



## **Mayor**

**Eric Franklin**

## **Council Members**

<b>Eric Gerke</b>	<b>Ward 1</b>
<b>Justin Shaw</b>	<b>Ward 1</b>
<b>Darran Campbell</b>	<b>Ward 2</b>
<b>Garry Wilson</b>	<b>Ward 2</b>
<b>Chris Updike</b>	<b>Ward 3</b>
<b>Brian Fields</b>	<b>Ward 3</b>
<b>Justin Neal</b>	<b>Ward 4</b>
<b>Dan Harter</b>	<b>Ward 4</b>

## **City Administrator**

**David Cameron**

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**FMLA Notice**

<Y:\City Hall\Human Resources\Administration\FMLA\FMLA Notice for Appendix.pdf>

# SECTION 1



# INTRODUCTION



## **101 INTRODUCTORY STATEMENT\***

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

No employee handbook can anticipate every circumstance or question about policy. As our City continues to grow, the need may arise and the City reserves the right to revise, supplement, or rescind any policy or portion of the handbook from time to time, as it deems appropriate, at its sole and absolute discretion. It also reserves the right to interpret and to vary any policy when, in its determination, circumstances so warrant. Employees will be notified of changes to this handbook as they occur.

Some benefits mentioned in this handbook are covered by a formal insurance policy or written benefit plan. In the event of any conflict between an insurance policy or formal written benefit plan and the benefit description in this handbook, the insurance policy or formal written benefit plan will control.

This handbook supersedes all prior policies, practices and handbooks and may not be amended or added to without the express written approval of the City Administrator with the approval of the City Council.

The City Administrator may make administrative policies for matters that are not covered or addressed in this handbook insofar as the policies are consistent and are not in violation with any rules or procedures set forth in this handbook.

\* It is always the City's intent to comply with all applicable laws. In the event anything in this Handbook is found contrary to applicable law, the applicable law will control.

## **102 CITY GOVERNMENT**

The City of Republic is a Home Rule Charter City with a Mayor – City Council form of government. The City Administrator is the chief administrative officer and is appointed by the Mayor with the advice and consent of a majority of the entire City Council. He is responsible for overall management and operation of City government. The City Council is the supreme legislative and executive body of municipal government. The Council is composed of eight members who are elected for four-year terms. Each council member is elected from one of four wards; the Mayor is elected at large and presides at Council meetings and is the head of the City for all legal and ceremonial purposes. Executive power of the City is vested in the Mayor.

## **103 HIRING**

The Republic City Council adopts during the annual budget review the total number of employees and annual salary ranges for each City employee position.

The City Administrator will hire all City employees unless he/she delegates the hiring to Department Directors.

# 104 MISSION, VISION, & VALUES STATEMENTS

**MISSION:** We will be aggressively progressive through Processes, Relationships and Trust.

**VISION:** To grow together by always doing the Right Thing at the Right Time for the Right Reason.

Our **VALUES** will define who we are and how we will accomplish our mission and vision.

CLARITY	COMPASSION	COMPETENCY	CHARACTER	COMMITMENT	CONNECTION	CONTRIBUTION	CONSISTENCY
<b>R</b> <b>REGIONAL</b> We will look beyond the city limits of Republic and become a regional leader by being a place where people want to live, work and play. Our thinking will be unlimited. We will challenge the status quo.	<b>E</b> <b>ETHICAL</b> We will be honest in our words and actions. We will be known for our integrity, trustworthiness and commitment to doing what is right, and pursuit of the public interest.	<b>P</b> <b>PROFESSIONAL</b> We will always present a positive image. We will publicly declare our commitment to expertise. We will stay committed to our values and ideals and be held accountable for our performance. We will become known by our steadfast commitment to these values.	<b>U</b> <b>URGENT</b> We will achieve desired results quickly and without hesitation. We will understand our expectations and ensure they are met. We will press forward and not look back.	<b>B</b> <b>BOLD</b> We will be decisive. We will own the decisions we make. We will not allow fear to dictate our actions. We will have fun while accomplishing results. We will build confidence in ourselves and in the people around us through our words and actions.	<b>L</b> <b>LEADERS</b> We will be a leader in all areas of our work. We will set the example. We will go the extra mile in all circumstances. We will remove, not create, obstacles to our success. We will be proactive as opposed to reactive.	<b>I</b> <b>INSIGHTFUL</b> We will appreciate there are two sides to every story and seek to increase our perspective on the issues we face. We will recognize our potential and our limitations. We will be strategic in our thinking. We will have a clear direction and path for accomplishment.	<b>C</b> <b>CARING</b> We will provide peace, security and stability for the citizens of Republic. We will deliver meaningful processes, goods and services. We will strive to improve the quality of life for the people we lead and the community we serve. We will be compassionate and understanding in our personal interactions. We understand people are our greatest asset.

Based on the 8-Pillar Framework™ from Trust Edge Leadership Institute

## MISSION STATEMENT

We will be aggressively progressive through **Processes, Relationships, and Trust.**

## VISION

To Grow Together by always doing the **Right Thing**, at the **Right Time**, for the **Right Reason.**

## VALUES

**Regional** - We will look beyond the City limits of Republic and become a regional leader by being a place where people want to live, work and play. Our thinking will be unlimited. We will challenge the status quo.

**Ethical** - We will be honest in our words and actions. We will be known for our integrity, trustworthiness and commitment to doing what is right, and pursuit of the public interest.

**Professional** - We will always present a positive image. We will publicly declare our commitment to expertise. We will stay committed to our values and ideals and be held accountable for our performance. We will become known by our steadfast commitment to these values.

**Urgent** - We will achieve desired results quickly and without hesitation. We will understand our expectations and ensure they are met. We will press forward and not look back.

**Bold** - We will be decisive. We will own the decisions we make. We will not allow fear to dictate our actions. We will have fun while accomplishing results. We will build confidence in ourselves and in the people around us through our words and actions.

**Leaders** - We will be a leader in all areas of our work. We will set the example. We will go the extra mile in all circumstances. We will remove, not create obstacles to our success. We will be proactive as opposed to reactive.

**Insightful** - We will appreciate that there are two sides to every story and seek to increase our perspective on the issues we face. We will recognize our potential and our limitations as we will be strategic in our thinking. We will have a clear direction and path for accomplishment.

**Caring** - We will provide peace, security and stability for the citizens of Republic. We will deliver meaningful processes, goods and services. We will strive to improve the quality of life for the people that we lead and the community we serve. We will be compassionate and understanding in our personal interactions. We understand that people are our greatest asset.

In 2020, the City implemented the Trust Edge Experience®, which further establishes the foundation for our Mission, Vision, and Values through the 8 Pillars of Trust: Clarity, Compassion, Character, Competency, Commitment, Connection, Contribution, and Consistency.

## **105 DEPARTMENT POLICY**

Specific written personnel policies of any department which are not less restrictive than the overall personnel policy of the City will be considered as part of this Employee Handbook, but applicable only to that department and upon that policy being approved by the City Administrator.

The City Administrator shall have the authority to establish administrative policies that may be applicable to all departments which are not less restrictive than the overall personnel policies of the City. Such administrative policies shall be considered as part of this Employee Handbook.

## **106 ADMINISTRATION OF THE RULES**

The City Administrator directs the administration of the personnel policies established by this handbook. The City Administrator shall from time to time recommend to the Mayor and the City Council appropriate amendments in order to maintain a fair and equitable system of personnel rules and regulations. The provisions of the rules may be revised or amended in the same manner in which they were originally adopted.

If a change in policy is mandated by court order, or state or federal law, the City Administrator may make the required change in compliance with the requirements of the law or order.

In the absence of the Human Resource Director, the City Administrator may appoint a designee to assist in managing the personnel policy of the City of Republic.

## **107 POSITIONS COVERED BY THE RULES**

This handbook supersedes all previous Personnel Policy publications.

## **108 UNCLASSIFIED SERVICES**

Unclassified positions shall include the City Administrator, Assistant City Administrator, Chief of Staff, City Attorney, City Clerk, Chief Financial Officer, Community Development Director, Police Chief, Police Major, Fire Chief, Deputy Fire Chief, Municipal Judge, Parks and Recreation Director, Assistant Director of Parks and Recreation, Information Systems Director, Public Works Director, Data Analytics Director and other technical or supervisory personnel deemed appropriate and those who may be employed in an advisory capacity. Unclassified service employees may be removed from employment by the appointing authority for any reason, or no reason, without right to appeal or hearing.

## 109 CLASSIFIED SERVICES

Classified services include all full-time and part-time positions not specifically included by this handbook in the unclassified services. All positions in the classified service shall be filled only in accordance with the classification plan, compensation plan, and in compliance with all other rules provided in this handbook. Classified service employees without status may be removed by the appointing authority for any reason, or no reason, without right to appeal or hearing.

## 110 DEFINITIONS

The definitions shall have the meanings indicated throughout these rules except where the context clearly indicates otherwise.

**Appointing Authority:** The City Administrator or a designee of the City Administrator, or any person or group of persons having the power by virtue of ordinance or other lawfully delegated authority to make appointments to positions in the municipal service.

**Demotion:** The movement of an employee from a position in one class to a position in another class having a lower maximum pay rate.

**Probationary Period:** The first six (6) months or one (1) year of service, as defined by the position, following appointment or promotion to any position to determine fitness by performance of the duties of the position to which the employee has been appointed. The probationary period may be extended as set forth herein. The employee serving a probationary period, may be removed by the appointing authority for any reason, or no reason, without right to appeal or hearing.

**Original Appointee:** An employee who is the recipient of an original appointment as defined herein.

**Original Appointment:** An employee's initial appointment to municipal service for their current period of continuous service and for which there shall be served an initial probationary period, unless otherwise specified herein.

**Pay Quartile:** Refers to one of four divisions within a salary band that allows for analysis of where an individual's pay falls within the broader salary range for their position, and defined by the performance measurements within the quartile.

**Position:** A group of current duties and responsibilities assigned or delegated by competent authority requiring the full-time, part-time, contractual, seasonal or temporary employment of one person.

**Full-Time Employee:** Employees who are not in a contractual, seasonal, temporary or probationary status and who are regularly scheduled to work at least 36 hours per week.

**Part-Time Employee:** Employees who are not in a contractual, seasonal, temporary or probationary status and whose normal assigned work hours average less than 32 hours per week, while not exceeding 1500 hours in a calendar year, and for which certain portions of this policy may or may not apply as specifically set out herein. Part time employees may be removed by the appointing authority for any reason, or no reason, without right to appeal or hearing.

