for expenses incurred in completing their work-related assignment in accordance with the policies established by the City Administrator. Each employee is responsible for providing verified receipts for any expenses for which reimbursement is requested. All employees traveling or incurring business expenses on behalf of the City as well as those responsible for the approval of these expenses are expected to use prudence, discretion, and good judgment to assist in maintaining control over travel expenses. The City will not pay for entertainment not included in the function package. Additionally, the City will not pay or reimburse for alcohol.

2. On-the-Job Injuries

All on-the-job injuries shall be reported to the Department Head within 24 hours of the injury to allow for the filing of workers' compensation claims in the proper manner. If an employee is disabled temporarily by an on-the-job accident, that employee may be eligible for worker's compensation benefits upon submission to the State Insurance Fund. The City Treasurer must make sure the proper forms are filed with the State of Idaho for worker's compensation benefits eligibility. Return to employment will be authorized on a case-by-case basis upon consultation with the supervising official and the State Insurance Fund. Concerns associated with injured worker status may be brought before the supervisor and City Administrator for review.

The City has adopted a wage loss recovery benefit known as Kept on Salary (KOS). This benefit applies to full-time regular employees with a compensable work injury or illness under Idaho Workers' Compensation laws. Under the KOS benefit, if an injured employee is unable to work due to a compensable injury or illness, the employee will receive the difference between the statutory workers' benefit amount and the employee's regular net pay.

The KOS benefit begins after the workers' compensation statutory five (5) calendar day waiting period, unless specifically exempt as defined by Idaho Code 72-1104. A KOS eligible employee may receive the KOS benefit for a period of time not to exceed six (6) months. After six (6) months, the employee receives the statutory temporary disability benefit as defined and allowed under applicable Idaho laws.

All time off work must be documented by the treating health care provider.

Employees who are not eligible for the KOS benefit may be eligible to receive the statutory temporary disability benefit.

All time off work must be documented by the treating health care provider.

3. Nepotism

No person shall be employed by the City which would result in a violation of the anti-nepotism provisions found in Idaho Code. Any such appointment may be voided by the Mayor, if not done voluntarily by the appointing official.

The City shall not hire individuals as part time or full-time employees that meet the following:

- An individual who is related within the second degree or married to a Department Head, department manager, or supervisor in any department of the City.
- An individual who is married to an existing City employee in the same department. If two employees become married, one employee shall resign within 30 days of the marriage.
- No person related to the Mayor or member of City Council by blood or marriage within the second degree shall be appointed to any clerkship, office, position, employment, or duty when the salary, wages, pay or compensation of such appointee or employee is to be paid out of public funds.

Individuals related within the second degree may be hired, subject to approval of the City Administrator, provided neither one is in a supervisory or management position. Should one become a supervisor, manager, or director, the other shall resign within 30 days of the new position appointment.

4. Use of City Meeting Space

The City makes its meeting rooms available to the public and ~~employees, when they~~ employees are off duty. The meeting rooms are open to individuals and organizations engaged in educational, cultural, intellectual, or charitable activities. The City makes its meeting rooms available to area businesses for non-commercial purposes, such as employee meetings or retreats. Neither the City itself ~~nor~~ the meeting rooms are designed to accommodate commercial or pecuniary activities of any kind. This policy does not apply to the use of the meeting facilities for City activities or for activities or events sponsored by the City.

“Meeting Facilities” shall include meeting rooms in City Hall, the Visitor Center, ~~Fire Station One~~, and Forest Service Park.

The Meeting Facilities of the City shall be available subject to the following conditions:

1. The scheduled use shall not conflict with City sponsored programs or the City’s ability to deliver its existing services.
- 1-2. Use of the facility may only occur during operating hours when city staff are present and available to provide access.

2. The following legend must prominently appear on any sign, advertisement, invitation, or other notice or announcement of an event to be held in City Meeting Facilities: "This event is neither sponsored nor endorsed by the City." Failure to include such legend will result in forfeiture of the right to use the applicable Meeting Facilities.
3. Unless approved by the City, use of City Meeting Facilities by an individual or an organization for meetings or events which are open to the members of the general public, or which are advertised or promoted to encourage attendance by members of the general public, shall not exceed two times per year and shall not exceed once per month. Use of Meeting Facilities by an individual or an organization for meetings or events at which attendance is limited to organization members and/or their invited guests shall not exceed five times per year and shall not exceed once per month. Meetings which are open to the general public may pose a greater likelihood of imposing additional burdens on City personnel and may be more disruptive to the quiet enjoyment of the City by patrons.
4. The user shall be responsible for assuring that permitted occupancy limits pursuant to applicable fire or safety codes are not exceeded. The user will restore the premises to a clean and neat condition following the assembly. The City will be reimbursed for any costs to the City resulting from the use of a Meeting Facility by an organization or individual. Any fees, conditions, or other requirements for the use of a meeting facility shall be specified in the relevant use agreement.

SEPARATION OF EMPLOYMENT

1. Resignation

In order to resign in good standing, employees shall give their supervisor written notice at least fourteen (14) calendar days prior to the employee's last workday. An employee's supervisor may choose to waive the fourteen (14) day notice requirement if they believe individual circumstances warrant it. If the fourteen (14) day requirement is waived, a written resignation letter is still required. The City may deny any request by an employee to rescind a resignation.

Job abandonment shall be defined as an unexcused or unauthorized absence of two (2) working days or more, which shall subject the employee to termination.

2. COBRA Benefits

Employees of the City who currently receive medical benefits, who separate from their employment may be eligible to continue those medical benefits at the employees' sole cost and expense for a limited time in accordance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).

3. Final Paycheck

Upon ending employment with the City, final paychecks will be issued to the employee on the next regular payday or in ten days (excluding weekends/holidays), whichever is sooner. If the employee gives the City Treasurer a written request for earlier payment, the employee will be paid within 48 hours (excluding weekends/holidays) of receipt of the request or the last day worked, whichever is later.

4. Exit Interview

Each employee who terminates from employment with the City may participate in an exit interview with the employee's supervisor, or in the event of involuntary termination, with the City Administrator. In such ~~interview~~ an interview, the supervisor shall notify the employee when certain benefits will terminate and when final pay will be issued. The employee will inform the interviewer about their impressions of employment in such an interview. An employee exit form, or other written record, will be completed at this point and will be retained in the employee's personnel file.

5. Reductions in Force

Employee assignments may be affected by a reduction in force made due to economic or other conditions. The City Administrator or designee reserves the right to make any changes in the work force or assignment of resources that ~~are~~ is deemed to be in the organization's best interests. The City Administrator may also specify at the time reductions in force are made what reinstatement preferences may accompany the reductions, if any. Reinstatement preferences may be tied to the classification of the employee, to specialized skills possessed by the employee, or any other non-discriminatory reason.

6. Eligibility for Rehire

Former employees who were terminated, resigned in lieu of termination, had poor performance records, quit without proper notice, or were not in good standing with the City are not eligible for rehire.

7. Return of City Property

All City property shall be returned at or before the time of separation, including but not limited to:

- City credit or purchasing cards;
- City uniforms or clothing;
- ~~M~~ mobile devices;
- ~~E~~ employee identification badge;
- ~~k~~ key to City vehicles and buildings;
- ~~C~~ city-owned technology;
- ~~t~~ tools or other equipment; or
- any other City property in possession of the employee.

Failure to return items may result in criminal charges.

ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK

I acknowledge that I have received a copy of the City of Ketchum Employee Handbook and understand that it sets forth the general terms, conditions, policies, and expectations of employment with the City. I understand that it is my responsibility to read and familiarize myself with the provisions of the Employee Handbook and to abide by the rules, policies, and standards established by the City.

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I acknowledge that, except as otherwise provided by law or City policy, the terms, policies, and procedures in the Employee Handbook may be modified, amended, or deleted by the City at any time, with or without prior notice. I understand that no statement, promise, or representation made by any City employee or official can alter the policies of the City except through formal written action approved by the City Administrator or authorized designee.

I further acknowledge that I have received, read, and understand the City's Technology, Telecommunications, and Data Use Policy, including the City's right to monitor the use of all City technology systems, devices, and communications. I understand that any information created, received, sent, or stored using City systems is the property of the City of Ketchum and may be subject to monitoring and disclosure under Idaho's Public Records Law.

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I understand that, unless otherwise provided by law or written agreement, employment with the City of Ketchum is at will, meaning that either the employee or the City may terminate the employment relationship at any time, with or without cause or notice. Nothing in the Employee Handbook or any other City document shall be construed as creating a contract of employment or a guarantee of continued employment.

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I also acknowledge that I have received and reviewed the City's policy prohibiting discrimination, harassment, bullying, and retaliation, and understand the City's commitment to maintaining a workplace free of unlawful discrimination and harassment based on any status protected under applicable law. I understand that retaliation for making a good-faith complaint of discrimination, harassment, or retaliation is strictly prohibited.

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I agree that if I experience or observe any conduct that I believe violates the City's policy against discrimination, harassment, bullying, or retaliation, I will immediately report it to my supervisor, the Human Resources representative, or the City Administrator. I understand that the City relies on employees to promptly report such concerns so that appropriate action can be taken.

I understand and agree that to the extent I do not use the complaint procedures outlined in the City's policy prohibiting discrimination, harassment, bullying, and retaliation, the City has the right to presume that I have not been subjected to any harassment, discrimination, bullying, or retaliation, or that I have welcomed the conduct.

I have also received and read the City's Drug and Alcohol-Free Workplace Policy and agree to abide by its terms as a condition of employment. I understand that failure to comply with this policy may result in disciplinary action, up to and including termination of employment, and that I am required to notify the City within five (5) days of any criminal drug conviction occurring in the workplace.

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By signing below, I acknowledge that I have received, read, and understand the City of Ketchum Employee Handbook and the policies referenced above.

~~I acknowledge receipt of the City of Ketchum's Employee Handbook (Handbook). I understand that this Handbook is not a contract and cannot create a contract. I understand that I am responsible for familiarizing myself with the contents of the Handbook. I understand that I am obligated to perform my duties of employment in conformance with the provisions of the Handbook and any additional rules, regulations, policies, or procedures from the department where I work.~~

Printed Name: _____

Signature: _____

Date: _____

cc: Personnel File



City of Ketchum, Idaho Employee Handbook

Revised and Adopted

TABLE OF CONTENTS

WORKING AT THE CITY OF KETCHUM	6
EMPLOYEE POLICY HANDBOOK.....	6
EQUAL EMPLOYMENT OPPORTUNITY.....	7
PROHIBITION AGAINST HARASSMENT, BULLYING, AND RETALIATION.....	8
1. Discrimination and Harassment	8
2. Bullying	9
3. Protection Against Retaliation.....	9
4. Complaint Reporting and Handling	9
REASONABLE ACCOMMODATION.....	10
1. Disability and Religious Accommodations	10
2. Pregnancy Accommodation	11
3. Lactation Accommodation	11
EMPLOYEE SELECTION, COMPENSATION, TIMEKEEPING, AND SCHEDULES	12
1. Employment Status	12
2. Recruitment and Selection.....	13
a. Recruitment and Selection Guides.....	13
b. Transfers at the City's Request	13
c. Employee Personnel Files.....	13
d. Access to Personnel Files.....	14
3. Employee Compensation	14
a. Compensation and Benefits Approach	14
b. Compensation Administration	14
c. Compliance with State and Federal Pay Acts	14
d. Classification Plan	15
e. On Call and Call Back Pay	15
f. Shift Differential	15
g. Right to Change Compensation.....	15
h. Wage Payment and Overtime	16
i. Extra Hours.....	16
j. Overtime/Compensatory Time Authorization and Use	16
k. Compensatory Time Eligibility and Accrual	16
l. Payoff of Accrued Compensatory Time	17
m. Workweek.....	17
n. Trading Shifts	17
o. Volunteered Time	17
p. Working Out of Classification.....	18

4. Reporting and Verifying Time Records	18
5. Pay Periods	18
6. Hybrid Work	19
7. Flexible Schedules and Workweeks.....	19
a. Flexible Schedule and Compressed Schedule	19
b. Approval Process	20
c. Cancelling a Schedule	20
d. Supervisor Review	21
e. Other Considerations.....	21
EMPLOYEE LEAVE, HOLIDAYS, AND BENEFITS	21
1. Annual Vacation Leave.....	22
a. Full Time Employees	22
b. Accrual Limits	22
2. Holidays	22
a. Holidays Falling on Days Off.....	23
b. Working on a Holiday	23
c. Recognized Holidays	23
3. Leave	24
a. Sick Leave	24
b. Bereavement Leave	25
c. Leaves of Absence.....	25
d. Compensation while Serving on Jury Duty or as a Witness in a Court Proceeding	26
e. Military Leave	26
f. Compassionate Leave	26
g. Parental Leave	27
4. Benefits	28
a. Benefits for Casual/ Seasonal Employees.....	28
b. Insurance Coverage	28
c. Retired Employee's Health Insurance	28
d. Retirement	29
e. Education Assistance	29
f. Miscellaneous Benefits.....	30
g. Transfer of Benefits with Employee Transfer	30
FAMILY AND MEDICAL LEAVE (FMLA)	30
1. FMLA	30
2. Eligibility	30
3. Reasons for Leave.....	30
RULES OF EMPLOYEE CONDUCT	34

CORRECTIVE ACTION	38
PERFORMANCE MANAGEMENT	38
PROBLEM RESOLUTION	39
DOGS IN THE WORKPLACE	40
WEAPONS	41
EMPLOYEE USE OF CITY VEHICLES	42
USE OF PORTABLE ELECTRONIC DEVICES WHILE DRIVING OR BICYCLING	43
EMPLOYEE TRAVEL	43
1. Same Day Out of Town Travel	43
2. Out of Town Overnight Travel	43
TECHNOLOGY USE	44
DRUGS AND ALCOHOL	46
1. On-the-Job Use, Possession or Sale of Drugs or Alcohol	46
2. Legal Drugs and Medication	47
3. Illegal Drugs	47
4. Searches	47
5. Drug and Alcohol Screening	47
a. Pre-Employment, Post-Offer Screening	48
b. Reasonable Suspicion Testing	48
c. Random Testing	48
d. Post-Accident Drug and Alcohol Testing	49
e. Test Refusal	49
f. Employee Assistance Program	49
g. Safe Harbor Referral	49
h. Contract Personnel	50
i. Commercial Driver's License	50
CHILD ABUSE REPORTING	50
GENERAL PROVISIONS	51
1. Travel Expense Reimbursement	51
2. On-the-Job Injuries	51
3. Nepotism	52
4. Use of City Meeting Space	53
SEPARATION OF EMPLOYMENT	53
1. Resignation	53

2.	COBRA Benefits	54
3.	Final Paycheck	54
4.	Exit Interview.....	54
5.	Reductions in Force	54
6.	Eligibility for Rehire.....	54
7.	Return of City Property	55
	ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK.....	56

WORKING AT THE CITY OF KETCHUM

Welcome to the City of Ketchum. We are grateful you have joined us. Our Vision is very important to us and it is an important reminder why we work at the City. Likewise, our Values are critical in that they set the expectations of how we work together. You will hear and have the opportunity to move our Vision forward and practice our Values throughout your time at the City.