**Contract Employee:** An employee working in a position not authorized as a full-time or part-time employee in the City's budget, filled on a temporary basis, but not limited to a specific duration, involving a written agreement between the employee and the City. Contract employees may be removed by the appointing authority for any reason, or no reason, without right to appeal or hearing.

**Seasonal Employment:** A position filled for a specific season or cyclical work program such as mowing, summer operations, etc. Once the season has ended, the position ends. Seasonal positions can be full-time or part-time but are limited to a six (6) month period established by the City. Seasonal employees may be removed by the appointing authority for any reason, or no reason, without right to appeal or hearing.

**Temporary Position:** A position filled to assist with an established project, internship or to address another staffing need. Such assignments are not intended to continue on a career basis and do not have expectations of regular full-time employment or assignment. Such positions shall not exceed more than 29 hours during any work week or 1500 hours of pay in any continuous twelve (12) month period. Temporary employees may be removed by the appointing authority for any reason, or no reason, without right to appeal or hearing.

**Promotion:** The movement of any employee from a position of one class to a position of another class having a higher maximum pay rate.

**Relatives:** Spouses, children, wards, grandchildren, parents, grandparents, siblings including step, half, or in-laws. Unless specified elsewhere in this policy.

**Status:** The acquisition of tenure, with all rights and privileges applicable thereto, by a full-time or part-time employee in the classified service after satisfactory completion of the probationary period.

**Transfer:** The movement of an employee from one position to another position within the same class.



# SECTION 2



# EMPLOYMENT



## **201 NO CONTRACT OF EMPLOYMENT**

Employment with the City is voluntarily entered into, and the policies set forth in this handbook are not intended to create a contract of employment, nor are they to be construed to constitute a contract of employment between the City and any of its employees. The provisions of the handbook have been developed at the discretion of management and may be amended or canceled at any time, at the City's sole discretion. A contract of employment can only be entered into by a written contract, setting a definite term of employment, signed by the City Administrator or the Mayor.

## **202 EMPLOYEE RELATIONS**

The City believes that the work conditions, wages, and benefits it offers its employees are competitive with those offered by other employers and municipalities in this area. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their immediate Supervisor, Department Director, or the Human Resource Department.

## **203 EQUAL OPPORTUNITY EMPLOYMENT/ANTI-HARASSMENT**

The City is an equal opportunity employer. As such, and in accordance with applicable law, the City will not discriminate against any employee or applicant for employment on the basis of race, color, religion, national origin, gender, sexual orientation, gender identity, age, status as a qualified individual with disability, status as a protected veteran, genetic information or any other trait protected by law.

The City's policy against discrimination also prohibits harassment of applicants and employees. As used in this policy, harassment refers to conduct, gestures, comments, slurs, jokes, pictures, cartoons, texts, IM (instant messages) and other material which would be unwelcome and offensive to a reasonable person.

The City will not retaliate against any employee for cooperating in any investigation, or for making a good faith complaint under this policy or bringing a situation to the City's attention in good faith. The City also will not tolerate retaliatory conduct by any employee. Any employee who believes he/she has been retaliated against is urged to make a report or complaint under this policy.

## **204 REASONABLE ACCOMMODATION**

The City will comply with applicable laws requiring reasonable accommodation of a qualified individual with a disability. Anyone in need of an accommodation should promptly contact the Human Resource Department and make a formal request for accommodation. Please refer to Administrative Policy for additional information.

## **205 JOB POSTING/RECRUITMENT**

The approval of a request to fill a vacancy by the Department Director may cause the initiation of the posting or advertisement of the position vacancy. The position may be posted internally, with no external advertisement. Job postings deemed open competitive will be posted for a minimum of seven (7) calendar days with external advertising at the department's discretion. Some positions may be posted as 'Open Until Filled' for more difficult to fill positions. Other posting strategies may be implemented by the Human Resources Department to allow for the most efficient recruitment process and/or to allow for effective recruitment of applicants.

## **206 APPLICATIONS**

Applications and résumés will not be accepted for a position where a position vacancy has not been posted. Applicants will not be considered for a posted position unless a City application is on file. An application should be submitted for each individual position being applied for.

## **207 HIRING OF RELATIVES/NEPOTISM**

Per the Missouri Constitution, a public employee that, by virtue of his employment, names or appoints to public employment a relative within the fourth degree, by blood or marriage, forfeits his employment.

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

No employee of the City of Republic may supervise or be supervised by a family member. This policy applies to any relative, within the organization, who has the authority to review employment decisions. City employees cannot be transferred into such a reporting relationship.

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

However, in order to retain trained and qualified employees and to maintain avenues of promotion for current employees, the City Administrator may approve situations in which an employee will supervise a family member either directly or indirectly. Should such a situation be approved, it may be terminated without notice, at any time and for any reason, by the City Administrator. No member of the family of the City Administrator or any elected official will be hired for any regular full-time position in City employment.

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

Unless specifically specified, for purposes of this policy, relatives are defined to include spouses, parents, grandparents, children, grandchildren, brothers, sisters, brothers- and sisters-in-law, fathers- and mothers-in-law, stepparents, stepbrothers, stepsisters, and stepchildren. This policy also applies to individuals who are not legally related but who reside with another employee.

## **208 PRE-EMPLOYMENT SCREENING**

To help ensure that employees are able to perform their duties safely, a post-offer medical examination, drug testing, background investigation and any other tests deemed appropriate will be utilized to determine qualifications.

After a job offer has been made to an applicant, a health professional of the City's choice will perform a medical examination and/or a drug test at the City's expense. The offer of employment and assignment to duties is contingent upon completion to the City's satisfaction of the post-offer requirements. Current employees may be required to take medical examinations or drug tests to determine their fitness for duty. Such examinations will be scheduled at reasonable times and intervals and performed at the City's expense.

## **209 U.S. CITIZENSHIP & IMMIGRATION SERVICES**

The City of Republic is an E-Verify employer. E-Verify is an Internet based system operated by the Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA) that allows participating employers to electronically verify the employment eligibility of their newly hired employees in the United States. For more information, visit the USCIS website: <http://www.uscis.gov/e-verify/employees>

## **210 CONFLICTS OF INTEREST**

Employees have an obligation to conduct City business within guidelines that prohibit actual or potential conflicts of interest. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact your Department Director for more information or if you have questions regarding conflicts of interest.

Transactions with outside firms must be conducted within a framework established and controlled by the City Council. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gains refer to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit either the employer, the employee, or both.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the City's business dealings. For the purpose of this policy, a relative is defined to include spouses, parents, grandparents, children, grandchildren, brothers, sisters, brothers- and sisters-in-law, fathers- and mothers-in-law, stepparents, stepbrothers, stepsisters and stepchildren. This policy also applies to individuals who are not legally related but who reside with another employee or any other relationship that may create a potential or perceived conflict.

No "presumption of guilt" is created by the mere existence of a relationship with an outside firm. However, if an employee has any influence on any transaction involving a purchase, contract, or lease, it is imperative that he or she disclose to the City Administrator as soon as possible the existence of any actual or potential conflict of interest so the safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the City does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the City.

### **Non-Fraternization Policy**

The City of Republic prohibits directors, supervisors, and other employees in positions of authority from engaging in romantic or sexual relationships with employees who report to them, either directly or indirectly. Engaging in such relationships can undermine the integrity of the workplace by promoting favoritism or potential issues of coercion, ultimately resulting in an actual or perceived conflict of interest. This prohibition includes, but is not necessarily limited to, the following:

1. A romantic or sexual relationship between a director or supervisor and any employee within their chain of command.
2. Conduct that could reasonably be perceived as flirtatious behavior from a director or supervisor to an employee within their chain of command (e.g., making suggestive comments or gestures of a romantic or sexual nature).
3. Conduct by a supervisor or director that could reasonably be perceived as showing favoritism or providing special treatment to an employee within their chain of command.
4. Any action that could reasonably be interpreted as compromising a supervisor's or director's obligations to make unbiased and impartial decisions in the workplace (e.g., a relationship that could compromise the objectivity of performance evaluations or decision-making and judgment in disciplinary actions, etc.).

This policy applies at all times and in all places, including but not limited to the workplace, work-related events, and any off-site or off-duty interactions that could impact the workplace environment.

For the purposes of this policy, a "romantic relationship" mean a social connection between two individuals that involves romantic interest, demonstrated by activities such as dining out or attending events together, spending a significant amount of personal time together, and by other behavior consistent with a mutual romantic interest.

Any director, supervisor, or employee who becomes involved in a romantic or sexual relationship with an employee who reports to them, either directly or indirectly, or engages in any other conduct covered under this policy must promptly disclose the relationship or conduct to Human Resources. Failure to disclose such relationship will be considered a violation of this policy. Violations of this policy, including failure to disclose, may result in disciplinary action up to and including termination.

## **211 OUTSIDE EMPLOYMENT**

Subject to the City's prior approval, employees may hold outside employment as long as they meet the performance standards of their job with the City. All employees will be subject to the City's scheduling and performance demands, regardless of any existing outside work requirements.

Employees desiring an outside job while employed by the City must request approval for additional employment **in writing** to their Supervisor. The Department Director and the City Administrator (if needed) will review the outside job for potential conflict of interest. Any conflict must be resolved to the satisfaction of the City Administrator or his/her designee.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from any individual or entity for any material produced or service rendered while performing City employment, except for their official salary and benefits. If the City Administrator determines that an employee's outside work interferes with his or her ability to meet the performance requirements of City employment as established or modified by their Supervisor, Department Director or City Administrator, the employee may be asked to terminate the outside work in order to retain City employment.

Approval of outside employment is subject to review and revocation at any time should performance or conflict issues become apparent.

## **212 RESIDENCY REQUIREMENT**

Residency requirements will be specified within the job description(s) of designated personnel.

New employees not residing within the applicable limit shall have one (1) year to obtain qualifying residency, as determined by the City Administrator, from their date of hire, unless otherwise specified.

Based on extraordinary circumstances these residency requirements may be modified by the City Administrator on a case-by-case basis. The Administrator will notify the City Council of any approved modifications.

## **213 POLITICAL ACTIVITIES**

Please see Administrative Policy for details pertaining to political activity.

## **SECTION 3**



# **EMPLOYMENT STATUS AND RECORDS**



## **301 EMPLOYMENT APPLICATIONS**

The City relies upon the accuracy of information contained in the employment application as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the City's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment. Applications for all positions shall be directed to Human Resources unless notice is given to do otherwise.

## **302 EMPLOYMENT CATEGORIES**

It is the intent of the City to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility accordingly.

Each employee is designated as either Non-exempt or Exempt from federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay under the specific provision of federal and state laws. Exempt employees are not entitled to overtime pay under federal and state wage and hour laws. An employee's Exempt or Non-exempt classification may be changed only upon written notification from City management.

**FULL-TIME** employees are those who are not in a temporary, contractual, seasonal, or probationary status and who are regularly scheduled to work at least 36 hours per week. Generally, full-time employees are eligible for the City's benefit package, subject to the terms, conditions, and limitations of each benefit program.

**PART-TIME** employees are those who are not in a temporary, contractual, seasonal, or probationary status and who are regularly scheduled to work less than an average of 32 hours per week while not exceeding 1500 hours in a calendar year.

**PROBATIONARY** employees are those whose performance is being evaluated to determine whether further employment in a specific position with the City is appropriate. Employees who satisfactorily complete the probationary period will be notified of their new employment classification. See section 303 for additional information on this status.

**TEMPORARY** employees (including seasonal) are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. Temporary employees receive only legally mandated benefits such as Social Security and Worker's Compensation Insurance.

**CONTRACTUAL** employees are those working in a position not authorized as a full-time or part-time employee in the City's budget, filled on a temporary basis, but not limited to a specific duration, involving a written agreement between the employee and the City. Contractual employees receive only legally mandated benefits such as Social Security and Worker's Compensation Insurance.

## **303 PROBATIONARY PERIOD**

The probationary period is intended to provide new employees with the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The City uses this period to evaluate employee capabilities, work habits and overall performance. The employee may receive additional compensation for extraordinary performance at the conclusion of their probationary period with City Administrator approval. Either the employee or the City may end the employment relationship at will at any time during the probationary period, with or without cause or advance notice and without appeal rights. New and rehired employees

work on a probationary basis for the first six (6) months after their date of hire. Some positions (i.e. Sworn Police/Fire) may have a probationary period of one (1) year.

Employees who are promoted or transferred within the City must complete a secondary probationary period of the same length with each reassignment to a new position. Any significant absence will automatically extend a probationary period by the length of the absence. If the City determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specified period up to an additional six (6) months.

In cases of promotions or transfers within the City, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the secondary probationary period. If this occurs, the employee may be allowed to return to his or her former job or to a comparable job for which the employee is qualified, depending on the availability of such positions and the City's needs.

### **304 ACCESS TO PERSONNEL FILES**

The City maintains a personnel file on each employee. The personnel file contains such information as the employee's employment application, resume, records of training, documentation of performance appraisals and pay adjustments, and other employment records.

Personnel files are the property of the City, and access to the information they contain is restricted. Generally, only supervisory and management personnel of the City who have a legitimate reason to review information in a personnel file are allowed access. Employees may review their own personnel file in the office of the Human Resource Department and with an individual from the Human Resource Department.

### **305 PERSONNEL DATA CHANGES**

It is the responsibility of each employee to promptly notify his or her Department Director of any changes in personal mailing address, telephone number, marital status, number of dependents for tax withholding or insurance purposes, emergency contacts, and educational accomplishments.

### **306 WAGE ADMINISTRATION PROGRAM**

**Definition.** The Wage Administration program is a method for classifying positions. It is divided into two distinct programs, the Compensation Program, which deals with pay issues, promotions, and performance reviews, and the Classification System, which deals with wage ranges, job descriptions, and classification of positions.

The Wage Administration program is not binding and shall not be read as creating vested rights in any person, or as creating a contract of employment between any employee and the City.

**Compensation Program.** The foundation of the compensation program is the "Wage Plan", which lists all jobs in their assigned salary range pay schedule. On an annual basis, as part of the budget process, the wage plan should be reviewed by Department Directors, Human Resources, and the City Administrator. Any proposed changes to the plan should be forwarded to the City Administrator for consideration and, if recommended by the City Administrator, submitted to the City Council for approval. If approved by the City Council, the wage plan should apply to all (regular part-time and full-time) jobs in the City for the following calendar year, or until changes are approved/made, or a new plan is adopted by the City Council. Any changes requested during the year should follow the same approval process.

**Pay Rates for New Employees.** It is the intent that the starting wage for a new employee should be based upon qualifications and experience as well as budgetary considerations. Offers above the minimum range should only be made when the selected candidate exceeds the minimum qualifications stated in the job description and has been determined the best fit for the position.

**Special Pay Consideration.** At the discretion of the employee's Department Director, upon completion of the employee's first six months as a new full-time employee, or in a new position following a transfer or a promotion, or as determined appropriate due to a change in job responsibilities, the employee may be considered for a pay increase. The Department Director's request for such a pay increase should be accompanied by a documented justification is subject to City Administrator/designee approval.

**Annual Performance Adjustments.** The City Administrator and the City Council, annually, will approve the funding of pay increases within the preparation of the annual budget. The City of Republic utilizes a 'Pay for Performance' approach to merit increases and the % of merit increase is determined by the current year's performance evaluation score.

Employees whose performance is consistently below average and receive an unsatisfactory evaluation will not receive their pay increase.

Each department is typically given a predetermined annual increase as part of the annual budget process approved by the City Council. That budget is the guideline used to determine pay increase(s). Employees who are at the maximum of their salary assignment are not eligible for a pay increase.

**Leaves of Absence.** If an employee's anniversary date falls during a paid time off, the Department Director may process and implement the pay increase on the effective date, and the performance review should then be given to the employee upon return.

**Special Adjustments.** Special pay adjustments are not designed for routine or standard practices or events. The City Administrator has the authority to approve raises as a special pay adjustment when deemed appropriate for reasons such as demonstration of outstanding performance, competitive market factors, compression issues, quartile alignment, etc. Graduation from school, completion of training programs, or meeting normal expectations, is not grounds for special adjustments. The performance should be truly outstanding and above and beyond the expectations of the job.

A detailed written recommendation outlining the reasons for the salary adjustment must be forwarded to the city administrator/designee. Employees at the maximum of their wage range are not eligible for special adjustments unless they pertain to a classification and/or salary adjustment.

**Cost of Living Adjustments.** Each year the City considers inflation and will present to the City Council a fixed rate/increase component that will typically reflect a portion of the Consumer Price Index (CPI), which determines cost of living increases. If approved by the City Council, this adjustment, should be applied equally to all Full-time and Part-time employee wages except those of elected officials and should be effective at the beginning of the designated payroll and salary ranges will be adjusted accordingly to reflect this increase. Temporary and seasonal employees are not eligible for this adjustment. **Promotions.** Promotions are defined as advancements to a position of a higher wage range where the duties and responsibilities are significantly different and greater, e.g., advancement from Police Officer to Police Sergeant. Department Directors should consider the wages of other employees already in the job classification when considering an employee for promotion, whether the promotion is of an internal department employee or a transfer from another department. When an employee is promoted to a higher-classified position, the employee will typically receive a 10% increase in pay (+/-), without exceeding the maximum within the new pay range. Additional compensation is subject to City Administrator approval. Department directors should have a consistent policy in place outlining promotional process particulars.

**Administrative Upgrades.** It may become necessary from time-to-time for the City to conduct internal or external wage reviews and make administrative changes or upgrades to the wage ranges. These changes must first be approved by the City Administrator. Some changes may include realignment or adjustments to the classification of a position.

**Lateral Transfers.** If an employee transfers laterally to a job in the same wage range as currently held, whether within or outside of his/her department, there should be no change in pay, and the employee's anniversary date should not change.

The employee's former Supervisor should complete a written performance review at the time of the transfer to close out the period in the former position.

**Voluntary Transfers to Lower Paid Position.** If an employee requests a voluntary transfer to a position in a lower classified position, their wage will provide a decrease in pay as deemed appropriate. To guard against compression problems that may be created with the wages of other employees, Department Directors should take into consideration the wages of other employees already in the department, and also the candidate's current anniversary date and alignment of future potential pay increases. The employee's transfer date should become his/her new anniversary date for the purpose of determining the timing and/or appropriation of future pay adjustments. A performance review should be completed to close out the period in the former position.

**Involuntary Transfer to Lower Position.** If an employee is unable to fulfill the duties of their present position for any reason, and it appears that the employee may be able to perform satisfactorily in a position with a lower wage range, the Department Director may offer the employee the option of accepting a demotion to such a position (in lieu of termination) if a vacancy exists. In most cases a reduction in wages should accompany the reduction in position. A performance review should be completed to close out the period in the former position.

**Classification System.** The Classification System provides an inventory of the positions in the City of Republic. Each position should be assigned a specific classification assignment identified in accordance with the written job description. All full-time positions will be classified and provided assigned a salary range in accordance with the position's assigned salary schedule.

**Job Descriptions.** All job descriptions should include the essential functions of the job, and the minimum requirements or qualifications needed to perform those essential functions, such as education, work experience, physical requirements, or other factors. The information contained in the job description should help determine the appropriate classification and corresponding salary assignment for the position. A set of job descriptions for all positions in the City should be maintained in the Human Resources office.

**Classification of Positions.** For newly proposed positions, the Department Director should submit to Human Resources for review and signature: (1) a draft of the job description, (2) a narrative description of the reasons for the changes proposed, (3) the recommended classification assignment, and (4) an organizational chart if the organizational structure will be impacted in any way. The proposal should be incorporated into the pay schedule for the current fiscal year and should normally be submitted and considered as part of the annual budget process. The position(s) will be scored in accordance with the established process as determined by Human Resources to maintain classification equity.

**Reclassification of Positions.** Department Directors may submit a request for a reclassification of a current position in their department at any time. The reclassification may be requested because the position is thought to have been incorrectly classified originally, or because a substantial change is thought to have occurred in the duties and responsibilities assigned to the position. Whether or not there is an incumbent in the position at the time, the decision as to whether a reclassification is appropriate should be based on the overall level of responsibility for the position, not on the qualifications of any incumbent. The Department Director should work with Human Resources, following the steps outlined above. Requests for reclassifications of positions from non-exempt to exempt must be evaluated in accordance with the Fair Labor Standards Act which establishes criteria for which positions properly are exempt. When a position is reclassified to a higher classified assignment, the employee will typically advance providing at minimum a 5% increase in pay (+/-) without exceeding the maximum within the defined pay range. Additional compensation is subject to City Administrator approval. When a position is reclassified to a lower classification and the position has a current incumbent, the employee will reflect on their assigned pay schedule a decrease in pay as determined appropriate. Exceptions may be approved by the City Administrator or designee.