Our Vision:

Elevating Ketchum: A community thriving together

Our Values:

- Built on Trust – honoring commitments, building confidence
- Shared Strength, Shared Success – Our success is shared and our teamwork sets the standard
- Purpose in Every Action – What we do matters, our actions create lasting benefits towards a brighter, sustainable future

The following is information we believe will help you as you begin your career with the City.

The City is a political subdivision of the State of Idaho, though it is not a part of state government. The City Council serves as the governing body for the City. The City Council's primary authority is to establish terms and conditions of employment with the City administration. The City Council also appoints personnel to help carry out its administrative responsibilities.

The responsibility and authority for the enforcement and administration of the policies and procedures set forth herein are vested in the Mayor, City Administrator, and Department Supervisors.

As with all elected public officials, the City Council is ultimately responsible to the voters of the City of Ketchum. The terms set forth in this Handbook reflect public entity policy at the time of its approval, but they are subject to change at any time, without prior notice, and at the sole discretion of the City Council.

Only the City Council has the authority to establish general policy for the City employees. Each employee should recognize that even when serving as an employee in the office of an elected or appointed official, that individual remains an employee of the City. The terms and conditions set forth in this Handbook, and in the resolutions and policy statements which support it, cannot be superseded by any other official's commitment, without the express written agreement of the City Council. That is particularly true for terms or conditions that would establish a financial obligation for the City now or in the future. It is important that all employees understand the relationship between policy adopted by the City Council and department policy implemented by other elected officials.

EMPLOYEE POLICY HANDBOOK

The purpose of the Employee Handbook (Handbook) is to inform employees of the City's general personnel policies and to ensure uniform application throughout City departments. The Handbook is not all-inclusive, but addresses the topics most likely to be encountered in the City's day-to-day operations.

The policies in this Handbook are not intended to supersede City ordinances or other applicable laws. In case of any conflict between these policies and such ordinances or laws, the latter shall prevail.

THE POLICIES IN THIS HANDBOOK ARE NOT INTENDED AND SHALL NOT BE CONSTRUED TO CONSTITUTE AN EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. The City reserves the right to change or rescind these policies and regulations with or without notice, and to determine the application of these policies to specific circumstances. The City further reserves the right to alter or eliminate any benefits provided to its employees. Any alteration, elimination, or revision may be made applicable to current as well as future employees.

The Handbook will be maintained on the City's internal web site. Departments shall provide employees without computers access to a department computer upon request in order to access the Handbook. All employees shall read the electronic policies regularly, check for changes or revisions, and abide by their content. Employees who have questions about the policies contained in the Handbook, including any changes or revisions, shall contact their supervisor for explanation and clarification. Being aware of and understanding the City's policies contained in the Handbook is the employee's responsibility.

Certain provisions of this Handbook state that disciplinary action may result from specified conduct. The inclusion of these provisions does not, and is not intended to limit, in any way, the imposition of disciplinary action for other types of conduct or for other reasons.

The provisions of this Handbook apply to all City employees, except as otherwise specified within the Handbook or by ordinance, state or federal statute, rule, regulation, or collective labor agreement. Bargaining unit employees shall refer to their collective bargaining agreements for applicable terms and conditions of employment. This handbook shall apply to any topic or situation not superseded by the collective bargaining agreement.

Any matter not specifically covered by the Handbook or departmental rules and procedures shall be administered by the City Administrator in a manner consistent with the Handbook.

WAIVER OF RULES: The City Administrator reserves the right to temporarily waive any policy in specific instances when such waivers are legal, warranted, and justified in the interests of a more effective and responsive system of personnel administration. Any subsequent changes from the City will supersede the contents of this Handbook.

If any chapter, section or portion of this Handbook is found to be invalid by a duly constituted authority, it shall not affect the validity of the balance of these policies and procedures. If any portion of these policies and procedures is in conflict, the most recent amendments shall apply.

EQUAL EMPLOYMENT OPPORTUNITY

The City is committed to providing equal employment opportunity for all persons without regard to race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability, veteran status, or any other applicable legally protected status.

Equal opportunity extends to all aspects of the employment relationship, including hiring, transfers, promotions, training, discipline, working conditions, compensation, benefits, and other terms and conditions of employment.

Additionally, the City is committed to providing an employment environment that is free from discrimination and harassment. All individuals associated with the City are expected to conduct themselves at all times so as to provide a working atmosphere free from discrimination and harassment.

Employees who believe they have been subjected to discrimination or harassment related to their race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability, veteran status, or any other applicable legally protected status should report the behavior in accordance with the processes outlined in this Handbook.

PROHIBITION AGAINST HARASSMENT, BULLYING, AND RETALIATION

1. Discrimination and Harassment

Discrimination and harassment consist of unwelcome conduct, whether verbal, physical, or visual, that is based on a person's race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability, veteran status, or any other applicable legally protected status. Discrimination or harassment that affects job benefits, interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment will not be tolerated.

A specific category of harassment is sexual harassment. Sexual harassment is unwelcome sexual advances, requests for sexual favors or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment; (2) submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; (3) such conduct unreasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive working environment; or (4) employment, pay, benefits, title, position or other opportunities for advancement or training are conditioned on the submission to such unwelcome sexual advances or requests.

The following are examples of prohibited conduct that violate the City's prohibition against discrimination and harassment:

- Threats, intimidation, hostile acts, ridicule, gestures, or offensive conduct regarding one's protected status.
- Slurs, "slang," derogatory, or other verbal conduct that denigrates or shows hostility or aversion toward an individual.
- Jokes or pranks regarding one's protected status or mimicking speech/accent.
- Oral, written, visual, or electronic material that stereotypes, degrades, belittles, mocks, or shows hostility toward one's protected status.
- Display or circulation of offensive printed, visual, or electronic materials or pictures.
- Unwanted physical contact or sexual conduct of any kind, including flirtations, touching, advances, propositions, or requests for sexual favors.
- Verbal comments of a sexual nature, such as derogatory comments, sexually explicit jokes, sexual innuendo, or comments about a person's body.

- Visual conduct such as leering or staring at one's body parts or making sexual gestures.
- Verbal or physical conduct that is directed at an individual because of their sex or sexual orientation.
- Stereotyping or denigrating terms about a person's physical or mental disability.
- Conditioning a raise or promotion on sexual favors.

This list provides examples and is not all-inclusive. Courteous, respectful, non-coercive interactions between employees that are welcomed by both individuals are not in violation of this policy.

2. Bullying

The City requires employees to treat one another with dignity and respect. The City will not tolerate any degree of bullying behavior. Bullying is an ongoing and deliberate misuse of power in relationships, by one or more individuals, through repeated verbal, physical, and/or social behavior that intends to cause physical, social, and/or psychological harm. It is abusive conduct that may include:

- threatening, humiliating, or intimidating behaviors;
- work interference/sabotage that prevents work from getting done;
- or verbal or physical abuse.

The following conduct will not be tolerated and are examples of bullying treatment.

- Verbal bullying: slandering, ridiculing, or maligning a person or their family; persistent name-calling that is hurtful, insulting, or humiliating; using a person as the butt of jokes; or abusive and offensive remarks.
- Physical bullying: pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, or damage to a person's work area or property.
- Gesture bullying: nonverbal gestures that can convey threatening messages.
- Exclusion: socially or physically excluding or disregarding a person in work-related activities.

3. Protection Against Retaliation

The City forbids retaliation of any kind against employees who, in good faith, report discrimination, harassment, and/or bullying prohibited by any of its policies or against employees who participate in any investigation of such complaints. This means that an employee will not suffer economic harm, including but not limited to a loss of wages or benefits, as punishment for making a good faith report of violations of this policy or for participating in an investigation of such reports. If an employee feels they have been subjected to any form of retaliation, they should report the conduct to the City Administrator. If the City Administrator is the subject of the complaint, the employee should report concerns to the Mayor or the City's human resources representative.

4. Complaint Reporting and Handling

All employees of the City are responsible for helping to enforce this policy against discrimination, harassment, bullying, and/or retaliation. The reporting procedure outlined below should be used by any employee who believes they have been subject to, or have witnessed, workplace discrimination,

harassment, bullying, or retaliation. The City's reporting and handling procedure provides for a prompt, thorough, and objective investigation as well as appropriate disciplinary action.

1. The unwanted behavior should be addressed immediately. The employee should tell the offender that the behavior in question is not acceptable, needs to stop, and any repeat of the behavior will be reported. An offender could include another City employee or any other person who interacts with the employee while the employee is at work or performing work for the City. If an employee is uncomfortable confronting the offending individual; if the conduct is serious in nature, irrespective of any attempt to tell the individual to stop; or if the behavior did not stop upon the employee's request, the employee should immediately report the conduct as outlined below.
2. The City has several options for reporting potential violations of this policy. As soon as possible, any employee who believes they have been subjected to any form of discrimination, harassment, bullying, or retaliation, or has observed or is otherwise aware of such conduct, should provide a written or verbal report to their supervisor or the City Administrator. If the supervisor or City Administrator potentially violated this policy, employees can bring their concerns to the City Attorney. The report should be dated and signed and include details of the incident(s), the names of individuals involved, the names of any witnesses, and any documentary evidence (notes, pictures, emails, etc.).

The City endeavors to protect the privacy and confidentiality of all parties involved, but cannot assure complete confidentiality. Confidentiality is maintained on a "need to know basis" to the extent permitted by the circumstances and consistent with the City's obligations to conduct an effective investigation. A timely resolution of each complaint will be reached, and appropriate corrective action, up to and including termination, will be taken promptly against any employee engaging in discrimination, harassment, bullying, and/or retaliation. Employees are expected to take full advantage of the complaint reporting procedures, as well as any preventive measures or corrective opportunities that the City provides to avoid any discrimination, harassment, bullying, and/or retaliation.

REASONABLE ACCOMMODATION

1. Disability and Religious Accommodations

In compliance with applicable laws ensuring equal employment opportunities to qualified individuals with disabilities and to individuals whose sincerely held religious beliefs conflict with work obligations, the City will work with employees to provide a reasonable accommodation. A reasonable accommodation is a change or adjustment to the job application process, work environment, or work processes that would make it possible for a qualified individual with a disability to perform the essential functions of the job or an adjustment to the work environment that will allow the employee to comply with their religious beliefs.

An employee who requires an accommodation should contact their supervisor or the City Administrator and request an accommodation. The employee should specify the need for accommodation and that it is requested due to an inability to perform essential job functions or due to a conflict between religion and work. While the employee may request certain accommodations, the City may propose and may decide on an alternative reasonable accommodation. The City will make an individualized assessment

and provide employees with a reasonable accommodation, unless doing so would result in an undue hardship to the City or a direct threat to the health or safety of themselves or others that cannot be reduced or eliminated by reasonable accommodation.

2. Pregnancy Accommodation

The City will provide reasonable accommodations to employees and applicants with limitations related to pregnancy, childbirth, or related medical conditions, unless the accommodation would cause undue hardship to the City's operations.

An employee or applicant may request an accommodation due to pregnancy, childbirth, or a related medical condition by submitting the request in writing to their supervisor. The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed, and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.

Upon receipt of a request for accommodation, the supervisor will contact the employee or applicant to discuss the request and determine if an accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.

While the reasonableness of each accommodation request will be individually assessed, possible accommodations include allowing the individual to:

- Sit while working.
- Drink water during the workday.
- Receive closer-in parking.
- Have flexible hours.
- Receive appropriately sized uniforms and safety apparel.
- Receive additional break time to use the bathroom, eat, and rest.
- Take time off to recover from childbirth.
- Be excused from strenuous activities and/or activities that involve exposure to compounds deemed unsafe during pregnancy.

The City will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

3. Lactation Accommodation

The City supports employees who are breastfeeding and is committed to providing reasonable accommodations that allow them to express milk or breastfeed at work, consistent with federal and state law. Any employee who is nursing a child may request a lactation accommodation.

Employees will be provided with a reasonable amount of break time as often as needed to express milk or breastfeed a child. When possible, this time should run concurrently with any paid break periods. If additional time is needed beyond paid breaks, the extra time will be unpaid unless otherwise required by law.

Supervisors and employees are encouraged to communicate openly to arrange schedules that balance operational needs with the employee's lactation needs.

Employees will be provided with a safe, private, and sanitary space to express milk or breastfeed. This space will:

- not be a bathroom;
- be shielded from view and free from intrusion by coworkers or the public;
- include an electrical outlet, a chair, and a flat surface for a pump and personal items; and
- be located as close as reasonably possible to the employee's work area.

Employees must be allowed to safely store expressed milk while at work, such as in a personal cooler, insulated container, or designated refrigerator. An employee's regular workspace may be used if it meets the privacy and safety criteria above.

Employees seeking an accommodation should contact their supervisor.

EMPLOYEE SELECTION, COMPENSATION, TIMEKEEPING, AND SCHEDULES

1. Employment Status

Employees of the City are considered **"AT WILL"** and may be terminated with or without cause, absent prior notice, regardless of any clause in this Handbook. Employee wages or salary, benefits, and job duties are affected, in part, by an employee's classification and job title. However, none of the employee classifications creates permanent employment status for any City employee. The primary classes of employees and their respective status are outlined as follows:

Full-Time Employee: Employees whose typical work schedule calls for thirty (30) or more hours of scheduled work during each seven (7) calendar-day payroll period. Full-time employees shall receive employee benefits provided by the City as such benefits now exist or may be subsequently changed.

Part-Time Employee: Any person who works less than thirty (30) hours a week, whose employment is expected to be on a continual basis in a regularly budgeted class or position. Such persons are considered "employees" but do not receive the benefits of full-time employees, nor do they enjoy any appeal rights, unless approved by the City Administrator.

Temporary/Casual/Seasonal Employees: Employees who provide services for the City on a (a) seasonal basis, (b) temporary basis, or (c) whose scheduled hours of employment for the entity are typically fewer than nineteen and three-quarter (19.75) hours during each seven-calendar-day payroll period are classified as casual employees. Casual employees will receive no benefits provided to regular employees, except those required by law or those provided by express written authorization. Employees who average 20 hours or more of work over a six-month

period are required to join the PERSI state retirement plan and pay the employee contributions as outlined under PERSI rules.

Significance of Employee Classification. The procedures for hiring, promotion, and transfer of full-time employees shall be subject to the provisions of this policy. Disciplinary and appeal actions concerning part-time or casual/seasonal and temporary employees are not subject to the guidelines set forth in this Handbook.

Statutory Employees. Appointed officers, pursuant to Idaho Code, are the City Clerk, Treasurer, City Attorney, and City Administrator. The terms and conditions of employment of these appointed officers are pursuant to applicable Idaho law, employment documentation between the City and the specific individual, or as outlined in this Handbook. Unless specifically agreed to otherwise, these appointed officers are at-will employees.

2. Recruitment and Selection

a. Recruitment and Selection Guides

The City typically uses a competitive hiring process to fill regular full and part-time positions. However, the Mayor, City Council, and/or City Administrator may determine, consistent with business needs, to select staff by whatever employment process deemed reasonable, providing it is consistent with applicable laws.

A Department Head shall notify the City Administrator in writing when a vacancy is anticipated or occurs in the department.

When using a competitive hiring process, vacant positions will be posted to allow external and internal applicants to apply. Typically, positions are posted for a minimum of five (5) consecutive workdays. A workday is defined as days that City Hall offices are open to the public.

b. Transfers at the City's Request

Transfers of current employees may be made at the City's request to satisfy management or operational needs. Additionally, a current regular employee who has gone through the City's competitive hiring process may be transferred or promoted into a regular position within their own or another department, without having to post the vacancy, provided the employee is qualified for the position and the transfer/promotion is approved by the respective Department Heads and City Administrator.

c. Employee Personnel Files

The City keeps official employee records in an electronic personnel file. Within these personnel files will be kept records of payroll, employee performance evaluation, employee status, and other relevant materials related to the employee's service with the City. Materials may be contributed by any supervisory personnel and the employee, as long as the material is relevant to the employee's performance and tenure.

d. Access to Personnel Files

It is the policy of the City to allow limited access to the personnel files as required by law. Based upon the inherent confidentiality of personnel matters, access to other employees' personnel files shall be only with the authorization of the City Administrator, Mayor, City Treasurer, or City Attorney. Department Heads, or Division Managers, with approval from the Department Head, are authorized to review personnel files of their department.

Information regarding personnel matters will only be provided to outside parties with a release from the employee or, in limited circumstances where the release is deemed necessary, with the concurrence of the City Administrator and the City Attorney. Each employee shall have the right to review materials placed within their employment file at any reasonable time. Copies of materials within a personnel file are available to each employee without charge.

3. Employee Compensation

a. Compensation and Benefits Approach

The City takes a wholistic approach to providing compensation and benefits. Regarding compensation, the City's aim is for employees to feel valued and financially supported. Regarding benefits, the City's aim is for employees to have an understandable variety of benefits to address varied individual needs. In striving to achieve these aims regarding compensation and benefits, the City evaluates the following components:

- Fiscal responsibility and an acknowledgement that the City has one budget and values long-term financial forecasting to try and create stability for its employees.
- Internally equitable.
- Externally competitive and comparable in the marketplace.
- Recognition for employee contributions, performance, skills, certifications, and accomplishments.

b. Compensation Administration

An employee's rate of pay is based on an assessment of the position, training, experience, and the market for similar jobs. An increase in the wage rate or salary is dependent upon City budget considerations as well as each individual employee's job performance.

New hires will be placed at a salary based on their knowledge, education, and experience as determined by the Department Head with the approval of the City Administrator or designee, provided it is within the approved appropriation for that department.

c. Compliance with State and Federal Pay Acts

The City shall comply with all State and Federal pay acts respecting the compensation of employees for services performed in the public service.

d. Classification Plan

All employees of the City shall be classified in the position they hold with the City in the following manner:

- a. Elected officials.
- b. Exempt employees (as defined by the Fair Labor Standards Act “FLSA”).
- c. Non-exempt employees (as defined by the FLSA).
- d. Part-time or casual employees.

e. On Call and Call Back Pay

On-call time refers to time outside an employee’s regularly scheduled work hours during which they have concluded their regular shift and have left the worksite yet is expected (1) to be easily reached by telephone, text, radio or pager, (2) is ready and fit to work, and (3) is expected to respond within one hour to a problem or emergency situation. For on call pay, eligible non-exempt employees will be compensated for two (2) hours of pay at straight time for a twenty-four (24) hour period. On call pay is not considered time worked.

Callback pay refers to unexpected instances when a non-exempt employee is requested to return to work at a time they were not expected to work or called in to perform work on a day they were not expected to work. Non-exempt employees are guaranteed a minimum of two (2) hours of pay for a call back.

f. Shift Differential

The City recognizes that some positions require employees to work during evening, night, or weekend hours to meet operational needs and provide essential public services. To acknowledge the impact of these schedules, eligible non-exempt employees who are regularly assigned to work shifts outside of normal business hours will receive shift differential pay at a rate of 5% above their regular hourly rate for all qualifying hours worked.

Eligibility for shift differential pay is determined by the Department Director based on established work schedules and operational requirements. Occasional or temporary assignments to evening or weekend shifts do not automatically qualify for shift differential pay. When applicable, shift differential pay will be included in the calculation of overtime consistent with the Fair Labor Standards Act. Department Directors are responsible for ensuring accurate recording of shift differential hours, and questions regarding eligibility or application of this policy should be directed to Human Resources.

g. Right to Change Compensation

The City reserves the right to change general compensation through the budget process for any reason deemed appropriate by the City Council. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent entity budget.

h. Wage Payment and Overtime

The FLSA requires all employees to be classified according to the provisions of the law. Therefore, for purposes of paying any compensation, all employees are classified as either “Exempt” or “Non-Exempt.” Exempt refers to employees who are not covered by and are “exempt” from the FLSA’s overtime requirements.

Regular employees who are non-exempt under the FLSA and applicable state wage and hour laws are eligible for either overtime pay or compensatory time at a rate of one and one-half times their regular hourly rate for actual hours worked in excess of forty (40) hours in one FLSA work week. Temporary non-exempt employees are eligible to earn overtime but are not eligible to earn compensatory time. As a condition of employment, the City retains sole discretion to provide non-exempt employees with compensatory time off in lieu of cash overtime.

Part-time non-exempt employees are not eligible for overtime pay or compensatory time until they have worked over 40 hours in their FLSA work week.

Employees who serve as sworn law enforcement officers will be subject to special exceptions found in the FLSA (See 207K).

According to the FLSA, only actual hours worked are computed for purposes of determining hours worked for overtime calculation. Therefore, the City will not count paid leaves of absence, such as vacation or any other time for which the employee is compensated but does not actually perform work when computing hours worked in a work week, unless specifically outlined in this Handbook.

i. Extra Hours

When required by heavy work demands or customer service needs, the City can require any employee to work extra hours. The City will attempt to give at least one day’s notice when extra hours must be worked, but reserves the right to require any employee, exempt and non-exempt, to work extra hours when the need arises.

j. Overtime/Compensatory Time Authorization and Use

Employees shall seek and receive authorization from their supervisor prior to working overtime or accumulating compensatory time. Employees are expected to seek prior approval from their supervisor to use compensatory time. The supervisor shall allow an employee to use the employee’s accrued compensatory time within a reasonable amount of time after requested, provided such use does not unduly disrupt the operation of the department or work unit.

k. Compensatory Time Eligibility and Accrual

Non-exempt regular employees are eligible to accrue compensatory time but are not authorized to accrue more than 60 hours of compensatory time during a fiscal year. Non-exempt employees who have accrued 60 hours of compensatory time shall be paid for any additional hours worked in accordance

with the City's overtime procedures. Employees must use their compensatory time before using accrued vacation.

Exempt regular full-time employees, other than Department Heads, may accrue compensatory time at the rate of one hour for each hour worked in excess of their standard workweek, not to exceed 40 hours. Compensatory time for exempt employees is a discretionary benefit offered by the City and is not required under the FLSA.

Regardless of the accrual limit, exempt employees are expected to work the hours necessary to fulfill their job responsibilities. Compensatory time for exempt employees does not constitute an entitlement and may be modified or discontinued by the City at any time.

l. Payoff of Accrued Compensatory Time

All non-exempt employees' unused, accrued compensatory time balances in excess of forty (40) hours shall be paid down toward the end of each fiscal year. No payment shall be made for the first 40 hours of accrued compensatory time until separation of employment or as allowed in this policy.

Employees promoted from non-exempt to exempt positions shall be paid for accrued compensatory time prior to their promotion. Non-exempt employees shall be paid for all accrued compensatory time when:

- changing to a lower paying position and/or
- changing departments or funds.

There is no monetary value associated with compensatory time for exempt employees, and it will not be paid out during employment or upon separation.

m. Workweek

The City designates all employees FLSA workweeks to be 12:00 a.m. Saturday through 11:59 p.m. Friday. 9/80 schedules are not permitted for exempt or non-exempt employees. The FLSA workweek has been designated by the City and it shall not be changed for the purpose of avoiding overtime payment.

n. Trading Shifts

A Department Head may allow employees to trade shifts if it will not create an overtime situation in terms of hours worked and provided that (a) it is voluntarily agreed to by both employees and (b) it is at the employees' request.

o. Volunteered Time

Non-exempt employees of the City shall not "volunteer" time for the purpose of avoiding overtime.

p. Working Out of Classification

Compensation for working out of classification is provided as monetary recognition to an employee for the assumption and performance of duties normally performed by an employee of higher classification.

The assumption and performance of the duties of the higher classification must encompass the full range of responsibilities of the higher classification. This shall not apply to temporary assignments which are made pursuant to prior mutual agreement between the employee and the immediate supervisor for the purpose of providing a training opportunity to the employee, for a mutually agreed upon period of time.

The performance of such duties must be for an extended period of time, wherein a need exists to fulfill the duties and responsibilities of the vacant position. An extended period of time is generally considered as an assumption of duties and responsibilities that will last in excess of thirty (30) calendar days. Pay will be retroactive to the first day those duties were assumed.

Working out of classification compensation for employees shall be allowed only after written recommendation of the Department Head and concurrence by the City Administrator. For employees who are asked to work out of classification as a Department Head, the City Administrator shall recommend a proposed salary adjustment to the Mayor for approval. Recommendation and designation shall be accomplished prior to the assumption of the higher classification of responsibilities.

The employee's compensation will be increased to the starting salary of the higher classification in which the employee is substituting, or five percent (5%), whichever is higher.

When the temporary assignment is completed, the employee's salary will be readjusted to its previous level, or the level where it would have attained, including general salary adjustment and step increases, if the out of classification pay had not been made. The employee's date of hire and anniversary date will remain unchanged throughout the temporary assignment.

4. Reporting and Verifying Time Records

It is the responsibility of each non-exempt employee to properly record the time that they worked during a payroll period. Each time sheet shall bear the electronic signature of the employee with a statement verifying its accuracy and a counter approval signature by a supervisor indicating that the hours claimed were actually worked. By recording clock in and clock out times and/or by diligently recording any deviations from their regular work hours on their time record, employees are certifying that their time record accurately reflects their hours worked and absences. Failure to carry out these duties may result in a delay of payment and disciplinary action.

5. Pay Periods

Each employee is paid every two (2) weeks, and the regular payday is every other Friday. If the payday falls on a holiday, the payday will occur on the first business day preceding the holiday.

6. Hybrid Work

Hybrid work is when an employee splits their work week or workday between working at a designated onsite City location and their home or another pre-approved offsite location. Hybrid work is meant for unique personal circumstances, requires supervisor approval, and is typically for limited periods of time. There are some City positions that do not align with hybrid work with the main determination being whether all essential job duties can be effectively and safely performed offsite through remote access to the City's technology systems.

Employees that believe they need hybrid work must provide their supervisor:

- a verbal or written request with the reason to perform hybrid work;
- the duration and schedule related to the requested hybrid work; and
- any other relevant information that the employee believes is relevant and/or as the supervisor requests.

If the supervisor approves hybrid work, the employee and supervisor will monitor the hybrid work arrangement to ensure it meets the needs of the City. All relevant City policies and procedures apply to hybrid work. Hybrid work can end at the supervisor's discretion based on the needs of the department and/or the City.

If an employee is denied hybrid work or is informed that a hybrid work arrangement is ending, the employee may request a review of the situation from the supervisor and City Administrator. Ultimately, the decision of the supervisor and City Administrator on the situation is the final determination.

Internet, office set-up, and travel costs, including mileage to and from the employee's work responsibilities while performing hybrid work, are ineligible for reimbursement.

Employees are responsible for maintaining their hybrid workspace in a safe condition. Employees are responsible for determining any tax implications, if any, related to maintaining a hybrid workspace.

7. Flexible Schedules and Workweeks

Each City department establishes the work schedules for employees assigned to that department. Because the nature of the work varies across the City, starting and ending times vary according to the needs of individual departments. Consequently, employees may be assigned to begin and/or end their workday outside of the typical 8:30 a.m. to 5 p.m. Monday through Friday schedule. Additionally, employees may be assigned to work a compressed schedule or begin and/or end their workweek on a Saturday or Sunday.

Business needs permitting; departments may also offer a flexible work schedule or compressed work schedule to accommodate personal, family, and other obligations. The City permits employees to have flexible schedules and compressed work schedules when such schedules align with the City's and department's business needs.

a. Flexible Schedule and Compressed Schedule

A flexible schedule is a schedule that allows employees to start or end their workday outside the typical 8:30 a.m. to 5 p.m. Monday through Friday work schedule.

A compressed schedule allows employees to work the equivalent of a full 40-hour work week in fewer than five days.

b. Approval Process

Employees who would like to work a flexible schedule and/or compressed workweek shall make their request verbally or in writing to their Department Head or designee. Whether an employee's request is granted is at the discretion of the department in consultation with the City Administrator. Employees' requests for flexible schedules are evaluated on a case-by-case basis and may not be feasible in some departments or for certain positions.

When evaluating an employee's request, the following factors should be considered:

- nature of the employee's responsibilities;
- reasons for the employee's request;
- staffing levels required to maintain service and production levels;
- department's capacity to handle changing workloads;
- employee's work record, including punctuality, reliability, productivity, and ability to meet deadlines;
- potential for an increase in the department's overtime/compensatory time numbers;
- employee's willingness to depart from a flexible schedule when needed;
- seasonal or cyclical changes in workloads might restrict the ability to grant flexible schedules during certain times of the year; or
- other business needs.

Departments are responsible for ensuring flexible schedules are granted in a manner that does not violate the city's Equal Opportunity Employment responsibilities.

If a department is unsure of how a flexible schedule will affect their operations, the department can approve a flexible schedule for a limited period, so they can evaluate whether the flexible schedule interferes with or hinders a business need.

If an employee's request for a flexible schedule is approved, the department shall document the new schedule and its effective date and notify the City Clerk.