**Part-Time Positions.** Part-time positions should be assigned to appropriate pay ranges by the Department Director, in conjunction with Human Resources. Employees in those positions may be eligible for annual performance increases and COLAs.

**Temporary Positions.** Temporary positions should be used as needed, and only as budgeted and approved. These positions should be assigned to appropriate pay schedules/ranges as determined by the Department Director, in conjunction with Human Resources. For both first-time and rehired seasonal employees, the pay rate should be determined at the start of each season or assignment staying within the amount budgeted by the department for that year.

**Reorganizations.** In the event of a proposed reorganization, the Department Director should submit to Human Resources for review and signature: (1) a proposed organizational chart, (2) updated job descriptions of any jobs being impacted by the reorganization, and (3) a narrative description of the reasons for the reorganization. The proposal should then be forwarded to the City Administrator for approval.

### **307 PERFORMANCE EVALUATION**

**Probationary Evaluation:** Supervisors and employees are strongly encouraged to discuss job performance and goals on a routine basis. Evaluations are to be conducted at the end of an employee's probationary period in any new position. This period allows the supervisor and the employee to discuss the job responsibilities, standards, and performance expectations of the new position.

**Annual Evaluation:** Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive purposeful approaches for meeting goals. Please refer to Administrative Policy for additional details.

### **308 EMPLOYEE REFERENCE CHECKS**

Occasionally third parties will inquire into a current or former employee's employment history with the City.

Any and all requests for information, either verbal or written, are to be forwarded to the Human Resources Department. No information regarding an individual's employment with the City is to be released by any City employee unless exceptions apply. The Human Resource Department will respond to verbal inquiries with dates of employment and position held. Written requests will be responded to as described by the Missouri Sunshine Law.

### **309 APPOINTMENTS**

Upon completion of all applicable testing, screening and the interview process, the Department Director shall recommend to the City Administrator or designee the most qualified applicant to fill the existing vacancy. Upon approval the Department Director shall proceed with an offer of employment.

When the appointing authority finds it essential to fill a position, the City Administrator may authorize to fill by provisional appointment. A provisional appointment shall expire once the position is filled or shall not exceed one (1) year.

### **310 REHIRE**

Any employee who has been separated from municipal service with the City of Republic and who later makes an application for employment shall be subject to the same selection procedure as other applicants and will not be entitled to any benefits or accruals from prior service unless such application occurs within one (1) year of leaving the City service due to a lay-off situation.

Employees who leave the City for cause, will not be eligible for rehire.

### **311 RESIGNATION/TERMINATION**

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

Resignation – voluntary employment termination initiated by an employee. Employees are urged to provide a two (2) week written notice and work at least two (2) weeks once a written notice has been submitted to their Department Director for rehire eligibility consideration.

Dismissal – involuntary employment termination initiated by the organization for disciplinary or non-disciplinary reasons.

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

Employees will receive their final pay in accordance with applicable state law. Employees are responsible for all property, materials, or written information issued to them or in their possession or control.

Employees must return all City property immediately upon request or upon termination of employment. Exiting employees may be asked to complete an exit interview with the Human Resources Department.

# SECTION 4



# BENEFITS



## **401 EMPLOYEE BENEFITS**

All full-time eligible employees are provided a wide range of benefits, which may include:

- Health, Dental, and Vision Insurance
- Bereavement Leave
- Citizenship Leave
- Group Health Continuation Coverage (COBRA)
- Employee Assistance Program
- Family Medical Leave
- Paid Holidays
- Life/Accidental Death & Dismemberment Insurance
- Long-term Disability
- Short-term Disability
- Sick Leave
- Vacation
- Retirement

Some benefit programs require contributions from employees, with a percentage being paid by the City. The City may revoke, suspend or discontinue any benefit provided herein with or without notice to the employee. Contact Human Resources for additional information.

As previously noted, the benefits described in this handbook are governed by formal insurance policies or written benefit plan, as well as an accompanying summary plan description. In the event of any conflict between the benefit descriptions in this handbook and the formal insurance policy or written benefit plan and summary plan description, the formal insurance policy or written benefit plan and summary plan description will control.

## **402 HEALTH INSURANCE**

The City's health insurance program typically consists of major medical coverage, dental coverage, and vision coverage. Eligible employees may select from among these individual coverages.

Full-time employees are eligible for the City's medical insurance program typically within the first 30 days of employment. Eligible employees can also choose to enroll their legal dependents in the health insurance program in accordance with the terms of the program. Eligibility will be dependent upon the Carrier requirements.

## 403 VACATION BENEFITS

**The City values the well-being of their employees and will make every effort to not contact employees while on vacation. Employees are encouraged to enjoy their freedom from work during their time off.**

Vacation time is intended to benefit the employee and serve as a time of mental and physical refreshment; therefore, employees are encouraged to use their vacation time. However, vacation time is subject to approval. The supervisor, or designee, reserves the right to establish a protocol for requesting vacation and may deny such requests for reasons such as insufficient staffing, inadequate notice, and/or performance-related issues which may include a pattern of abuse.

Vacation time is determined for full-time employees by length of continuous service. Accrued vacation leave may be used after thirty (30) days of employment with the City. The accrual schedules are as follows:

*\*Please note, monthly accruals may slightly vary depending on accrual schedule and software capabilities\**

**All City Staff (excluding those specified in the following Subsections) includes Police Administrative Personnel, i.e., Administrative Assistant, PSR, Investigations Property and Evidence Specialist)**

	Monthly	Yearly	Maximum
Length of Service	Accruals	Accruals	Accruals
0-1 year of service	3.34 hours	40 hours	40 hours
1 year – 4 years of service	6.67 hours	80 hours	160 hours
4 years – 9 years of service	10 hours	120 hours	240 hours
9 or more years of service	13.34 hours	160 hours	320 hours

### Full-time Commissioned Police Personnel

	Monthly	Yearly	Maximum	Maximum Payout upon
Length of Service	Accruals	Accruals	Accruals	Separation
0-1 year of service	12 hours	144 hours	176 hours	66 hours
1 year – 4 years of service	15.34 hours	184 hours	380 hours	216 hours
4 years – 9 years of service	18.67 hours	224 hours	460 hours	460 hours
9 or more years of service	22 hours	264 hours	540 hours	540 hours

\*Accruals include holiday hours for working continuous operations.

**Full-time Fire Employees Working 24 Hour Shifts**

	<b>Monthly</b>	<b>Yearly</b>	<b>Maximum</b>	<b>Maximum Payout upon</b>
<b>Length of Service</b>	<b>Accruals</b>	<b>Accruals</b>	<b>Accruals</b>	<b>Separation</b>
0-1 year of service	13.34 hours	160 hours	192 hours	86 hours
1 year – 4 years of service	18 hours	216 hours	444 hours	296 hours
4 years – 9 years of service	22.67 hours	272 hours	556 hours	556 hours
9 or more years of service	27.34 hours	328 hours	668 hours	668 hours

**\*Accrual based on average 56 hour work weeks and includes holiday hours for continuous operations**

**Executive Leadership  
Team**

	<b>Monthly</b>	<b>Yearly</b>	<b>Maximum</b>
<b>Length of Service</b>	<b>Accruals</b>	<b>Accruals</b>	<b>Accruals</b>
0-1 year of service	6.67 hours	80 hours	80 hours
1 year – 4 years of service	10 hours	120 hours	240 hours
4 years – 9 years of service	13.34 hours	160 hours	320 hours
9 or more years of service	16.67 hours	200 hours	400 hours

For the purpose of the above accruals, the Executive Leadership Team shall consist of the Assistant City Administrator, Chief of Staff, City Attorney, City Clerk, Chief Financial Officer, Police Chief, Fire Chief, Community Development Director, Parks and Recreation Director, , Information Systems Director, Public Works Director, Data Analytics Director. Additional positions may be added at the direction of the City Administrator.

The City Administrator’s leave accrual/Maximum will be defined within their employment contract.

Sick/emergency leave will not be substituted for scheduled vacation leave unless approved by the Department Director.

In any case where an employee is separated from service, the employee shall receive the full amount of his/her vacation leave accrued, not to exceed the accrual maximum or maximum payout accrual (whichever applies), at the time of separation.

In the event of an employee’s death, the full amount of vacation accrual or maximum payout accrual (whichever applies) and any other compensation due to the deceased employee will be paid to the person(s) legally entitled to receive such compensation.

## 404 HOLIDAYS

All full-time employees are entitled to the following paid recognized holidays:

1. New Year's Day
2. Dr. Martin Luther King Jr. Day
3. President's Day
4. Good Friday – Friday before Easter
5. Memorial Day
6. Juneteenth
7. Independence Day
8. Labor Day
9. Columbus Day – 2<sup>nd</sup> Monday in October
10. Veterans Day
11. Thanksgiving
12. The day after Thanksgiving
13. Christmas Eve
14. Christmas Day
15. Holiday Break 12/26-12/31

Other religious holidays not formally recognized by the City may be granted by the City Administrator on a case-by-case basis.

Any recognized holiday that falls on a Saturday will be observed the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday. Any employee may be scheduled to work on a recognized holiday if the need arises.

If a non-exempt employee works on a recognized holiday, the employee will receive holiday pay plus wages at one and one-half times his or her straight time rate for the hours worked on the holiday; **except** uniformed police and fire department employees whose holiday pay is included in their base pay and figured into vacation accruals. If a recognized holiday falls during an eligible employee's paid absence (e.g., vacation, sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

Despite the above statements regarding recognized holidays, state law provides that Uniformed Employees, other than exempt employees, work as scheduled by the Department Director (that is, without regard to the recognized holidays).

## 405 FREEDOM LEAVE

In keeping with our commitment of maintaining a work-life balance, our current Leadership Team, as well as other identified exempt positions, will be required to take an annual leave from work, without contact (via email, text, etc.) to staff regarding city business. This leave allows the employee to focus on priorities outside of their work commitments and imposes an opportunity to rest and recharge as an effort to curb burnout and/or sustain results. This leave allows for succession planning as well as proactive due diligence. This leave is considered a privilege and is subject to the guidelines outlined in the Administrative Policy.

## **406 SICK LEAVE BENEFITS**

The sick leave policy is designed to provide full-time employees with paid time off for personal illness, to include physical and/or mental health, or injury, or the illness/injury of an immediate family member. This benefit is intended to help eligible employees maintain a stable base pay during short periods of non-occupational illness or injury.

Full-time employees accrue approximately eight (8) hours of sick leave for every full month of service with a maximum accumulation of 720 hours. Full-time sworn fire employees working a 56-hour workweek will accrue approximately twelve (12) hours of sick leave for every full month of service with a maximum accumulation of 1080 hours.

Regular part-time employees that consistently work a minimum of 20 hours per week, will accrue approximately four (4) hours of sick leave per month. If at anytime, the part-time employee's hours drop below 20 hours per week, the sick leave accrual will cease. The maximum accumulation of sick leave for a part-time employee is 96 hours.

If an employee is frequently absent, or out for more than three consecutive days, he or she may be required to provide their Department Director with a physician's statement confirming the illness or injury, including mental health, and that the employee is released to return to work. The Department Director will forward the return-to-work slip to the Human Resource Department to be kept in the employee's medical file. If warranted, the Department Director may require a physician's statement more frequently.

Sick leave may only be used for an employee's own or an immediate family member's illness, or medical/dental appointments. Immediate family, for the purpose of sick leave, is defined as a parent, spouse or child (or guardianship) or in event the family member is residing with the employee. Any exception will require department director and/or HR approval.

Sick leave continues to accrue while an employee is on FMLA leave or other leave of absence. An employee may carryover accrued but unused sick leave from one calendar year to the next. The maximum accumulation is 720 hours.

If an employee has been employed for the entire calendar year in a full-time position and does not use any sick leave hours within that calendar year; then the employee will be awarded sixteen (16) hours of vacation time at the beginning of the following calendar year. If the employee uses eight hours or less (or one shift or less) of sick leave within that calendar year, then the employee will be awarded eight (8) hours of vacation time at the beginning of the following year.

Upon separation from the City's service, accrued sick leave shall not be paid.

In the event of a local, state or national disaster, (i.e. pandemic), mandated sick leave will be paid in accordance with federal/state/local regulations and/or recommendations.

### ***Misuse of Sick Leave***

Sick leave is not an entitlement for extra days off, but a benefit to be used only in times of need.

At all times, employees are expected to give honest and truthful reasons for absences. "Calling in sick" and using sick leave for reasons other than that which are outlined under these guidelines can result in disciplinary action, up to and including termination of employment.

## **407 OTHER LEAVE(S) OF ABSENCE**

Full-time employees who require time off in addition to vacation may request a personal leave of absence without pay for up to a maximum of 30 days, with approval from their Department Director. An extension may be approved in limited circumstances. The employee will be responsible for paying their portion of all benefits while out.

All regular, full-time employees employed for a minimum of 90 days are eligible to apply for an unpaid personal leave of absence. Job performance, absenteeism and departmental requirements will all be taken into consideration before a request is approved.

Please contact Human Resources for more information on request procedures.

The employee must return to work on the scheduled return date or be considered to have voluntarily resigned from his or her employment. Extensions of leave will only be considered on a case-by-case basis.

Not reporting to work and not calling to report an absence is considered 'no-call/no-show' and is a serious matter. The first instance of a no call/no show will result in a written warning. The second separate offense may result in further disciplinary action. **A no call/no show lasting three days may be considered job abandonment and will be deemed an employee's voluntary resignation of employment.** Any extenuating circumstances will be approved by the Department Director in conjunction with Human Resources.

### ***Administrative Leave***

Administrative Leave with pay may be approved by the City Administrator or designee.

## **408 CITIZENSHIP LEAVE**

The City encourages all employees to fulfill their civic responsibilities by performing jury duty or witness duty when required. Employees must present a copy of the jury or witness duty summons to their Supervisor as soon as possible to allow adequate time to make an accommodation for the absence. Employees are expected to report for work when the court schedule permits.

The employee's pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence. The City will continue to provide the employees' benefits for the full term of the jury duty absence.

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

The City also encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their non-working hours, the City will grant up to three hours of paid time off to vote.

Employees should request time off to vote from their Supervisor prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, whichever provides the least disruption to the normal work schedule.

## **409 CONTINUATION COVERAGE (COBRA)**

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries covered by the City's health insurance program the opportunity to continue that coverage after a qualifying event would normally result in the loss of eligibility. The City will follow all applicable laws with regard to COBRA notification.

#### **410 BEREAVEMENT LEAVE**

It is the City's intent to allow full-time employees 24 hours of paid bereavement leave for the death or imminent death of an immediate family member. If extenuating circumstances or additional travel is involved, the Department Director and/or City Administrator may grant additional paid time in addition to the bereavement leave. Department Directors may grant leave of one scheduled work shift for an eligible employee to serve as a pallbearer at or attend a funeral of someone not within the immediate family.

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

For purposes of bereavement leave, the City defines "immediate family" as the employee's spouse, child, parent, grandparent, grandchild or sibling; the employee's spouse's child, parent, sibling, grandparent or grandchildren; the employee's child's spouse, grandparents or grandchildren. Relationships of 'step', 'in-laws' or guardianship are included. Exceptions may be approved at the discretion of the Department Director. The employee's supervisor or Department Director may require any employee taking bereavement leave to document the need for such leave by providing an obituary or other certification.

#### **411 FAMILY AND MEDICAL LEAVE ACT (FMLA) LEAVE POLICY**

All requests for use of the Family Medical Leave Act of 1993 (FMLA) by employees shall be in accordance with the provisions of the Act. Eligible employees will be entitled to family leave in accordance with the Act. The Human Resources Department is authorized to take whatever steps it deems necessary to administer the Act.

##### ***Amount of Leave***

If properly requested, the City will grant an eligible employee up to 12 weeks of unpaid leave during a 12-month period. However, an eligible employee may take 26 weeks of leave during a single 12-month period to care for a Covered Service Member. Any such 26 weeks would also include any other leave(s) taken under this policy for any reason.

For computing purposes, the City will use the 12-month period measured forward from the date any employee's leave begins.

In addition, an employee on FMLA leave may not engage in any other work or employment during the leave without first obtaining the written authorization to do so from Human Resources. Such authorization will not unreasonably be withheld. If an employee on leave engages in other work or employment without such advanced written approval, the employee ordinarily will be considered to have voluntarily resigned his/her employment with the City.

##### ***Compensation During Leave***

An employee is encouraged to use all accrued leave time during any otherwise unpaid leave granted under this policy for a serious health condition, to care for a Covered Service member, or for bonding purposes. Once the applicable paid time off is exhausted, the remainder of leave is unpaid.

The requirement that accrued paid time off be used during a leave under this policy does not apply to any part of a leave during which an employee is receiving workers' compensation disability benefit payments or short-term temporary disability plan payments. However, an employee may elect to use accrued sick and/or vacation time during such leave to supplement the disability payments.

## ***Group Health Plan Coverage During Leave***

During FMLA leave, the City will continue paying any part of the employee's group health plan premium that it was paying prior to the leave initiating, subject to the requirements of this policy and the plan. An employee on leave is responsible for his/her usual portion of the premium. If accrued paid time off work is applied simultaneously with time on leave, the employee's portion of the premium will be made through payroll deductions to the extent paid time off is sufficient to cover the employee's portion of the premium. In all other situations, the employee must pay his/her portion of the premium.

## ***Other Benefits While On Leave***

Subject to the terms of the policy or plan, the City will continue to pay the premiums for an employee who has City paid coverage while on leave. The City reserves the right to recover from the employee the cost of such premiums if the employee does not return from leave. For information regarding the amount of premium payments and how and when the employee's premium must be made, contact Human Resources. If the employee's portion of the premium is more than 30 calendar days late, coverage may be lost retroactive to the date the unpaid premium was due.

## ***Miscellaneous***

For additional information regarding this policy, contact Human Resources.

## **412 MILITARY LEAVE**

The City will comply with all applicable state and federal laws concerning military leave including the federal law known as the Uniformed Services Employment and Re-employment Rights Act (USERRA). USERRA requires the City to provide certain benefits to most employees who take military leave, that is, a leave from their work at the City to perform "service in the Uniformed Services."

## **413 FLOATING HOLIDAYS AND DISCRETIONARY LEAVE**

**Floating Holidays.** The City provides all regular full-time and regular part-time employees twenty-four (24) hours per year to be used as Floating Holidays for personal time off. These hours are provided as paid time off, to be used by the employee with permission of the employee's supervisor.

Floating Holidays for new employees will be pro-rated based on hire date within a calendar year. The following schedule will apply:

- Hire date: January 1 - April 30<sup>th</sup>: 24 hours personal time given.
- Hire date: May 1 - August 31<sup>st</sup>: 16 hours personal time given.
- Hire date: September 1<sup>st</sup> - December 31<sup>st</sup>: 8 hours personal time given.

Floating Holidays are renewed each January and must be used before December 31st of the same calendar year. Upon separation from the City's service, an employee shall not be entitled to receive payment for any remaining, unused Floating Holidays. Floating Holidays may not be used in lieu of two (2) week written resignation notice, unless extenuating circumstances apply and approved by the employee's department director.

**Discretionary Leave.** The City of Republic values work-life balance and supports flexible work schedules. Therefore, all regular full-time employees will receive an additional twenty-four (24) hours of personal time as a separate floating

holiday leave bank (referred to as “Discretionary Leave”). Discretionary Leave is designed to provide relief for employees to take care of personal items/demands away from work. Discretionary Leave may not be used for consecutive days off from work; but rather, may only be used incrementally for up to one shift (as defined below) per work week. .

Non-exempt employees may use Discretionary Leave on an hourly basis up to (but not exceeding) the equivalent of one (1) shift per work-week, subject to supervisory approval. For purposes of this policy, a “shift” is defined as the regularly scheduled work period assigned to an employee, which may vary based on the employee’s job classification and departmental requirements. Shifts for non-exempt employees are categorized as follows:

- **8-hour shift:** A shift consisting of 8 consecutive hours of work.
- **9-hour shift:** A shift consisting of 9 consecutive hours of work.
- **10-hour shift:** A shift consisting of 10 consecutive hours of work.
- **12-hour shift:** A shift consisting of 12 consecutive hours of work.
- **24-hour shift:** A shift consisting of 24 consecutive hours of work.