As discussed and agreed to between an employee and supervisor, employees may take paid breaks lasting 15 minutes or less, or unpaid meal breaks lasting 30 minutes or more. The agreed upon schedule should align with the needs of effectively providing services and balancing an employee's need for breaks/meal periods during a workday. The City does not expect an employee to adjust their regular work schedule in order to accommodate the taking of a break.

c. Cancelling a Schedule

There is no right to a flexible schedule. The City retains the right to cancel or suspend a flexible schedule. If the timeframe for canceling the flexible schedule is not mutually agreed upon between the department and the employee, the department shall provide the employee with notice at least thirty (30) calendars days prior to canceling the flexible schedule. This timeframe may be shortened based on a stated emergency. An employee whose flexible schedule is cancelled or suspended can appeal that decision to the City Administrator within five (5) days of being informed of the cancellation or suspension.

d. Supervisor Review

Supervisors are expected to periodically evaluate how an employee's flexible schedule affects the employee's productivity, leave usage and accruals, the number of overtime or compensatory hours worked, holiday pay, and on-call/call-in pay.

Departments can require an employee adjust their work hours, within the parameters of applicable wage and hour laws and City policies and regulations, to ensure the employee does not work over 40 hours within their FLSA workweek, creating an overtime/compensatory time liability for the City.

e. Other Considerations

Non-exempt employees are not restricted from working hours or days outside their approved flexible schedule, providing all alterations to their approved schedule, including hours worked over 40 in the employees FLSA work week, are approved in advance by the employee's supervisor and meet the requirements of the City's wage and overtime requirements. Non-exempt employees can be required to depart from their flexible schedule to work overtime hours.

Exempt employees are expected to work as needed to meet business needs; therefore, a flexible schedule does not restrict exempt employees from working outside their approved schedule, including a flexible schedule.

Flexible schedules resulting in employees regularly working more than 12 hours per day are not permitted unless agreed to by the employee and supervisor and approved by the City Administrator.

As outlined in the Holiday policy, flexible schedules that consist of working more than 8 hours in a day do not change the amount of holiday pay an employee receives.

EMPLOYEE LEAVE, HOLIDAYS, AND BENEFITS

The City offers a number of employee benefits for full-time employees only. These benefit offerings are subject to change or termination at the sole discretion of the City Council or the City Administrator. If a program is terminated and not replaced with comparable benefits, participants will be notified. In some cases, there may be a waiting period before coverage begins. The policy terms may also limit coverage or eligibility depending on the number of hours an employee works. For information on these, consult the applicable benefits booklet or contact your supervisor or the City Administrator.

1. Annual Vacation Leave

a. Full Time Employees

Vacation leave is available to full-time employees who have completed the equivalent of six (6) months of full-time employment. Each full-time employee accrues paid annual leave according to the length of such consecutive employment as follows:

YEARS OF SERVICE	VACATION ACCRUAL
Up to two (2) years of continuous service	8 hours a month/96 hours a year
Two (2) years, but less than five (5) years of continuous service	10 hours a month/120 hours a year
Five (5) years, but less than ten (10) years of continuous service	12 hours a month/144 hours a year
Ten (10) years, but less than fifteen (15) years of continuous service	14 hours a month/168 hours a year
Fifteen (15) years, but less than twenty (20) years of continuous service	16 hours a month/192 hours a year
Twenty (20) years of continuous service or more	20 hours/240 hours a year

b. Accrual Limits

The maximum accrual for regular, full-time employees is 300 hours.

An employee shall receive supervisor approval to take vacation time. Whenever possible, vacations are scheduled as requested by the employee, subject to the City's needs in ensuring proper service coverage and in balancing the various requests of employees. For purposes of leave accrual, all past service shall be included in determining the duration of employment, provided that service is continuous with no separation longer than six (6) months or the separation is (1) due to military service, (2) a written approved leave of absence, or (3) covered under conditions of reinstatement.

Upon separation from employment, after six (6) months' continuous service, all employees shall receive a lump-sum payment for earned, but unused, vacation leave at the hourly rate of pay for the employee's grade and step. Nonexempt employees also receive a lump sum payment for unused compensatory time. Where possible, such payment, in addition to the regular salary payment, shall be made to the employee on the regular payroll immediately following the employee's termination. In the event of an employee's death, payment for accrued vacation leave shall be made to the employee's estate.

2. Holidays

Twelve official holidays are provided for full-time employees. A paid holiday is computed at the employee's regular rate of pay. A paid holiday in which the employee does not work shall be considered

time worked for the purpose of overtime or compensatory time calculations for non-exempt employees.

Employees who have full-time active status on the date of any holiday shall receive compensation for that day, even though they do not work on the holiday, as long as the holiday falls on the employee's regularly scheduled workday. The City Administrator, as necessary, may change the holiday schedule at any time.

Eligible holiday hours for regular employees equate to 8 holiday hours for employees working 30 or more hours per week. If a non-exempt employee is typically scheduled to work more than 8 hours, such as a 4/10 shift, in order to not receive a reduction in pay, the employee may account for the excess scheduled hours by:

- using accrued vacation;
- using accrued compensatory time;
- flexing their schedule within the same FLSA workweek with supervisor approval; or
- taking leave without pay.

For example, if a full-time employee is regularly scheduled to work 10 hours and is eligible for an 8-hour holiday, the employee has the option of accounting for the remaining two hours by using vacation, compensatory time, taking leave without pay, or by working two additional hours within the same FLSA workweek with prior supervisor approval. Supervisors are encouraged, if business needs allow, to accommodate an employee's request to flex a work schedule. Sick leave shall not be used to make up the extra hours.

If a holiday falls during an employee's vacation, the holiday will not count as a vacation day.

Employees shall not be compensated for unused holidays upon separation of employment.

a. Holidays Falling on Days Off

Generally, for employees who work Monday through Friday, holidays falling on Saturday are observed on the preceding Friday and those falling on Sunday are observed on the following Monday. However, when a designated holiday falls on an employee's regularly scheduled day off, other than Saturday or Sunday, the employee shall receive straight compensatory time for the number of eligible holiday hours allowed.

b. Working on a Holiday

If a non-exempt employee is required to work on a holiday, the employee will receive 1.5 times the normal hourly rate for all hours actually worked on the holiday, plus 8 hours of holiday pay. At the employee's discretion, the holiday hours may be awarded in compensatory time.

c. Recognized Holidays

New Year's Day

Labor Day

Martin Luther King, Jr./ Human Rights Day

Veteran's Day

President's Day

Thanksgiving Day

Memorial Day

Day After Thanksgiving

Juneteenth

Christmas Eve Day

Independence Day

Christmas Day

Additional holidays may include those appointed by the President of the United States, the Governor of the State of Idaho, or the Mayor of Ketchum.

3. Leave

a. Sick Leave

Qualified employees begin to earn sick leave at the completion of the first full month after the date of hire. Full-time employees accrue sick leave benefits at the rate of 9 hours for each calendar month of continuous employment. Part-time employees and seasonal employees do not earn sick leave benefits. Employees do not earn sick leave benefits during any portion of a leave when they are not receiving their regular wages.

Sick leave may be used for the employee and when the employee is attending to their immediate family members. Sick leave can be used for the following reasons:

- Illness or injury
- Health care visits
- Mental and emotional health needs
- Preventative self-care

When a business need arises regarding the use of an employee's sick leave, the City may request medical certification from the employee. Employees may be required to present a fitness-for-duty release from their health care provider prior to returning to work. Employees are subject to disciplinary action for using sick leave in a manner that is not consistent with this policy.

Employees who know in advance that they need to use sick leave shall provide their supervisor with as much notice as possible. If an emergency or sudden illness prevents advanced notification, notification shall be provided as soon as possible.

Employees that use sick leave for reasons that qualify under the Family and Medical Leave Act (FMLA) shall comply with the FMLA's procedural requirements addressed in the Family Medical Leave section.

Upon supervisor review and approval, a non-exempt employee may be entitled to compensatory time in a workweek where the employee takes sick leave and also works outside of their regular hours of work. This provision may also apply to other approved special circumstances.

All sick leave shall be forfeited at the time of separation from service, and no employee shall be reimbursed for accrued sick leave at the time of separation. However, if the employee is reinstated to service within ninety (90) days after the date of separation, all sick leave credits accrued at the time of separation shall also be reinstated.

Notwithstanding the above, employees with a minimum of ten (10) years of service qualify for a payment for a portion of their accumulated sick leave at the time of separation. This payment is computed as follows:

- Retirement after ten (10) years of continuous employment:
 - Cap of 1,080 hours or fifty (50) % of accrued sick leave hours, whichever is less, times current Idaho hourly minimum wage.
- Retirement after fifteen (15) years of continuous employment:
 - Cap of 1,620 hours or seventy-five (75) % of accrued sick leave hours, whichever is less, times current Idaho hourly minimum wage.
- Retirement after twenty (20) years of continuous employment:
 - Cap of 2,200 hours or one-hundred (100) % of accrued sick leave hours, whichever is less, times current Idaho hourly minimum wage.

At the election of the employee, this payment can be:

a cash payment to the employee, a cash payment deposited directly into the employee's 401k or other qualified retirement savings plan, or a combination of both (up to the qualifying limits);

- used to pay for a continuation of the City's Medical/Dental Insurance coverage for that employee and/or their family as proscribed by COBRA;
- used to pay the premiums for some other Medical Insurance Plan for which that employee and/or their family qualify; or
- deposited directly into a qualifying Health Savings Account (HSA) type of Medical Insurance Plan (up to the qualifying limits).

b. Bereavement Leave

Up to three (3) days of additional paid leave of absence for a death in the immediate family (spouse, parents, grandparents, children, grandchildren, brothers, and sisters). This time off may be used to arrange for and attend a funeral or memorial service and to attend to other family matters. Additional leave may be granted from accrued vacation and/or sick leave. When there are unique circumstances related to bereavement leave and the employee needs additional time off, the employee should confer with their supervisor and the City Administrator.

c. Leaves of Absence

The City Administrator, after recommendation by the supervisor, may grant up to fifteen (15) days of unpaid leave for any justifiable purpose when the employee's vacation and sick leave have been exhausted. An employee may request, in writing, an unpaid leave of absence for up to fifteen (15) days. However, no employee is guaranteed a leave of absence. Unpaid leave in excess of thirty (30) days shall require written approval of the City Council.

Because of fluctuating City needs, the City cannot guarantee reemployment when an employee's leave of absence expires. If the employee's position or comparable position is not available, the employee's name will be placed on a hiring list, and they will be considered for future vacancies if the employee meets the qualifications.

d. Compensation while Serving on Jury Duty or as a Witness in a Court Proceeding

Employees receiving a jury summons or a summons to appear as a witness in a court proceeding should immediately advise their supervisor so arrangements can be made to accommodate the absence. In recognition of performing the responsibilities of a citizen, leave will be granted to full-time employees called to jury duty or to serve as a court witness. Full pay will be provided during the first three days of service. The City will pay the difference between the income employees receive from a scheduled forty (40) hour work week and the compensation received for jury duty, excluding mileage compensation. After the first three days, employees may elect to use accrued vacation time or an unpaid leave of absence. Special allowance may be made by the City Administrator upon a showing of inordinate hardship.

If employees are dismissed from jury duty before the end of the workday, they must report to their supervisor for instructions on whether to return to work for the remainder of the workday.

In the event the commitment to a trial may last for an extended period of time, employees must notify their supervisor. Jury duty for an exceptionally long duration may be compensated upon the discretion of the City Administrator.

e. Military Leave

A paid leave of absence will be granted to employees who are members of the National Guard, military reserves, or other uniformed services to participate in ordered and authorized field training, subject to a maximum number of fifteen (15) working days per calendar year. This paid military leave will not affect an employee's vacation or sick leave accruals.

The City will comply with all applicable federal and state laws related to military leave, including the Uniformed Services Employment and Reemployment Rights Act (USERRA). If paid leave is not available, employees who are required to attend annual military training, extended active duty, or other qualifying military service may take the time as either regular vacation or unpaid leave. Employees are expected to provide advance notice of military duty and official documentation of orders when available.

Upon completion of military service, employees will be reinstated to their former position or a position of similar seniority, status, and pay, consistent with the requirements of USERRA.

f. Compassionate Leave

Employees may donate leave time to any City employee who has exhausted their vacation down to 32 hours, sick leave, or compensatory time and who requires absence from work due to illness or injury in accordance with FMLA. The following applies to donations:

- Donations may be made in a minimum of 1 (one) hour increments. For every hour of sick, vacation, or compensatory time donated, the recipient will be credited with one hour of sick leave. The pay levels of the two employees shall not affect the transaction.
- A donating member must retain a minimum of 120 hours of sick leave for their own use.
- A recipient can receive a combined maximum to the equivalent of the maximum allowable leave time in accordance with FLMA.
- An employee who returns to work either on a limited duty or on a part time basis may continue to use the donated time up to the maximum allotment.
- The donated time will not count as the donor's hours worked in any pay period.
- Participation as a donor is voluntary. A donor cannot be directly or indirectly intimidated, threatened, coerced, or promised any benefit by any employee for the purpose of donating or using leave.
- Unused donated time will be returned to the donor or donors in the event the time is no longer needed.
- Donated time shall not count towards any leave cash out or conversion to retirement upon the employee's separation from the City.
- The employee's Department Head must approve the use of compassionate leave.

g. Parental Leave

The City recognizes that it is in a unique position to be a model for other government organizations. As such, in an effort to provide an opportunity for parents to bond and welcome a new child to their family, the City offers paid parental leave.

Parental leave is available to regular, full-time employees, regardless of gender.

Employees become eligible for parental leave on the first day of the month following 6 months of regular employment. The leave may be used only for the birth of the employee's natural child or adoption of a child (up to the age of 18 years old) in order to promote bonding with the child. When an employee is eligible for Family Medical Leave (FMLA), paid leave under this program will run concurrently with FMLA (please refer to the Family and Medical Leave policy for details). Employees shall designate, at the time they request FMLA, when parental leave will be used during the FMLA period. FMLA eligibility does not dictate parental leave eligibility.

Parental leave refers to paid time off following the birth of an employee's natural child or the legal placement of a child with an employee for the purposes of adoption. The maximum amount of paid parental leave is six (6) work weeks. However, employees may be eligible for additional leave, such as Family and Medical Leave, which may be paid or unpaid as outlined in that policy.

Parental leave may be taken in a single, continuous block of time or in one workday increments. However, employees are only eligible for parental leave once in the 12 months following the birth/adoption date.

The employee's actual workweek counts as a week of leave regardless of the number of hours worked.

Parental leave shall be requested at least 30 days prior to the child's anticipated due date/adoption date, absent any unforeseeable circumstances.

4. Benefits

The City, through the City Administrator, reserves the right to change, condition, or terminate any benefits set forth in this section. No employee shall acquire any rights in any current or future status of benefits except as law otherwise requires.

a. Benefits for Casual/ Seasonal Employees

Casual/ seasonal employees shall only receive Worker's Compensation Insurance and hours worked.

b. Insurance Coverage

The City provides health, vision and dental insurance to employees who are hired to work 20 or more hours per week. The plan document and other benefit information outlines the cost of health care coverage. Insurance coverage begins on the first day of the month following the start of employment with the City. All coverage is subject to policy terms and changes at any time. Claims procedures are administered by the City Treasurer's Office.

Limited life insurance coverage and limited disability programs may be provided to full-time employees. Questions regarding the terms of these programs should be directed to the City Treasurer.

Workers' Compensation insurance covering job-related injuries is provided for all employees. Questions about Workers' Compensation insurance should be directed to the City Treasurer's Office.

c. Retired Employee's Health Insurance

The City offers health insurance to retired employees under the following conditions and eligibility rules:

1. An employee must be a full-time, active employee of the City and enrolled under the III-A plan for a period of at least one year prior to being eligible for the benefit. Elected officials are excluded from coverage.
2. Attain the Rule of 80/90 as defined by PERSI (For purposes of the definition of the Rule of 80/90 the PERSI definition applies, notwithstanding whether an employee is participating in PERSI, or
3. An employee may retire early if:
 - a. Employment ends after meeting the minimum age requirement and
 - b. Employee has at least 60 months of full-time employment with that employer or 60 months of credited service, whichever applies.
4. Minimum Age Requirements for early retirement
 - a. General members: The minimum retirement age for general members is 55. Employees may retire the first day of the month following the month they turn 55.
 - b. Public Safety Officers: The minimum retirement age for public safety officers (police/firefighters) is 50. Employees may retire on the first day of the month following the month they turn 50.

- c. Members with Mixed Service who have accrued service credit as both a general member and as a public safety officer have mixed service. The minimum retirement age for someone with mixed service will be between the ages of 50 and 55.
5. There can be no lapse in coverage. The employee must transition from active to retiree status with no lapse in coverage. If they leave the plan after their employment ends for any length of time, they are no longer eligible for retiree coverage.
6. Survivor Benefits are also extended to retirees' dependents. If a retiree passes away while covered under the III-A, their covered spouse and dependents are allowed to remain on the III-A plan until the spouse becomes Medicare eligible. As previously stated, there cannot be a lapse in coverage.
7. When a retiree reaches the age of 65 and is termed from the plan, their covered spouse and dependents are also termed from the plan.
8. These rules also apply to vision and dental plans, if applicable.

d. Retirement

The retirement plan of the City combines benefits of the Public Employees Retirement System of Idaho (PERSI) with Social Security (FICA). PERSI charges a percentage of an employee's gross salary, which is presently exempt from the Federal and State income taxes, and the City matches this with an additional larger contribution. Contact the City Treasurer for further information.

e. Education Assistance

The City offers employees financial assistance with their education. Education assistance applies towards college courses, certificate programs, and professional/technical badges. All of these categories are considered Professional Development. Education assistance is guided by the following:

- Professional Development must directly relate to the employee's present or potential promotional assignment within the City.
- Departments must have sufficient budgetary resources prior to approval. The absence of budgeted funds is a reason for the denial of the request.
- If approved, the City shall reimburse the cost of the Professional Development opportunity.
- To participate in the City's Education Assistance program, an employee must submit a request to their supervisor and obtain approval from the Department Head prior to enrolling in the Professional Development opportunity.
- The employee must submit evidence of satisfactory completion of the Professional Development opportunity.
- The employee shall refund the City a proportional amount of the Professional Development opportunity if the employee terminates employment or is terminated for cause within two (2) calendar years of completion of the approved course. To determine the prorated amount, the approved cost of the Professional Development opportunity will be divided by twenty-four (24) months, and the employee will be responsible for repaying the cost of the course less the prorated amounts for the months worked since completion of the course.

All employees who pursue professional certification (i.e. paramedic licenses, Police Academy, Water and Wastewater Operator's License, etc.) and who participate in the Education Assistance program, at the

City's Expense, will be required to accept the following reimbursement schedule if the employee voluntarily leaves employment with the City.

<u>Date of Separation % of Reimbursement</u>	
Up to 12 months from receiving assistance	100%
12-18 months from receiving assistance	50%
18-24 months from receiving assistance	25%

f. Miscellaneous Benefits

In addition to the benefits listed above and on the previous pages, other miscellaneous benefits are available to full-time regular employees. The City may offer miscellaneous benefits to its employees in accordance with the policies or other documents which establish the programs.

g. Transfer of Benefits with Employee Transfer

Accrued benefits for each employee continue to the benefit of that employee if the employee transfers from one department to another within the City. Any such transfer will not result in a reduction of benefit offerings separate and apart from those realized by employees similarly situated.

FAMILY AND MEDICAL LEAVE (FMLA)

1. FMLA

The City complies with the Family and Medical Leave Act (FMLA) and will grant up to 12 weeks of leave during a 12-month period to eligible employees (or up to 26 weeks of military caregiver leave).

2. Eligibility

To be eligible for leave under this policy, employees must meet **all** of the following requirements:

- have worked at least twelve (12) months for the City;
- have worked at least 1,250 hours for the City over the twelve (12) months preceding the date the leave would commence; and
- currently work at a location where there are at least fifty (50) employees within seventy-five (75) miles.

The 12 months of employment do not have to be consecutive. All periods of absence from work due to or necessitated by service in the uniformed services are counted as hours worked in determining eligibility.

3. Reasons for Leave

Employees can use this leave for the following reasons:

- to care for the employee's child within the first year after birth or placement for adoption or foster care (if the leave is for a child of spouses that both work for City of Ketchum and are eligible for FMLA leave, the spouses can take a combined total of 12 weeks of FMLA leave);
- to care for a family member with a serious health condition;
- for an employee's own serious health condition which makes the employee unable to perform any of the essential functions of the employee's position;
- for employees with a spouse, child, or parent in the military to attend to a "qualifying exigency;" or
- to care for a spouse, child, parent, or next-of-kin who is a covered service member of the armed forces and suffered a serious injury or illness that was incurred or aggravated in the line of duty ("military caregiver leave").

Employees may take up to 26 weeks of unpaid time off in a single 12-month period for military caregiver leave, beginning on the first day of leave. Up to 12 of those weeks may be for a reason other than military caregiver leave.

Important Definitions

- Family member: a parent, spouse, or child.
- Parent: the biological parent of an employee or an individual who had parental responsibility for an employee when the employee was a child.
- Child: a biological, adopted, or foster child; stepchild; legal ward; or a child for whom the employee has parental responsibility and who is either under 18 years of age or older than 18 and incapable of self-care because of a mental or physical disability.

Qualifying exigencies include:

- advance notice of military deployment of 7 days or less (for which employees can take up to 7 days of FMLA leave);
- short-term rest and recuperation leave (for which employees can take up to 15 days of FMLA leave);
- making childcare arrangements for the military member's child;
- attending certain military ceremonies and briefings; and
- making financial or legal arrangements to address a military member's absence.

Other Types of Leaves

Any leave taken under this policy may run concurrently with leave taken under applicable state law where the statutes allow for leave for the same reasons.

Leave under this policy used for military caregiver leave will run concurrently with any other military leave the employee is eligible for.

Employees may substitute any unused paid time off for while taking FMLA leave if the reason for FMLA leave also qualifies for paid time off. However, during any part of FMLA leave when an employee is receiving disability, Workers' Compensation, or paid family leave benefits, available paid time off can only be used to supplement those benefits if the employee and the City mutually agree, and state law

permits that. The substitution of paid leave for unpaid FMLA leave does not extend the length of the FMLA leave period.

Leave Usage

Employees must generally take FMLA leave in full-day increments, but they can take leave on a reduced schedule or intermittently in some circumstances, including when the leave is related to:

- a medical necessity due to a chronic serious health condition;
- a medical necessity due to an expected medical treatment of a serious health condition;
- a medical necessity related to a covered service member's serious injury or illness;
- a qualifying exigency related to covered military service; or
- the birth, adoption, or foster placement of a child (if approved by the Organization).

For incremental leave or reduced schedules, employees must take leave in at least one-hour increments.

Notice

Employees must provide at least 30 days' notice of their need to take leave if the need is foreseeable. Otherwise, they must provide as much notice as practicable. Employees must try to schedule planned medical treatments to not disrupt City operations. If the leave is for a qualifying military exigency, employees must provide notice as soon as practicable, whether the need for leave is foreseeable or not.

Failure to comply with these rules may result in deferral of leave until the employee complies with this policy. If an unforeseen need for leave arises, employees must follow the City's standard absence notice procedures, unless unusual circumstances prevent the employee from doing so.

Documentation

The City may request that employees provide certification of leave within 15 days of their request for leave unless that's impracticable in the circumstances. If the City determines a medical certification is incomplete or insufficient, the City will provide the employee with written notice of the deficiencies, and the employee will have 7 days to provide complete information. If the employee does not provide the requested information within that time frame, the City may deny the leave request.

If the leave is needed to care for a sick child, spouse, or parent, employees must provide a certification from a health care provider that states (1) the date the serious health condition started, (2) an estimate of how long the condition will last, (3) the estimated amount of time the health care provider will provide care, and (4) a confirmation that the family member needs the employee's help.

If the leave is needed for an employee's own serious health condition, they must provide certification from a health care provider that states (1) the date the serious health condition started, (2) an estimate of how long the condition will last, and (3) that the employee is unable to perform their essential job functions because of the serious health condition. If the City has reason to doubt the truth of the certification, it may require, at its expense, a second opinion from a health care provider designated by the City. If the second opinion differs from the first opinion, the City may require, at its expense, that the employee obtains the opinion of a third health care provider designated or approved by the City and the employee. The opinion of the third health care provider will be final and binding.

The City may also request medical certification for other leave-qualifying reasons if not prohibited by applicable law. The City requires certification from an employee's health care provider that the employee is fit to return to work. Failure to provide this certification will result in the denial of reinstatement until the certificate is obtained. If employees don't provide the certification within 3 business days after the employee's scheduled return date, they will be considered to have voluntarily resigned. The City may ask for recertification from the employee's health provider. For example, if an employee's medical condition lasts longer than 1 year, the City may request a new certification from the employee's health care provider every 12 months. If an employee is absent from work due to an ongoing medical condition covered under this policy, the City may ask for a new certification from the employee's health care provider every 6 months.

Leave Calculation

Only the amount of leave taken may be counted against an employee's FMLA leave. Where an employee takes FMLA leave for less than a full workweek, the amount of FMLA leave used is determined as a proportion of the employee's actual workweek. The amount of FMLA leave taken is divided by the number of hours the employee would have worked if the employee had not taken leave of any kind (including FMLA leave) to determine the proportion of the FMLA workweek used. For example, an employee who normally works 30 hours a week but works only 20 hours in a week because of FMLA leave would use one-third of a week of FMLA leave. The City may convert the FMLA leave usage into hours so long as it fairly reflects the employee's actual workweek.

Leave under this policy is calculated on a rolling 12-month basis, measured backward from the date an employee uses any FMLA leave. Each time an employee takes FMLA leave, the remaining leave entitlement equals the balance of the 12 weeks that has not been used during the immediately preceding 12 months. This method ensures that no more than 12 weeks of leave are available within any 12-month period (or 26 weeks for military caregiver leave).

Time that an employee is not scheduled to report for work may not be counted as FMLA leave. If the City temporarily stops business activity and employees aren't expected to report for work for 1 or more weeks (for example, a school that closes 2 weeks for the winter holiday, or a plant that closes for a week for repairs), the days the business activities have stopped don't count against the employee's FMLA leave.

When a holiday falls during a week in which an employee is taking the full week of FMLA leave, the entire week is counted as FMLA leave. However, when a holiday falls during a week when an employee is taking less than the full week of FMLA leave, the holiday is not counted as FMLA leave, unless the employee was scheduled and expected to work on the holiday and used FMLA leave for that day. When an employee's schedule varies so much that the City is unable to determine how many hours the employee would have worked during the week the employee takes FMLA leave, the City may use a weekly average to calculate the employee's FMLA leave entitlement. The weekly average is determined by the hours scheduled over the 12 months prior to the beginning of the leave and includes any hours for which the employee took any type of leave.

Required overtime hours that are not worked by the employee because of an FMLA-qualifying reason may be counted as FMLA leave. However, voluntary overtime hours not worked due to an FMLA-qualifying reason may not be counted as FMLA leave.

Checking In

If an employee takes FMLA leave because of their serious health condition or to care for a family member, they must contact the City periodically regarding the status of the condition and their intention to return to work. Employees must also give notice as soon as they can (within 2 business days if feasible) if the dates of leave change, are extended, or initially were unknown.

Other Information

The City will never retaliate against employees for requesting or taking FMLA leave. Employees have the right to return to the same position they had before they took leave or an equivalent position with the same pay, benefits, working conditions, privilege, status, duties, and responsibilities, subject to any exceptions under the law. Employees will be able to continue participating in any health benefit plan while on leave but must continue to pay their portion of the insurance premium. In some instances, the City may recover premiums paid to maintain health coverage for employees who fail to return to work following FMLA leave. Employees will not accrue any paid leave while taking FMLA leave.

RULES OF EMPLOYEE CONDUCT

The City expects and encourages a work environment of respect and professionalism. All City employees are required to conduct themselves in a respectful and courteous manner that is appropriate for the workplace. This policy applies to all City employees, elected officials, representatives, and volunteers. While it is impossible to list every type of conduct that is acceptable/unacceptable, the following are the City's expectations and also includes examples of conduct that when violated may result in disciplinary action, up to and including termination.

1. Shall be prompt and regular in attendance at work or other required functions. If an employee will be unable to report to work, or will be late, the employee must let their immediate Supervisor know as soon as possible, and always before the scheduled starting time. If the Supervisor is unavailable, a message may be left that includes the reason for being late or absent and a telephone number where the employee may be reached. If an employee's absence or tardiness is due to an emergency, the employee should call in, or have someone call in on the employee's behalf, as soon as possible.
2. Shall comply with the dress standards established in a department for which the employee works. The City Administrator or other department head may set dress standards. In the absence of any departmental dress standards, clothing shall be appropriate for the functions performed and shall present a professional appearance to the public.
3. Shall dedicate primary efforts to City employment with secondary employment subject to approval by the department head or City Administrator. The request for secondary employment shall be made in writing.
4. Shall not accept gifts, gratuities or loans from organizations, business concerns, or individuals with whom the employee has official relationships while on business of the City in violation of applicable laws. No gift may be accepted which would create the impression that the giver was seeking special favor from the employee.
5. Shall not serve on any board or commission which regulates or otherwise affects the official duties or personal interests of an official or employee in a way that could create disadvantage for other members of the public or advantage for the employee.