Exempt employees may use Discretionary Leave incrementally, but must use a minimum of 4 hours at a time.

Discretionary Leave is subject to approval, and requests for time beyond a standard workday schedule should be considered an exception requiring department head approval.

Discretionary Leave hours will be pro-rated based on hire date within the calendar year, as follows:

- Hire date: January 1 – May 31<sup>st</sup> = 24 discretionary hours
- Hire date: June 1 – October 31<sup>st</sup> = 12 discretionary hours
- Hire date: November 1 – December 31<sup>st</sup> = 0 discretionary hours

*It should be noted that as the City explores additional work-life balance options for its employees, these additional hours of discretionary leave could evolve into a different program and therefore become eliminated. Please refer to the Flexible Work Schedule Administrative Policy for additional details.*

## **414 WORKERS’ COMPENSATION INSURANCE**

The City provides workers’ compensation insurance coverage for all employees at no cost to employees. This program covers injuries or illnesses sustained in the course of employment that require medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers’ compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Any employee who sustains any work-related injury or illnesses is required to inform their Supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. Neither the City nor the insurance carrier will be liable for the payment of workers’ compensation benefits for any injury or illness that occurs during an employee’s voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City. All payments shall be made pursuant to state law.

Missouri’s Workers’ Compensation Law allows for penalties against employees who use alcohol or non-prescribed controlled drugs. If the workplace injury was sustained in conjunction with the use of the above, Workers’ Compensation Benefits will be reduced. If the use of alcohol or non-prescribed controlled drugs was the proximate or substantial cause of the injury, then any Workers’ Compensation Benefits will be forfeited.

## **415 RETIREMENT**

The City of Republic provides 100% paid retirement and does not require an employee contribution. The city offers both a defined pension plan and deferred compensation plan.

The City's pension plan is defined as L-6 offered through Missouri Local Government Employees' Retirement System (LAGERS). This pension plan provides a guaranteed benefit for the lifetime of the eligible member. Employees are vested after five (5) years and service time in the plan may travel with the member to other applicable public employers in Missouri. The pension amount is based upon a formula representing final average salary, years of service and the plan multiplier.

The City will match 100% of the employee's contribution up to a maximum City contribution of 4% of the employee's base salary to a 457 plan through Missions's Square. This is a voluntary benefit and the employee is not required to contribute but may do so up to the allowable contribution allowance as determined by the IRS.



# SECTION 5



# PAYROLL AND TIMEKEEPING



## **501 TIMEKEEPING**

Accurately recording time worked is the responsibility of every employee. Time worked is all the time actually spent on the job performing assigned duties. It is the supervisor's responsibility to ensure the accuracy of submitted timesheets.

Non-exempt employees should accurately record the time they:

- Begin and end their work including any split shift.
- Begin and end any meal period.
- Begin and end any departure from work for personal reasons.
- Work overtime.

Overtime work by a non-exempt employee must always be approved by the Supervisor before it is performed. Unless overtime has been approved, or additional straight time work has been approved by the Supervisor in a workweek in which paid time off is used, a non-exempt employee's total hours for the week (including use of paid time off, such as sick, vacation and comp hours as well as hours worked) should total the standard number of hours in the employee's regular schedule. Exception: Major storms, power outages, water/wastewater problems, etc. may require overtime for some who have already taken vacation or sick leave in that workweek who are not already on call. Departments should have specific overtime policies in place.

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

Non-exempt employees should report to work immediately prior to their scheduled starting time and stay no more than 15 minutes after their scheduled stop time without express, prior authorization from their Supervisor.

Time records shall be entered by each employee, approved by designated supervisor, and forwarded to payroll for processing. Employees may view pay stubs electronically.

If any correction or modification is made to a time record, both the employee and the Supervisor will be notified of the change and to verify the accuracy.

## **502 PAYDAYS**

The work week runs from Sunday to Saturday of each week. Employees will be paid on a bi-weekly basis on each subsequent Thursday following the completion of the two-week pay period. If the regularly scheduled payday should fall on an authorized holiday, payday will be on the last workday prior to the holiday.

## **503 SEVERANCE PAY**

The City Administrator, determines any severance benefit for employees depending on the situation. Severance agreements will be vetted and established in accordance with the City Attorney's office and/or other appropriate counsel

## **504 PAY ADVANCES**

The City does not provide pay advances.

## **505 PAY DEDUCTIONS**

The law requires that the City make certain deductions from every employee's compensation. Among these are applicable federal, state, and local taxes.

Pay deductions may be made by court order, i.e., garnishments, child support, etc., to repay a debt or obligation to the City or others. Any contributions to the City's LAGERS retirement system, health insurance, ICMA, or other employee-paid elected benefits will also be deducted.

## **506 PAY AND RELATED PROCEDURES**

### **A. FLSA STATUS AND OVERTIME**

An employee's wages for time worked may be accumulated or calculated according to two primary methods: hourly or salary.

All non-exempt employees are paid a given pay rate, as determined pursuant to the Compensation Plan, for each hour worked for the City. All non-exempt employees paid on an hourly basis are required to track and record hours worked as determined by departmental protocol.

Human Resources shall periodically analyze positions compensated by salary to determine whether they qualify for FLSA exempt status. Exempt employees are not eligible for overtime pay. Positions classified as exempt shall meet the FLSA standard/duties test as required.

Overtime may be required when necessitated by business operations. If asked to work overtime, employees will be expected to cooperate. Non-exempt employees are eligible to receive overtime pay at a rate in accordance with the Fair Labor Standards Act for all hours physically worked in excess of forty (40) hours in any work week, excluding meal periods and paid leave, unless otherwise required by law. All overtime worked by FLSA non-exempt status employees must be approved by that employee's supervisor. Departments may utilize compensatory time before paying overtime. See Administrative Policy related to compensatory time.

Employees required to work special events and/or outside of their typical work schedules will be paid accordingly which may include mandatory overtime options as deemed approved by the department director.

The few exceptions to the requirements to pay exempt employees on a salary basis are listed below. In these cases, deductions may be permissible as long as they are consistent with other City policies and practices.

- Absences of one or more full days for personal reasons other than sickness or disability (partial days must be paid).
- Absences of one or more full days due to sickness or disability if the employee is eligible for but has exhausted accrued sick leave.
- To offset any payment for jury duty or a witness fee.
- Penalties imposed in good faith for violating safety rules of "major significance" (i.e., rules relating to the prevention of serious danger in the workplace or to other employees).
- Unpaid disciplinary suspension of one or more full days imposed in good faith for violations of workplace conduct rules applicable to all employees.
- Proportionate part of an employee's full salary may be paid for time actually worked in the first and last weeks of employment.
- Unpaid leave taken pursuant to the Family and Medical Leave Act.

Managers or Supervisors violating this policy will be subject to investigation of their pay practices and appropriate corrective action in accordance with normal procedures.

## **507 PAY CORRECTIONS**

The City takes all reasonable steps to ensure employees receive their correct amount of pay and that employees are paid promptly on the scheduled payday. The City prohibits any improper pay deductions from an employee's check whether the employee is exempt or non-exempt.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of his/her Department Director so that the matter can be investigated promptly, and a correction can be made as quickly as possible, as appropriate. If the employee needs further assistance, he/she should contact the Human Resources Department directly. Any improper deductions or other discrepancies will be reimbursed or corrected, at the latest, by the next regular payroll. In the event of any improper deduction, the City will make a good faith commitment to comply in the future.

The City prohibits retaliation against any employee for raising a complaint under this policy, or for providing information in connection with any complaint hereunder.

## **508 STANDBY PAY/ON CALL TIME**

Situations occasionally arise when it becomes necessary to "call back" a non-exempt employee after their regularly scheduled workday is completed or whenever a non-exempt employee is assigned to work an additional unscheduled shift on their regular day off to properly staff the department, that employee shall receive one (1) and one-half (1/2) times their regular hourly rate. The Department Director shall have the discretion of establishing a minimum standard for call back time. Refer to Administrative Policy for additional information.

## **509 SCHEDULE CHANGES**

When a shift change is necessary to maintain effective operations, the department should strive to give the employee as much notice as possible of the change in schedule, with a minimum notice of 24 hours. This does not include temporary or emergency situations.

## **510 LONGEVITY PAY**

The City values our employees' service and commitment to our citizens. Longevity is not designed to take the place of merit, but rather payment for continued service. Longevity pay is subject to annual budget considerations and available funds. Additional details pertaining to longevity pay can be found in Administrative Policy.



# **SECTION 6**



# **WORK CONDITIONS AND HOURS**



## **601 SAFETY**

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

Employees and Supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are required to raise them with their Supervisor or to the attention of their Department Director immediately. Reports and concerns about workplace safety issues may be made to the office of Human Resources if the employee wishes. All reports can be made without fear of reprisal.

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

In the case of any accident that results in injury, regardless of how insignificant the injury may appear, employees are required to immediately notify their Supervisor or Department Director.

## **602 COMPUTER USER AND USE OF ELECTRONIC MEDIA AND ELECTRONIC EQUIPMENT**

The general standards of ethics and conduct expected of a City employee also apply to the use of City computer and other electronic resources. Such resources are available to employees to assist in achieving organizational goals. Users are expected to cooperate with each other to promote the most effective use of these resources, and users will be held accountable for their actions involving computers and other electronic resources (such as voice mail, faxes, cell phones, etc.), as they would be in other situations. Please refer to Administrative Policy for complete details regarding the City's Computer Use Policy.

## **603 WORK SCHEDULES/ATTENDANCE AND PUNCTUALITY**

The official workweek begins at 12:01 a.m. Sunday morning and runs through midnight the following Saturday. The official workday begins at 12:01 a.m. and runs through midnight of the same day.

Not all City employees observe the same workday, but all are expected to work regularly and devote their efforts to City business during working hours. All employees are expected to report to work promptly and remain on the job until the end of their shift, with the Department Director outlining the regular workday for the department. Any employee who is unable to report to work as scheduled shall notify his/her immediate Supervisor of the reason for and expected duration of the tardiness or absence. This must be done as soon as possible in advance of the scheduled starting time, and in no event later than two hours after the scheduled starting time. If for some reason an employee is unable to call, a spouse, family member, or friend can make the call on their behalf. This procedure must be followed each day an employee is unable to report to work as scheduled (unless on a properly approved leave of absence for which the exact dates of the leave have been scheduled). Also, if it becomes necessary for an employee to leave work before their scheduled stopping time, permission from the Department Director or Supervisor is required.