6. Shall not release personnel information or any other public record absent adherence to state law and without the express authority of the public official responsible for custody of the record or without an order from a court of competent jurisdiction.
7. Shall not use substances, unlawful or otherwise, which will impair the employee's ability to function as a valued and competent part of the City's workforce. Smoking and use of tobacco products is prohibited in all City-owned buildings and vehicles. Smoking by employees is permitted only during rest or meal periods and only outside of City buildings. As the abuse of alcohol or any other drug is a serious threat to both personal health and job performance, employees are strictly prohibited from possessing, selling, consuming, or being under the influence of alcohol or drugs, except as authorized by a physician, while on the job.
8. Shall not engage in conduct in the operation of a motor vehicle that impairs the ability of the employee to perform job functions even though the driving conduct does not occur during hours of employment.
9. Shall not engage in workplace or public conduct otherwise detrimental to the accomplishment of the goals established by the City Council or the official or department for whom the employee works.
10. Shall not engage in criminal conduct of any kind while on or off duty. City employees are expected to behave in a lawful manner and failure to do so is a violation of the trust placed in such employees by the public and the appointing official.
11. Shall not engage in conduct away from work that, although not criminal, may reflect adversely upon the City or its officials or otherwise impair the employee's ability to perform.
12. Shall avoid conflicts of interests in appointments and working relationships with other employees, contractors and potential contractors in the City and related agencies.
13. Work cooperatively and constructively with fellow workers and members of the public to provide public service of the highest quality and quantity.
14. Give efforts to accomplish the work of the City for public benefit in accordance with policies and procedures adopted by the City Council and elected officials. Each employee shall be subject to the administrative authority of the Mayor, City Administrator, and the department head who supervises the department where the employee works.
15. Adhere to any code of ethics in their profession and not engage in conflicts of interest or use their public position for personal gain.
16. Follow all rules for the care and use of public property to ensure that the public investment in equipment is protected and that the safety of the public and other workers is maintained.
17. Abide by all departmental rules whether they are written or issued orally by the supervisor. No employee shall be required to follow the directive of a supervisor that violates laws of any local jurisdiction, the state, or the United States.
18. Abide by all pertinent statutes and City ordinances concerning the dissemination of information to the public from public records or about public matters. The decision to release information from the public records or to disclose writings or other information in the hands of a public official belongs with the responsible official who has official custody of that record. Each employee shall maintain the confidential nature of records or information that is not open to public scrutiny in accordance with the direction of the responsible official.
19. Adhere to the defined work schedule and procedures for exceptions to normal work schedules. Each employee shall follow all rules regarding the reporting of work hours and the approval which must be given for pay record submittal. Failure to follow such rules may be grounds for delayed payment of wages, salaries, or reimbursements, or for imposition of appropriate disciplinary penalties.

20. Follow all rules regarding work hours, breaks and lunch periods, including provisions granting supervisors authority to adjust them. The timing of work hours, including breaks and lunch periods, may be changed to accommodate the completion of necessary work.
21. Follow all rules for reporting accidents on the job. Each employee shall cooperate in the reporting and reconstruction of any job-related accident in order that workplace hazards can be eliminated, and that proper consideration can be accorded to injured workers and the public.
22. Report any accidents observed to have occurred on City property or involving City property. Each employee shall provide as much information as they can from the observations made in the course of activities associated with the employee's work. Such information should be reported to the employee's immediate supervisor as soon as physically possible, and reasonable efforts should be made to assist those persons in need. A workers' Compensation injury report may need to be completed.
23. Follow all rules regarding safety in the workplace whether established formally by the department or by outside agencies. Employees are encouraged to suggest ways to make the workplace or work procedures safer.
24. Keep their general work area clean and orderly. While the City employs custodial services to maintain larger areas, individual employees are responsible for the neatness of their own work areas. Computers used in conjunction with employee workstations shall be used for office-related functions only. Passwords assigned to employees shall be kept confidential and changed on a periodic basis. Employees must not write their login password and information down or share it with others.
25. Maintain security of records and property of the City. Employees shall immediately report any suspicious circumstances or missing items to their supervisor. All employees shall secure their individual workstations using designated log off prompts or other password-related security checks when away from their station.
26. City Employees should not disclose any confidential information, or disclose information from internal discussions, related to property, permitting, government, or affairs of the City without prior approval of the City Attorney or City Administrator. Under no circumstances should an employee use such information to advance the financial or private interests of the employee or others.
27. Perform such obligations and duties as necessary to carry out the work of the City in an efficient and effective manner at minimal costs and with limited risk to the public and fellow workers.
28. Use City issued credit cards in a lawful and fiscally responsible manner. Such credit cards may only be used for valid authorized expenses. Credit cards shall be issued by the City Treasurer and may be revoked for any reason. City credit card policy must be signed and retained in an employee's personnel file.
29. Engage in abusive, unprofessional, or inappropriate conduct to fellow employees or to the public, or use abusive or inappropriate language in the presence of fellow employees or the public. Abusive language shall include, but is not limited to, profanity and loud or harassing speech.
30. Engage in malicious gossip and/or spreading rumors, engaging in behavior designed to create discord and lack of harmony, willfully interfering with another employee's work output, or encouraging others to do the same.
31. Use work time for personal business including but not limited to the following actions: selling of goods and services or voicing religious, political, social, or personal views to members of the public during the workday. Employees should minimize the amount of work time spent on similar activities engaged in with fellow employees. While employed, it is essential to maintain a clear distinction between personal opinions and representing the City's views. When expressing

personal opinions, whether in person or on social media, it is crucial for an employee to clarify that the opinions are the employee's and not reflective of the City's position.

32. Engage in political activities while on duty in public service. This rule shall not apply to elected officials. Employees shall enjoy full political rights when not carrying out their work obligations.
33. Provide false or misleading information on employment applications, job performance reports, or any other related personnel documents or papers.
34. Harass or discriminate in the treatment of co-workers or members of the public on the basis of a protected class status.
35. Violate state statutes or local rules regarding the inappropriate use, alteration, destruction, or removal of any public records required by law to be kept by the entity or other public officials.
36. Abuse employee benefit offerings by taking unjustified sick leave, annual vacation, or otherwise participate in a scheme or deception designed to create incorrect personnel records or to claim benefits which are not deserved in accordance with City policy.
37. Violate rules concerning absence from the workplace without proper authorization. Employees must obtain prior permission as required by the City policy for use of annual leave, sick, bereavement, or other types of leave granted by the City.
38. Engage in prolonged visits with children, friends, or family members; salespersons; or others not related to City business, whether in person, over the telephone, or in an electronic manner, including email and instant messenger, or engage in any personal endeavor which interfere with the course of work in the office or department in which the employee serves.
39. Use telephones, computers or other City property in the office or workplace in a manner that disrupts the work or workflow. Workplace equipment shall not be used for any purpose relating to the employee's business or other personal interests.
40. Fail to report to the City Administrator within forty-eight (48) hours, or in accordance with the Drug Free Workplace Act, a felony or misdemeanor conviction, excluding minor traffic violations.
41. Disregard any rule established by the Mayor, City Administrator, or department head to maintain order and productivity in the workplace.
42. The City strictly prohibits a supervisor from dating or engaging in a romantic or sexual relationship with an employee that they supervise. Romantic or sexual relationships between other employees shall not create conflicts of interest or discord or distractions that interfere with other employees' productivity.
43. Employees are encouraged to report in good faith any waste of public funds, property, or resources; any unsafe acts; or any violation of law, City policies, or regulations. When possible, such reports should be at a time and in a manner that gives the City a reasonable opportunity to correct the waste or violation.
44. Employees are expected to fully cooperate with investigations. This policy prohibits any adverse action against an employee for participating or giving information in an investigation, hearing, court proceeding, legislative or other inquiry, or other form of administrative review. Employees who engage in adverse actions or retaliation are subject to disciplinary action, up to and including termination of employment, and may be subject to civil fines pursuant to applicable law.
45. Employees are prohibited from making reports when the employee knew or reasonably should have known the report was malicious, false, or frivolous.

CORRECTIVE ACTION

The City's corrective action procedures are designed to provide City departments with a standardized process to communicate expectations and prevent a recurrence of undesirable employee behavior. Outlined below are the progressive steps of the City's discipline procedure. The City reserves the right to combine or skip steps depending on the facts of each situation and the nature of the offense. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling or training; the employee's work record; and the impact the conduct and/or performance has on the work group or organization.

Discipline is typically administered in a progressive manner so that the least amount of corrective action needed is used to correct the employee's conduct. However, as determined by the City, the discipline issued will depend on the seriousness of the behavior, which could include termination as the first disciplinary step. All matters involving discipline will remain confidential to the extent possible.

The following actions, in no particular order, are among the available disciplinary steps that can be taken by the City Administrator or Department Head in response to personnel policy violations:

- Oral warning
- Written warning
- Formal written reprimand
- Suspension with or without pay
- Involuntary demotion
- Probation
- Termination

There is no appeal from any of the above levels of discipline. However, the City requires that employees receive written notice and an opportunity to be heard before any of the following actions occur: termination of employment, involuntary demotion where there is a loss of pay, or an unpaid suspension. The employee will receive a Notice of Intent to Discipline outlining what the employee allegedly did, referencing any policies or regulations, rules, laws, or previous directives that the employee allegedly violated, a statement that termination, involuntary demotion, or unpaid suspension may be issued if a violation is found, and sets forth a time to discuss the contents of the letter.

The meeting to discuss the contents of the Intent to Discipline letter will include the Department Head, the City Administrator or designee, and the employee. At the meeting, the employee will be informed of the information supporting the allegations and will have an opportunity to share any relevant information. If the employee fails to attend the meeting, the City will base the decision on the available information.

The Department Head and City Administrator or designee will consider all of the information and make a decision and notify the employee in writing of the outcome of the Intent to Discipline meeting. There is no internal appeal of the written decision.

PERFORMANCE MANAGEMENT – *The City is currently revising the performance management process.*

Each employee may be evaluated at six months of employment to receive any cost-of-living adjustment or bonus program increases and then on an annual basis to assess the performance of that employee in the job being performed for the City. Formal performance appraisals are usually conducted after an employee's first six-months of employment with the City in a new position of responsibility. Thereafter, formal performance evaluations may take place at the end of each year thereafter. Formal evaluations may also be completed at other times as the need arises.

Regular performance appraisals provide both the employee and their supervisor the opportunity to discuss how well each employee is meeting expectations, to clarify job responsibilities, make corrections when needed, and to explore possibilities for the development of skills and advancement. Each evaluation will be given on the basis of the direct supervisor's observations of the employee's performance, the accuracy of the employee's work in addition to the quantity, and additional efforts expended by the employee on behalf of the City. Each supervisor must complete a standard evaluation form, or other format provided by the City Administrator, which shall be placed in the employee's personnel file. The City may ask the employee to sign the performance appraisal to indicate that it was reviewed with the employee, but the employee's signature does not signify that the employee agrees or disagrees with the City's evaluation.

PROBLEM RESOLUTION

Employees are encouraged to openly discuss employment-related concerns with their supervisors at any time. Supervisors should maintain an open-door approach for such discussions. If a concern develops into a grievance, the following process can be used to resolve employment-related grievances promptly. A grievance is a work-related matter, excluding matters or issues where a separate review or hearing process exists, such as allegations of discrimination or harassment and discipline and termination decisions.

If an informal discussion between the employee and their direct supervisor does not resolve the employee's concerns, the employee must put in writing their concerns and provide this to the supervisor within ten workdays of when the informal discussion occurred. If a resolution is reached, this must be documented and signed and dated by the employee and the supervisor. The supervisor shall put the written resolution in the employee's personnel file. If a resolution is not reached, the supervisor shall provide a written reason to the employee.

If a resolution is not reached, the employee can appeal in writing the supervisor's decision to the next level of supervision. The next level supervisor must receive the employee's written appeal within five workdays of when the employee received the supervisor's written decision. The next level supervisor can choose to meet with the employee to discuss the matter. If a resolution is reached, this should be documented and signed and dated by the employee and the next level supervisor. The next level supervisor must put the written resolution in the employee's personnel file. If a resolution is not reached, the supervisor shall provide a written reason to the employee.

If resolution is not reached or the next level of supervision is the City Administrator, the employee can appeal the decision to the City Administrator or Mayor, if the City Administrator is the subject of the grievance. The employee's appeal must be in writing and submitted within five workdays of receiving the previous level supervisor's decision. The City Administrator/Mayor can choose to meet with the

employee to discuss the matter. The City Administrator/Mayor will make a final, written determination of the matter. There is no appeal from the final determination. The final written determination will be placed in the employee's personnel file.

ETHICS AND CONFLICTS OF INTEREST POLICY

The City expects all employees to uphold the highest standards of honesty, integrity, and impartiality in performing their duties. Employees are responsible for conducting themselves in a manner that promotes public trust and confidence in the City's operations.

Employees must avoid situations that could create a real or perceived conflict between their personal interests and the interests of the City. A conflict of interest exists when an employee's personal, financial, or other interests could improperly influence—or appear to influence—the performance of their official duties.

Employees are required to disclose any potential or actual conflicts of interest as soon as they arise. Ethical concerns or possible conflicts should be brought to the attention of the City Administrator or their designee.

The City also provides a confidential reporting option for employees who wish to report concerns anonymously through the City's internal employee portal. Retaliation against individuals who raise concerns in good faith is strictly prohibited.

DOGS IN THE WORKPLACE

The City recognizes that dogs can contribute to a positive and welcoming work environment. Employees may bring their dogs to work with prior approval from their Department Director, provided that doing so does not interfere with operations, safety, or the comfort of others.

Eligibility and Expectations

- Employees must ensure their dogs are house-trained, well-behaved, and current on vaccinations.
- Dogs must be under control at all times, either on a leash or confined to the employee's immediate work area. Public safety is a priority. Having a dog in an area that the public regularly frequents may be cause for a denial to bring a dog to work.
- Dogs may not be left unattended in City facilities.
- The presence of dogs must not disrupt others, create odors, excessive noise, or cause allergic or safety concerns.
- If another employee objects due to allergies, fear, or other reasonable concerns, the Department Director will determine an appropriate resolution, which may include revoking permission.

Responsibility and Liability

- Employees are solely responsible for the behavior and actions of their dogs.
- Any damage or injury caused by an employee's dog, including bites or property damage, is the employee's personal responsibility.
- The City will not assume liability for injuries or damages arising from an employee's decision to bring a dog to work.

Revocation of Privilege

Bringing a dog to work is a privilege, not a right. This privilege may be revoked at any time at the discretion of the Department Director or City Administrator if:

- the dog exhibits aggressive, disruptive, or unsafe behavior;
- the employee fails to maintain control or cleanliness; or
- the presence of dogs negatively affects workplace safety, productivity, or morale.
- Employees are expected to remove their dogs immediately if requested by leadership.

Exceptions

This policy does not restrict or replace reasonable accommodations for service animals or emotional support animals as required by law.

WEAPONS

The City is committed to providing a safe and secure environment for employees. While the City respects the rights of individuals to lawfully own and possess firearms, weapons in the workplace present serious safety concerns. To maintain a safe and productive environment, employees must follow the guidelines below.

Prohibited Weapons in City Buildings

Employees are prohibited from carrying or possessing firearms or other dangerous weapons inside any City-owned or leased building or facility, including City Hall, the Recreation Center, Public Works offices, and other indoor workspaces. This restriction applies whether employees are on duty or off duty and includes concealed and openly carried weapons.

Weapons in Private Vehicles

The City does not restrict employees from lawfully transporting or storing firearms in their privately owned vehicles while parked in City-designated parking areas, provided that all of the following conditions are met:

- The employee is legally permitted to own and carry the firearm.
- The vehicle is authorized to be parked in the area.

The firearm is:

- kept out of sight while the employee is in the vehicle; or
- stored out of sight and locked inside a compartment, container, or securely attached part of the vehicle when unattended.

If these conditions are not met, possession of a firearm on City property is prohibited.

Definitions

For the purpose of this policy:

- City property means all property owned, leased, or controlled by the City of Ketchum, including buildings, vehicles, parking lots, and workspaces.
- Dangerous weapons include, but are not limited to, firearms, explosives, large knives, or any object designed or used to cause serious bodily harm.

Work Tools and Exceptions

Small tools such as box cutters, utility knives, or scissors that are required for an employee's job duties are permitted. Employees are responsible for ensuring that any item they bring to work is not considered a dangerous weapon.

This policy does not restrict or replace reasonable accommodations for lawful service weapons carried by law enforcement or authorized personnel.

Enforcement

Violations of this policy will be addressed in accordance with the City's standard disciplinary procedures, up to and including termination of employment. The City reserves the right to make appropriate inquiries or take action if it believes an employee poses a risk of harm to themselves or others.

EMPLOYEE USE OF CITY VEHICLES

If an employee uses one of the City's vehicles or uses their own vehicle while performing their work duties, the following applies:

1. To use a City owned vehicle, the employee must have and carry with them a valid Idaho driver's license. If an employee uses their own vehicle for City business, evidence of satisfaction of insurance and a copy of their current driver's license must be kept in the employee's personnel file.
2. Employees may not loan out City-owned vehicles or equipment to others without permission from the City Administrator or Department Head. The employee must operate a vehicle in a safe, courteous, and lawful manner.
3. Employees may not use City-owned vehicles for personal use, including but not limited to errands and travel to and from an employee's home, unless otherwise authorized by the City Administrator or Department Head.
4. If an employee has a City-owned vehicle for use on an on-going basis, the employee must maintain the vehicle in proper working order.
5. Employees must not operate a City vehicle while under the influence of drugs, alcohol, or any controlled substance.
6. Employees must promptly notify their supervisor and the City Administrator of any citations for moving violations or accidents and provide a copy of the employee's driving record upon

request. Any citation will require the Employee to submit to a drug or alcohol test, unless waived by the City Administrator. Vehicle damage may require the Employee to submit to a drug or alcohol test.

7. Each employee must report any state-imposed driving restrictions to their immediate supervisor. Each employee is also obligated to notify their supervisor in the event that their driving abilities are impaired by anything other than state restrictions.
8. Only authorized signs shall be placed on any City owned vehicle.

USE OF PORTABLE ELECTRONIC DEVICES WHILE DRIVING OR BICYCLING

The use of portable electronic devices shall be prohibited while an employee is operating a motor vehicle or bicycle on City business. Use of a hands-free system, such as Bluetooth or headphones; an affixed GPS system; or a vehicle mounted mobile data computer is permitted.

Portable electronic device means a hand-held, mobile telephone, personal digital assistant, MP3 or other hand-held music player, electronic reading device, laptop computer, pager, broadband personal communication device, GPS or navigation system, electronic gaming device, or portable computing device.

Handheld cell phone use is permitted in the event of an emergency, such as calling 9-1-1 to report a crime or an accident. Even in an emergency situation, it is best to pull over and come to a complete stop before using or operating any mobile or handheld device.

EMPLOYEE TRAVEL

1. Same Day Out of Town Travel

Travel time to and from out-of-town training or meetings will be considered time worked for employees classified as non-exempt under wage and hour laws. Employees must submit all receipts along with a travel expense voucher in order to receive reimbursement. The time spent traveling to and returning from the other city is work time, except that the City deducts/does not count that time the employee would normally spend commuting to the regular work site.

2. Out of Town Overnight Travel

For overnight travel, travel time during the employee's regular workday is compensable for employees classified as non-exempt under wage and hour laws. Therefore, if an employee will be away from home overnight, the travel should be planned and scheduled (whenever possible) to occur during the employee's normal work hours. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on nonworking days.

Employees shall use the most practical mode of travel from the standpoint of time and expense. Supporting documentation shall be attached to the travel expense voucher.

Reimbursement for travel by common carrier shall be limited to the lowest cost means of travel unless it is impractical or not available. When for personal reasons a traveler is authorized by the Department Head to use a private conveyance in lieu of a common carrier, reimbursement will be limited to an amount for travel, meals, lodging and miscellaneous expenses equal to the amount which would have been incurred had the travel been by common carrier. Authorized travel time shall be limited to that which would have been allowed had the employee traveled by common carrier. Unless the Department Head specially authorized a leave of absence, excess travel time incurred by the authorized use of a private conveyance for personal reasons during working hours shall be charged to the traveler's accrued leave.

A Travel Request Form shall be submitted and approved prior to any travel taking place. For reimbursement of travel expenses, a Travel Expense Report shall be filed by the employees for reimbursement of expenses, which must be approved by the department head. The purchase of alcohol will not be reimbursed.

TECHNOLOGY USE

The City provides access to technology, telecommunications, and data systems to assist employees in conducting City business efficiently and securely. These systems include telephones, cellular devices, computers, software, electronic mail, internet access, and network resources. All information created, received, sent, or stored on these systems is the property of the City.

General Use

City communications and technology systems are provided primarily for business purposes. Limited personal use is permitted if it is infrequent, does not interfere with work performance, and does not violate any City policy. Employees must exercise good judgment, professionalism, and respect in all communications and use of City systems.

All City policies concerning conduct—including those addressing courtesy, confidentiality, harassment, discrimination, and solicitation—apply to all technology and communication systems. The display, transmission, or receipt of any sexually explicit, harassing, discriminatory, or otherwise inappropriate material using City systems is strictly prohibited and may result in disciplinary action up to and including termination. Employees who become aware of the misuse of City technology should report it immediately to their supervisor or the City Administrator.

Telephones, Mail, and Facsimile

Personal telephone calls should be kept to a minimum and must not interfere with work duties. Employees may be required to reimburse the City for any charges resulting from personal use of City-owned telephones or other communication systems.

The use of City-paid postage for personal correspondence is not permitted, and employees should not use the City's mailing address for regular receipt of personal mail.

City fax machines and similar systems are to be used for City business purposes.

Cellular Phones and Stipends

City-issued cellular telephones are intended for official business use. Limited personal use is allowed when it does not interfere with City operations.

Some employees may be required or permitted to use their personal cellular phones for City business. With approval from the City Administrator, employees using their personal cell phone as their primary/ancillary work phone may receive a \$30 monthly stipend as reimbursement. Messages, texts, and other communications on personal phones used for City business may be considered City records and subject to disclosure under Idaho public records laws.

Electronic Mail, Internet, and Network Systems

Employees should have no expectation of privacy in any communication, data, or document created, sent, received, accessed, or stored using City systems. Although employees may use personal passwords, the City's information system administrators have access to all electronic communications and data to ensure compliance with City policies, maintain system integrity, and respond to public records requests.

The City uses software and network systems capable of monitoring, logging, and recording internet and email activity. The City may access, review, copy, and delete information or files at any time, with or without notice. The City may also analyze usage patterns to ensure systems are used appropriately and securely.

Employees must not use City systems to conduct personal business, solicit sales, promote private ventures, or distribute unapproved materials. All postings to City websites or social media platforms must be authorized by the appropriate department. Employees are responsible for the content of all messages, files, or materials they create or transmit. Unauthorized copying, downloading, or installation of software, data, or applications is prohibited.

Cybersecurity and Information Protection

All employees share responsibility for protecting City information and technology systems. Employees must:

- Use strong, confidential passwords and protect them from disclosure.
- Lock or log off devices when unattended.
- Avoid downloading unapproved software or connecting unauthorized devices.
- Report suspicious emails, links, or system activity to the Information Technology (IT) department immediately.
- Scan all downloaded or uploaded items for viruses and malware using City-approved antivirus software.

The City reserves the right to restrict or revoke access to its systems when necessary to maintain security or integrity.

Data Privacy and Public Records

Electronic communications and information created, received, or stored on City systems may be considered public records. Employees must handle all data—including personal, confidential, and sensitive information—in compliance with public records, data privacy, and records retention requirements. The City Clerk is responsible for maintaining public records consistent with Idaho law.

Artificial Intelligence and Digital Tools

Employees may use artificial intelligence (AI) or automated tools only when authorized by their Department Director. Employees must not enter confidential, proprietary, or sensitive City data into public AI tools. AI systems must not be used to make or communicate official City decisions without review and approval.

Enforcement

Improper, unauthorized, or unsafe use of City technology or communication systems may result in disciplinary action, up to and including termination of employment. The City reserves the right to monitor, review, and regulate system access at any time to protect its operations, employees, and data.

DRUGS AND ALCOHOL

The City has a vital interest in maintaining safe, healthy, and efficient working conditions for its employees. Drug and alcohol use may impose serious safety and health risks to the employee and the workplace and may also impair the efficient operation of the City business. For these reasons, the City has established the following policy with respect to the use, possession or sale of alcohol or drugs.

1. On-the-Job Use, Possession or Sale of Drugs or Alcohol

Employees are prohibited from consuming alcohol while working or while on-call. Employees are also prohibited from reporting to work under the influence of alcohol. This includes unanticipated call-in situations. If an employee cannot meet this requirement, it is the employee's responsibility to tell their supervisor, or person initiating the call-in, that they cannot report to work.

Because alcohol is a legal substance, it is not the intention of this policy to prohibit employees from consuming alcohol when not on duty, or while participating in activities or events at City facilities while not on duty, or during the course and scope of employment when the employee's performance of duties has concluded for the day.

Listed below are examples of situations in which the responsible use of alcohol by employees during the course and scope of City business may be acceptable. However, employees are expected to seek prior direction from their Department Head or the City Administrator regarding the appropriateness of consuming alcohol in these situations.

- While attending seminar or conference function where alcohol is being served.
- While traveling on business, provided all work duties for the day have been completed.
- Although alcohol use may be permitted under limited circumstances, employees are expected to use good judgment and behave in a professional and respectable manner while in the course

and scope of City business. Misuse of alcohol under these circumstances is a violation of this regulation and may result in disciplinary action up to and including termination.

2. Legal Drugs and Medication

Except as provided below, the use or being under the influence of legally obtained drugs, to the extent that an employee is affected in any manner, while performing City business or in a City facility is prohibited to the extent that such use or influence may affect the safety of co-workers or members of the public, the employee's job performance, or the safe or efficient operation of the City facility. An employee may continue to work, even though under the influence of a legal drug, if the City has determined, after consulting with appropriate medical authorities, that the employee does not pose a safety threat to themselves or the safety of co-workers or the public, and that the employee's job performance is not significantly affected by the legal drug. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate actions determined by the City.

3. Illegal Drugs

The use, sale, purchase, transfer, or possession of any illegal drug by any employee while in a City facility, vehicle or while performing business is strictly prohibited. The presence of any amount of any illegal drug in or on an employee while performing City business is prohibited.

4. Searches

The City may conduct unannounced searches for illegal drugs or alcohol on property. Employees shall cooperate in conducting such searches. Searches of employees and their personal property may be conducted when there is reasonable suspicion to believe that the employee or employees may be in violation of this policy. Law enforcement may be involved in this process.

5. Drug and Alcohol Screening

The City may conduct drug and alcohol screening as outlined in this policy. For the purpose of this policy, a safety sensitive position is defined as a position in which impaired job performance could affect the health and safety of the employee and others. Sensitive positions are those in which the responsibilities of the position require employees to:

- qualify and maintain qualification standards to carry firearms;
- perform emergency medical, lifesaving, and/or fire suppression activities;
- supervise employees during the performance of critical incident functions which require employees to qualify to carry firearms or perform emergency medical, lifesaving, and/or fire suppression activities;
- operate, maintain, or inspect emergency vehicles, heavy equipment, or vehicles having a gross combination weight rating of 26,001 or more pounds and/or lifesaving equipment used for emergency services;
- obtain a national security clearance as a condition of employment;
- exercise custodial responsibility for illegal drugs or precursors;

- work directly with and oversee minors in the absence of their parent or guardian, or work directly with and oversee vulnerable adults in the absence of their caretaker or guardian; or
- handle hazardous materials that, if mishandled, place the public at risk of serious injury.

The job functions associated with these positions directly and immediately relate to public health and safety, the protection of life, and law enforcement.

a. Pre-Employment, Post-Offer Screening

Individuals applying for safety sensitive positions who are given a conditional offer of employment will be subject to testing for illegal drugs. This includes current employees promoting, demoting, transferring, or being reassigned from a non-safety sensitive position to a safety sensitive position.

b. Reasonable Suspicion Testing

Any employees will be tested for alcohol and/or illegal drugs when there is reasonable suspicion of on-duty use or impairment. Reasonable suspicion testing may be based upon, among other things: (1) observable phenomena, including but not limited to direct observation of drug or alcohol use or possession and/or the physical symptoms of being under the influence of a drug or alcohol; (2) a pattern of abnormal conduct or erratic behavior; (3) arrest or conviction for a drug or alcohol-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking; (4) information provided by reliable and credible sources or which is independently corroborated; or (5) newly discovered evidence that the employee has tampered with a previous alcohol or drug test. Although reasonable suspicion testing does not require certainty, mere hunches alone are not sufficient to meet the standard for a test.

If an employee is suspected of using alcohol or illegal drugs, the appropriate supervisor will gather all information, facts, and circumstances leading to and supporting this suspicion and present them to the City Administrator in writing.

The employee shall not be allowed to operate a vehicle or perform sensitive duties until the circumstances are evaluated, and the supervisor receives higher concurrence. Employees who are subject to reasonable suspicion testing shall at the City's expense be transported to and from the collection facility.

c. Random Testing

Random testing for alcohol and/or illegal drugs will be conducted on employees whose positions are designated as safety sensitive and in accordance with the procedures related to employees required to hold a commercial driver's license.