Failure to timely and properly give notice, or repeated tardiness, absence or leaving early may result in corrective action up to and including termination.

Emergency response employees are required as part of their normal employment to assume stand-by (or on call) duty. Those employees may be required by their Department Director to make themselves readily available during off duty hours on a rotational basis for the purpose of call-out to fire scenes, accident locations and emergencies of the like. A call phone shall be provided to these employees to allow for mobility during these periods of **off-duty standby time**.

## **604 TOBACCO USAGE**

In keeping with the City's intent to provide a safe and healthy work environment, tobacco usage in City facilities or in City vehicles is prohibited. This policy applies equally to all employees, customers, and visitors.

## **605 MEAL PERIODS**

All full-time employees are provided with one non-compensated meal period each workday. Supervisors will schedule meal periods to accommodate operating requirements. Non-exempt employees will be relieved of all responsibilities during meal periods and will not be compensated for that time. Exception: Some emergency service departments may not be able to leave their posts during mealtimes and will be compensated accordingly.

## **606 OVERTIME**

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work beyond their regular schedule. When possible, advance notification of these mandatory assignments will be provided. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Non-exempt employees will be paid overtime pay for any time worked over 40 hours in one workweek. Overtime pay is at 1 ½ times the regular hourly rate of pay (time and one-half). Exception: The City has the option of paying overtime pay or of giving compensatory time off. Additionally, Police and Fire overtime will be paid in accordance with FLSA.

Accepting employment with the City means the employee consents to the policy. Compensatory time accrues at a rate of 1½ hours for each hour physically worked over and above an employee's regular work week. The maximum amount of compensatory time off that can be accrued by any employee is 24 hours. All compensatory time accrued and taken must be reported to the payroll office for processing.

Prior to working overtime, a non-exempt employee must receive approval from his or her Supervisor. A non-exempt employee who works overtime that has not been approved in advance by the Supervisor is subject to disciplinary action, up to and including termination.

## **607 USE OF EQUIPMENT AND VEHICLES**

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using City property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines established by each department. The use of cellular phones while operating a City vehicle is prohibited, except by police officers and fire personnel in the course of their duty and other City employees in the event of an emergency.

Anyone driving on City business or driving a City vehicle must wear his/her seat belt as well as anyone in the vehicle with the employee.

Employees are required to notify their Supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damage, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. All safety and protective gear must be used according to the personal protective equipment policy listed in the City of Republic Employee Safety Handbook and internal departmental

policies. The Supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or any vehicle, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

## **608 EMERGENCY CLOSINGS**

At times, emergencies such as severe weather, fire, power failure, or natural disaster can disrupt City operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs, notification of the closing will be broadcast on the City's emergency notification system and the web page.

The City Administrator or his designee will notify the Department Directors and they, in turn, will notify their direct reports who will notify all remaining employees.

Employees in essential operations may be asked to work on a day when operations are officially closed; however, the obligation to provide services to the citizens of Republic must be balanced with the risk of danger to municipal employees. Please see Administrative Policy for additional information.

## **609 BUSINESS AND TRAVEL EXPENSES**

Consistent with Administrative Policy, the City will reimburse employees for reasonable authorized business travel expenses incurred while on assignments away from the regular work location. All department business travel must be approved in advance by the Department Director. Please review the Administrative Policy for additional detailed information.

Employees should contact their Supervisor for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business and travel expense policy, including falsifying any expense report to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.



# SECTION 7



## EMPLOYEE CONDUCT AND DISCIPLINARY ACTION



## 701 EMPLOYEE CONDUCT AND WORK RULES

Each employee is expected to maintain a high standard of personal conduct and job performance and to conduct himself/herself in an honest, responsible, and polite manner. Where conduct/performance does not meet the City's expectations, the City may generally try to provide the employee with a reasonable opportunity to correct the problem(s). The action taken generally will depend upon such factors as the employee's job, nature and severity of the problem, and past performance.

Disciplinary action may take any of the following forms: dismissal, demotion, suspension, or reduction in compensation. Employees, with status, in a classified service and subject to such discipline are entitled to a pre-disciplinary hearing prior to the issuance of discipline. An employee under the classified service who is dismissed, demoted, suspended, or reduced in compensation shall be notified, in writing following the outcome of the administrative hearing, setting forth specific reasons for such action, and shall be notified of his/her right to appeal to the Personnel Board under Section 702. An employee given notice of dismissal but prior to the effective date of such action may be retained in duty status, placed on administrative leave with pay, or suspended without pay as determined by the City Administrator. An employee in the classified service may be separated without the right of appeal at any time during the probationary period. Employees in the unclassified service, as well as contractual, temporary, or seasonal employees, have no right of appeal. Please refer to Administrative Policy for specific disciplinary procedures.

The guidelines set forth below are intended to avoid confusion and misunderstandings about what is and is not satisfactory conduct. Of course, no list of guidelines can exhaustively cover every circumstance in which the City may impose disciplinary action. Just causes for disciplinary action are listed below, though disciplinary action may be taken for other just causes. Accordingly, the following list merely illustrates the kind of unacceptable conduct which may result in disciplinary action up to and including termination of employment.

1. Dishonesty including, but not limited to, such conduct as falsifying any personnel, payroll or other record; actual or attempted unauthorized possession of property belonging to the City, another employee or any other person/entity, or actual or attempted destruction or abuse of such property.
2. Failure to follow instructions or other insubordination.
3. Commission of any unlawful act while at work or away from work or inducing or encouraging another to commit such an act, which affects the employee's relationship to his/her job or fellow employees or reflects poorly on the City's image or reputation in the community.
4. Fighting or provoking a fight or threatening, intimidating, or coercing others while at work.
5. Inattention to duties, wasting time, carelessness, disrupting work, horseplay, unauthorized sleeping or appearing to sleep on the job, poor judgment, or any other unsatisfactory job performance.
6. Using abusive, profane, threatening, discourteous, demeaning, or disrespectful language at work or towards another employee or any other person.
7. Repeated absence, tardiness or early departure, or abuse of any time off work or leave of absence policy.
8. Unauthorized use or disclosure of confidential information.
9. Reporting to work or working under the actual or apparent influence of alcohol, and illegal drug or any unauthorized prescription drug, or possession of any such substance at work or while working.
10. Any unsafe work practice or failure to report immediately any incident, injury or accident which happens during work time or is work related.
11. Possession of any dangerous or unauthorized material or weapon on the City's premises or while working.

12. Violation of any City policy or standard practice.
13. Violation of any of the principles or rules of this employee manual, or other City policy, practice, or guideline.
14. Engaging in any conduct unbecoming of an officer or employee of the City, either on or off duty.
15. Being incompetent or inefficient in the performance of required and expected job duties and expectations.
16. Receiving two successive unsatisfactory employment evaluations.
17. Being careless or negligent with the moneys or other property of the City.
18. Engaging in outside business activities on City time without permission or using City property for such activity without permission.
19. Being negligent or unsafe in conduct or actions which jeopardize the safety of oneself or one's fellow employees or the safe use of City equipment.

## **702 APPEALS FROM DISMISSAL, DEMOTION, SUSPENSION OR REDUCTION IN PAY**

(a) Any employee with status who is demoted, suspended, or reduced in compensation in accordance with Section 701 may either follow the grievance procedure in Section 703 or appeal directly to the Personnel Board in accordance with Section 702(c). If that employee chooses to pursue the grievance procedure, any request for a hearing by the Personnel Board must be filed in writing within five working days after the City Administrator has rendered his or her decision.

(b) Any person who has been dismissed in accordance with Section 701 shall appeal only to the Personnel Board in accordance with Section 702(c).

(c) When a direct appeal is made to the Personnel Board (under Section 704), a written request, stating the facts pertinent to the appeal, must be delivered to the Secretary of the Board (the Director of Human Resources) at the Director's office within fifteen (15) calendar days following the effective date of the dismissal, demotion, suspension or reduction in compensation, except in the event the 15th day falls on a Saturday, Sunday or City holiday, then it shall be considered timely if delivered on the next working day.

(d) Any employee who has been dismissed, demoted or suspended, who is not otherwise entitled to a hearing before the Personnel Board under Section 702(a) through 702(c) and who contends that the employee's constitutional rights have been violated, may request a due process hearing by filing a written request for such hearing with the Director of Human Resources within fifteen (15) days after the dismissal, demotion or suspension. If the Director of Human Resources determines that the employee may be entitled to a due process hearing under the Constitution of the United States or the State of Missouri, then the Director of Human Resources shall inform a hearing officer who shall be appointed by the City Administrator to hear such cases and such hearing officer shall hold a due process hearing for the purpose of determining if the employee's name or record shall be cleared. Upon hearing the case, the hearing officer shall make his/her findings of fact and conclusions of law and shall file a copy with the City Administrator and the Human Resources Director. The hearing officer shall have the authority to adopt rules for hearing such cases and shall have the same authority as the Board to subpoena witnesses and documents to a hearing. Such hearing shall be for the sole purpose of providing the employee an opportunity to clear the employee's name or record, and the hearing officer shall not have any authority to grant the employee an affirmative relief other than to place in the employee's record a copy of his decision.

## 703 REVIEW OF DISCIPLINARY ACTION/GRIEVANCE PROCEDURE

### *Progressive Discipline*

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established.

The City supports the use of progressive discipline to address issues such as poor work performance or misconduct. Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our progressive discipline policy has been designed consistent with our organizational values, HR best practices and employment laws.

Outlined below are the steps of our progressive discipline policy and procedure. The City reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on our organization.

The following outlines The City's progressive discipline process:

- **Verbal warning:** A supervisor verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference.
- **Written warning:** Written warnings are used for behavior or violations that a supervisor considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the grave nature of the written warning.
- **Performance improvement plan:** Whenever an employee has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be placed on a performance improvement plan (PIP). PIP status will last for a predetermined amount of time to be determined by the Department Director. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the organization. At the end of the performance improvement period, the performance improvement plan may be closed or, if established goals are not met, further disciplinary action may occur.
- **Suspension:** Suspensions will be without pay for a determined period of time for repeated violations of unacceptable behavior or a suspension may be instituted as the appropriate form of discipline for an initial offense if warranted by the violation committed.
- **Demotion:** When the appropriate Department Director determines that the employee does not render the appropriate qualifications to safely or satisfactorily satisfy the requirements of their job; or it is determined that due to the employee's unacceptable behavior or actions, it will be considered in the best interest of the City to reassign the employee to lesser responsibility, or for an increased efficiency in City operations, an employee may be demoted based upon these said reasons. Their new salary will be at the beginning of the pay range of their new position unless otherwise approved by the City Administrator.
- **Termination:** Depending on the severity of the frequency of the unacceptable behavior, unacceptable work performance and/or the failure to obtain the appropriate licensing or certification, the Department Director may dismiss the employee for cause.