Random tests will be unannounced and occur throughout the calendar year. The random selections will be conducted by the designated drug testing contractor using a lottery system, and City will notify the individual's supervisor or designee and provide the name of the individual selected for random testing. The employee shall not be given advance notice of the scheduled testing. Upon notification by the supervisor, employees shall proceed immediately to the testing site. Because the selection process is

truly random, it is possible that some employees will be selected multiple times while others may never be selected.

d. Post-Accident Drug and Alcohol Testing

Employees involved in on-the-job accidents or who engage in unsafe on-duty job-related activities that pose a danger to themselves, others, or the overall operation of the City may be subject to drug and alcohol testing. Based on the circumstances of the accident or unsafe act, the City Administrator or Department Head may promptly initiate testing when such circumstances involve:

- death;
- serious personal injury requiring immediate emergency room or urgent care center treatment; or
- damage to government or private property estimated more than \$5,000.

An employee subject to post-accident testing shall remain available for such testing, or the City may consider the employee to have refused to submit for testing. An employee subject to post-accident testing shall not consume alcohol or drugs, either legal or illegal, prior to the testing. Exceptions may be made for prescribed maintenance medications and/or medications administered to treat an injury related to the accident.

e. Test Refusal

Employees will be considered to have refused testing if they:

- refuse to test;
- fail to report for a required test at the scheduled time;
- engage in conduct that clearly obstructs the testing process;
- tamper with the test; or
- fail to provide adequate breath or specimen volume without a verified medical explanation.

Employees who refuse to be tested, as described in the test procedures, when required, shall be subject to the full range of disciplinary consequences up to and including termination.

f. Employee Assistance Program

Any employee needing help in dealing with problems is encouraged to use the City's Employee Assistance Program (EAP) and the benefits available through the City's medical plan.

g. Safe Harbor Referral

A fundamental purpose of the City's drug-free workplace policy is to assist employees who themselves are seeking treatment for alcohol or illegal drug use. For this reason, the City will not initiate disciplinary action against any employee regarding the disclosure of their drug or alcohol related problem who meets all three of the following conditions:

- voluntarily identifies themselves to their supervisor or the City Administrator as a user of alcohol and/or illegal drugs, as they apply to this policy, prior to being identified through other means, or prior to being asked to provide a urine and/or breath sample for testing;
- obtains evaluation, counseling, or rehabilitation from an approved facility; and
- thereafter refrains from using illegal drugs or misusing prescription drugs and/or alcohol.

This provision is not intended to allow an employee to evade disciplinary action. The key to this provision's rehabilitative effectiveness is an employee's willingness to admit their problem. Since the key to this provision's rehabilitative effectiveness is an employee's willingness to admit their problem, this provision is not available to an employee who requests protection under this provision after:

- being identified through other means;
- being asked to provide a urine sample for testing;
- having had a verified positive test result for alcohol and/or illegal drugs pursuant to this regulation; or
- drug or alcohol related incidents that are subject to discipline and occurred prior to seeking Safe Harbor protections.

An employee who requests Safe Harbor will be required to sign an agreement outlining their obligations under Safe Harbor.

h. Contract Personnel

The policy provisions stated above are applicable to contract personnel. Violation of these provisions or refusal to cooperate with implementation can result in the City barring contract personnel from City facilities or participating in City operations.

i. Commercial Driver's License

The City complies with all provisions outlined in the federal and state laws regulating commercial drivers' licenses.

CHILD ABUSE REPORTING

It is the City's desire to provide as safe an environment as possible for children who participate in City programs, and to give notice to employees of the reporting requirements of State laws covering child abuse, abandonment, or neglect (abuse).

When an employee has reason to believe that another employee is abusing a child, the following steps should be followed:

- The employee who becomes aware of another employee's suspected abuse shall immediately notify their supervisor of the suspicion. The supervisor shall require the employee to immediately contact Child Protective Services (CPS), or in the case of an emergency, the City Police. Neither the supervisor nor the employee shall engage in any form of investigation.

- The supervisor shall notify their Department Head who will advise the City Administrator that a report has been filed, consistent with state law.

Following the completion of the reporting and investigative process, an in-house debriefing session will be conducted to review each phase to determine needs for additional training and to review the reporting procedure for possible revisions.

If a child is suspected of being a victim of child abuse, these steps will be followed:

- The employee will immediately notify their supervisor of the suspected abuse and report the suspicions to CPS.
- The supervisor shall notify their Department Head who will advise the City Administrator.
- The proper authorities will conduct the investigation. Neither the supervisor nor the employee shall attempt any form of investigation.
- In order to protect the privacy of all persons involved, all phases of the reporting procedure shall remain strictly confidential. The person(s) making the report will remain anonymous, provided their report was made in good faith; however, persons with a legitimate need to know will be notified. Confidentiality of principals and witnesses cannot be guaranteed if criminal investigation or prosecution is pursued.
- Any and all media contact will be exclusively coordinated through the City Administrator.

Any person who has reason to believe that a child has been abused, abandoned, or neglected and, acting upon that belief, makes a report of abuse, abandonment, or neglect as required by law shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any person who reports in bad faith or with malice shall not be protected.

Any person who makes a report or allegation of child abuse, abandonment, or neglect knowing the same to be false, or who reports or alleges the same in bad faith or with malice, shall be liable to the party or parties against whom the report was made.

GENERAL PROVISIONS

1. Travel Expense Reimbursement

An employee on City business shall be reimbursed for expenses incurred in completing their work-related assignment in accordance with the policies established by the City Administrator. Each employee is responsible for providing verified receipts for any expenses for which reimbursement is requested. All employees traveling or incurring business expenses on behalf of the City as well as those responsible for the approval of these expenses are expected to use prudence, discretion, and good judgment to assist in maintaining control over travel expenses. The City will not pay for entertainment not included in the function package. Additionally, the City will not pay or reimburse for alcohol.

2. On-the-Job Injuries

All on-the-job injuries shall be reported to the Department Head within 24 hours of the injury to allow for the filing of Workers' Compensation claims in the proper manner. If an employee is disabled temporarily by an on-the-job accident, that employee may be eligible for worker's compensation benefits upon submission to the State Insurance Fund. The City Treasurer must make sure the proper forms are filed with the State of Idaho for worker's compensation benefits eligibility. Return to employment will be authorized on a case-by-case basis upon consultation with the supervising official and the State Insurance Fund. Concerns associated with injured worker status may be brought before the supervisor and City Administrator for review.

The City has adopted a wage loss recovery benefit known as Kept on Salary (KOS). This benefit applies to full-time regular employees with a compensable work injury or illness under Idaho Workers' Compensation laws. Under the KOS benefit, if an injured employee is unable to work due to a compensable injury or illness, the employee will receive the difference between the statutory workers' benefit amount and the employee's regular net pay.

The KOS benefit begins after the Workers' Compensation statutory five (5) calendar day waiting period, unless specifically exempt as defined by Idaho Code 72-1104. A KOS eligible employee may receive the KOS benefit for a period of time not to exceed six (6) months. After six (6) months, the employee receives the statutory temporary disability benefit as defined and allowed under applicable Idaho laws.

All time off work must be documented by the treating health care provider.

Employees who are not eligible for the KOS benefit may be eligible to receive the statutory temporary disability benefit.

All time off work must be documented by the treating health care provider.

3. Nepotism

No person shall be employed by the City which would result in a violation of the anti-nepotism provisions found in Idaho Code. Any such appointment may be voided by the Mayor, if not done voluntarily by the appointing official.

The City shall not hire individuals as part time or full-time employees that meet the following:

- An individual who is related within the second degree or married to a Department Head, department manager, or supervisor in any department of the City.
- An individual who is married to an existing City employee in the same department. If two employees become married, one employee shall resign within 30 days of the marriage.
- No person related to the Mayor or member of City Council by blood or marriage within the second degree shall be appointed to any clerkship, office, position, employment, or duty when the salary, wages, pay or compensation of such appointee or employee is to be paid out of public funds.

Individuals related within the second degree may be hired, subject to approval of the City Administrator, provided neither one is in a supervisory or management position. Should one become a supervisor, manager, or director, the other shall resign within 30 days of the new position appointment.

4. Use of City Meeting Space

The City makes its meeting rooms available to the public and employees, when they are off duty. The meeting rooms are open to individuals and organizations engaged in educational, cultural, intellectual, or charitable activities. The City makes its meeting rooms available to area businesses for non-commercial purposes, such as employee meetings or retreats. Neither the City itself nor the meeting rooms are designed to accommodate commercial or pecuniary activities of any kind. This policy does not apply to the use of the meeting facilities for City activities or for activities or events sponsored by the City.

“Meeting Facilities” shall include meeting rooms in City Hall, the Visitor Center, , and Forest Service Park.

The Meeting Facilities of the City shall be available subject to the following conditions:

1. The scheduled use shall not conflict with City sponsored programs or the City’s ability to deliver its existing services.
2. Use of the facility may only occur during operating hours when city staff are present and available to provide access.
2. The following legend must prominently appear on any sign, advertisement, invitation, or other notice or announcement of an event to be held in City Meeting Facilities: “This event is neither sponsored nor endorsed by the City.” Failure to include such legend will result in forfeiture of the right to use the applicable Meeting Facilities.
3. Unless approved by the City, use of City Meeting Facilities by an individual or an organization for meetings or events which are open to the members of the general public, or which are advertised or promoted to encourage attendance by members of the general public, shall not exceed two times per year and shall not exceed once per month. Use of Meeting Facilities by an individual or an organization for meetings or events at which attendance is limited to organization members and/or their invited guests shall not exceed five times per year and shall not exceed once per month. Meetings which are open to the general public may pose a greater likelihood of imposing additional burdens on City personnel and may be more disruptive to the quiet enjoyment of the City by patrons.
4. The user shall be responsible for assuring that permitted occupancy limits pursuant to applicable fire or safety codes are not exceeded. The user will restore the premises to a clean and neat condition following the assembly. The City will be reimbursed for any costs to the City resulting from the use of a Meeting Facility by an organization or individual. Any fees, conditions, or other requirements for the use of a meeting facility shall be specified in the relevant use agreement.

SEPARATION OF EMPLOYMENT

1. Resignation

In order to resign in good standing, employees shall give their supervisor written notice at least fourteen (14) calendar days prior to the employee’s last workday. An employee’s supervisor may choose to waive the fourteen (14) day notice requirement if they believe individual circumstances warrant it. If the

fourteen (14) day requirement is waived, a written resignation letter is still required. The City may deny any request by an employee to rescind a resignation.

Job abandonment shall be defined as an unexcused or unauthorized absence of two (2) working days or more, which shall subject the employee to termination.

2. COBRA Benefits

Employees of the City who currently receive medical benefits who separate from their employment may be eligible to continue those medical benefits at the employees' sole cost and expense for a limited time in accordance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA).

3. Final Paycheck

Upon ending employment with the City, final paychecks will be issued to the employee on the next regular payday or in ten days (excluding weekends/holidays), whichever is sooner. If the employee gives the City Treasurer a written request for earlier payment, the employee will be paid within 48 hours (excluding weekends/holidays) of receipt of the request or the last day worked, whichever is later.

4. Exit Interview

Each employee who terminates from employment with the City may participate in an exit interview with the employee's supervisor, or in the event of involuntary termination, with the City Administrator. In such an interview, the supervisor shall notify the employee when certain benefits will terminate and when final pay will be issued. The employee will inform the interviewer about their impressions of employment in such an interview. An employee exit form, or other written record, will be completed at this point and will be retained in the employee's personnel file.

5. Reductions in Force

Employee assignments may be affected by a reduction in force made due to economic or other conditions. The City Administrator or designee reserves the right to make any changes in the work force or assignment of resources that are deemed to be in the organization's best interests. The City Administrator may also specify at the time reductions in force are made what reinstatement preferences may accompany the reductions, if any. Reinstatement preferences may be tied to the classification of the employee, to specialized skills possessed by the employee, or any other non-discriminatory reason.

6. Eligibility for Rehire

Former employees who were terminated, resigned in lieu of termination, had poor performance records, quit without proper notice, or were not in good standing with the City are not eligible for rehire.

7. Return of City Property

All City property shall be returned at or before the time of separation, including but not limited to:

- City credit or purchasing cards;
- City uniforms or clothing;
- mobile devices;
- employee identification badge;
- keys to City vehicles and buildings;
- city-owned technology;
- tools or other equipment; or
- any other City property in possession of the employee.

Failure to return items may result in criminal charges.

ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK

I acknowledge that I have received a copy of the City of Ketchum Employee Handbook and understand that it sets forth the general terms, conditions, policies, and expectations of employment with the City. I understand that it is my responsibility to read and familiarize myself with the provisions of the Employee Handbook and to abide by the rules, policies, and standards established by the City.

I acknowledge that, except as otherwise provided by law or City policy, the terms, policies, and procedures in the Employee Handbook may be modified, amended, or deleted by the City at any time, with or without prior notice. I understand that no statement, promise, or representation made by any City employee or official can alter the policies of the City except through formal written action approved by the City Administrator or authorized designee.

I further acknowledge that I have received, read, and understand the City's technology, policy, including the City's right to monitor the use of all City technology systems, devices, and communications. I understand that any information created, received, sent, or stored using City systems is the property of the City of Ketchum and may be subject to monitoring and disclosure under Idaho's Public Records Law.

I understand that, unless otherwise provided by law or written agreement, employment with the City of Ketchum is at will, meaning that either the employee or the City may terminate the employment relationship at any time, with or without cause or notice. Nothing in the Employee Handbook or any other City document shall be construed as creating a contract of employment or a guarantee of continued employment.

I also acknowledge that I have received and reviewed the City's policy prohibiting discrimination, harassment, bullying, and retaliation, and understand the City's commitment to maintaining a workplace free of unlawful discrimination and harassment based on any status protected under applicable law. I understand that retaliation for making a good-faith complaint of discrimination, harassment, or retaliation is strictly prohibited.

I agree that if I experience or observe any conduct that I believe violates the City's policy against discrimination, harassment, bullying, or retaliation, I will immediately report it to my supervisor, the Human Resources representative, or the City Administrator. I understand that the City relies on employees to promptly report such concerns so that appropriate action can be taken.

I understand and agree that to the extent I do not use the complaint procedures outlined in the City's policy prohibiting discrimination, harassment, bullying, and retaliation, the City has the right to presume that I have not been subjected to any harassment, discrimination, bullying, or retaliation, or that I have welcomed the conduct.

I have also received and read the City's drug and alcohol-free policy and agree to abide by its terms as a condition of employment. I understand that failure to comply with this policy may result in disciplinary action, up to and including termination of employment, and that I am required to notify the City within five (5) days of any criminal drug conviction occurring in the workplace.

By signing below, I acknowledge that I have received, read, and understand the City of Ketchum Employee Handbook and the policies referenced above.

Printed Name: _____

Signature: _____

Date: _____

cc: Personnel File