The City reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and discharge.

## ***Grievance Procedure***

A grievance is defined as an employee's formal expression of a complaint or disagreement and/or request for relief regarding employment conditions impacting safety, adverse employment actions such as, but not limited to, suspension, demotion or termination, or loss of pay, benefits or seniority; but does not include lateral transfers, changes in job titles, or other actions which do not negatively impact pay, benefits, or authority. Employees holding a work-related grievance shall utilize the following procedure in working toward the resolution of his/her problem:

1. The first step in the grievance procedure is for the employee to discuss the problem with his/her Supervisor within three (3) working days after the incident leading to the grievance. If the employee's Supervisor takes no action within three (3) working days, or if the employee is not satisfied with the action or decision of the Supervisor, he/she shall, within five (5) working days, proceed to the second step of the grievance procedure. If the grievance involves the Supervisor, the employee may, within three (3) working days after the incident leading to the grievance, proceed to the second step. If the grievance involves the Department Director, the employee may, within three (3) working days after the incident leading to the grievance, file with the Human Resource Department, an appeal to the City Administrator.
2. Employees pursuing the second step of this process should make their complaint known in writing to their Department Director within the specified timeframes referenced in step 1. This statement should include a brief description of the employee's complaint and any action taken or decision made by the employee's immediate Supervisor. The Department Director is encouraged to provide the employee with a written response within five (5) working days of receiving the grievance.
3. If within the next five (5) working days after this written statement reaches the office of the Department Director, and the employee does not receive a satisfactory response, that employee should request in writing to the Human Resources Department within three (3) working days, an appeal to the City Administrator. The Director of Human Resources shall assemble the facts of the case, within a reasonable timeframe, and present all relevant documentation to the City Administrator. The City Administrator may hold a conference with the persons concerned in the case if it is deemed necessary.
4. Once the appeal is formally submitted to the City Administrator from the Director of Human Resources, the City Administrator shall present his or her decision in writing to the Department Director and the employee, with a copy to Human Resources, within fourteen (14) working days.

Department Directors who have a work-related grievance shall utilize the following procedures in working toward the resolution of their problem. These procedures shall be applicable to all grievance proceedings:

1. The first step in this grievance procedure is for the Department Director to discuss his/her problem with the City Administrator within three (3) working days after the incident leading to the grievance, or when the Department Director first becomes aware of a situation causing a grievance. If the Administrator takes no action, or the Department Director is not satisfied with the action or decision of the Administrator, he/she should proceed to the second step of this employee grievance procedure.
2. Department Directors pursuing the second step of this process should make their complaint known in writing to the City Council. This statement, which must be submitted at the next regular City Council meeting, should include a brief description of the Department Director's complaint, a description of action taken, or decision made by the City Administrator, and an appeal from such action or decision.

3. The City Council will consider the written complaint and decide by majority vote whether to intervene. In any event, the decision of the City Council shall be final.

## **704 PERSONNEL BOARD HEARING**

(a) When an eligible employee shall make an appeal (or complaint) before the Personnel Board in a case involving his or her dismissal, demotion, reduction in pay or suspension, the City Administrator, or his/her designee, shall appoint a Personnel Board (consisting of City and/or non-City employees) picked by lot, consisting of five (5) members to hear individual appeals presented by employees. No standing board is required, but the City Administrator may, in his or her discretion, appoint a standing board. In all cases, the Director of Human Resources shall serve as the Secretary to the Board. It shall be the duty of the Personnel Board to ascertain to the best of its ability the facts of the case and after weighing all available evidence to report its findings to the City Administrator for such disposition as he or she may deem appropriate.

(b) Hearings will be scheduled for a pre-selected date and time during the month following receipt of the complaint, provided there is sufficient time to comply with the disclosure phase of the hearing process. Should there not be sufficient time to comply with the disclosure phase of the process, then the pre-selected date set for the next month would be selected. Should the complainant have a conflict with the original pre-selected date and time, the hearing will be scheduled for the next available pre-selected date and time during the following month. The Board will not reschedule a hearing more than two times to accommodate scheduling conflicts. If scheduling conflicts arise that do not allow the complainant to attend one of the three dates provided by the Board, the complainant shall be deemed to have voluntarily waived his or her right to a hearing before the Personnel Board. The Board reserves the right to reschedule a hearing date if it is apparent a quorum will not be available. The City Attorney will be responsible for oversight of the Personnel Board.

(c) Notice of the time and place set for public hearing shall be given promptly by the Secretary of the Board (i.e. the Director of Human Resources) to the complainant and at least five (5) days prior to the hearing.

(d) In order to properly discharge its function in regard to the review of such disciplinary actions, the Board shall have access to any files, correspondence, memoranda, etc., which they feel might be pertinent to the case and shall have the right of questioning any officers or employees of the City whom they feel may be able to shed light on the circumstances involving the disciplinary action in question. No officer or employee shall himself be subject to disciplinary action as a result of testimony given in such a hearing.

(e) In its review of a disciplinary action the Personnel Board shall limit itself, in the absence of overriding cause for considering extraneous matters, to a consideration of: (1) The question of the appropriateness of the discipline to the transgression, with regard to the case under consideration, and (2) the question of whether the employee is guilty of the transgression with which he is charged.

(f) Hearings shall be conducted in an informal manner with every effort made by the Personnel Board to avoid the appearance of conducting a trial as in a court of law.

(g) Public hearings on complaints may be adjourned only upon good cause shown, and in the event that the complainant shall fail to appear in person at the time and place set for hearing, he shall be presumed to have waived his right to further hearing and the Board may proceed forthwith to investigate and determine the case.

(h) Complainant may, at their election, be represented by counsel, provided that notice of such representation shall be filed with the Secretary of the Board (i.e. the Director of Human Resources) at least forty-eight (48) hours prior to the time set for hearing. The Personnel Board will be represented by counsel provided by the City Attorney, or his or her designee, or any other attorney so designated by the City.

(i) Hearings before the Personnel Board shall be public and shall be conducted in an orderly manner with a view of the presentation of all material facts so that a fair and impartial decision may be made. The Chair of the Board shall have full authority at all times to maintain orderly procedure and to reject irrelevant matters and limit the hearing to relevant facts. The Personnel Board shall have the authority to adopt rules and regulations pertaining to the conduct of hearings and the conduct of its business provided such rules are not inconsistent with the laws of the City.

(j) The decision of the Personnel Board shall be promptly reduced to writing, setting forth its finding and recommendations, and be filed with the City Administrator with a copy to the Mayor. The Board may make recommendations to the City Administrator as follows:

- (1) The Board may recommend concurrence in the action of demotion, dismissal, suspension, or reduction in compensation.
- (2) If the Board finds that the action complained of was taken by the appointing authority for political, religious, or ethnic reasons, the Board shall recommend that the employee be restored to his former position or a like status without loss of pay and without penalization.
- (3) In all cases, the findings and recommendations of the Board shall be submitted to the City Administrator for his or her consideration, who may, not later than thirty (30) days after receipt of such findings and recommendations, restore the employee to his former status with or without loss of pay for the period involved; modify his or her original decision of dismissal, demotion, suspension, or reduction in compensation; or continue with his/her original decision. The decision of the City Administrator shall be final.

## **705 PERSONAL APPEARANCE**

Dress, grooming and personal cleanliness standards contribute to the morale of all employees and affect the business image the City presents to the community.

Various departments within the City receive a clothing allowance, dependent on job duties. Please refer to Administrative Policy for additional details. The City expects its employees to maintain these uniforms in a neat and orderly appearance.

Consult your Supervisor or Department Director if you have questions as to what constitutes appropriate attire. Copies of the current *Dress Code Policy* can be found in the Administrative Policy.

## **706 SOLICITATION/DISTRIBUTION/POSTINGS**

In an effort to assure a productive and harmonious work environment, persons not employed by the City may not solicit or distribute literature in the workplace at any time for any purpose.

The City recognizes that employees may have interest in events and organizations outside the workplace. However, employees may not solicit for any purpose during the work time of the employee being solicited or doing the solicitation. Also, employees may not distribute materials in any work area.

The City Administrator or Department Director may grant an exception for distribution of material pertaining to recognized non-profits or charitable civic organizations on the employee's own time. Permission shall not be granted for commercial, religious or political material. Employees must notify the City Administrator, in writing, when they serve on boards of non-profit organizations that may do business with the City.



# SECTION 8



# DRUG AND ALCOHOL POLICY



## **801 DRUG AND ALCOHOL POLICY AND PROCEDURES**

### ***PURPOSE***

The City of Republic is a Zero Tolerance Workplace. It is the policy of the City of Republic to maintain a work environment free from the use, possession and effect of alcoholic beverages and drugs. The City recognizes that drugs and alcohol impair employee judgment, which may result in increased safety risks, hazards to the public, employee injuries, faulty decision making and reduced productivity. The most effective means of avoiding potential problems is through a comprehensive policy directed against drug and alcohol abuse by employees. Therefore, the City expects all employees to be unimpaired by drugs or alcohol during work hours. The primary objective of the policy is to determine fit for duty and provide the highest level of service to the public. Therefore, all employees may be subject to drug and alcohol testing as stated in this policy.

### ***PROHIBITED/REQUIRED CONDUCT***

1. While on duty, stand-by, on City premises, or while conducting business related activities off City premises, no employee or applicant may use, possess, distribute, sell, or be under the influence of alcohol or any illegal drug or unauthorized prescription drug.
2. No applicant or employee may refuse or fail to cooperate fully in any drug and/or alcohol testing conducted or required under this policy. A refusal or failure to fully cooperate includes, but is not limited to, such conduct as timely or properly reporting as directed for testing, refusal to accept transportation arranged by or through the City to the testing facility, refusal to submit to any drug and/or alcohol test, failure to sign any required acknowledgment, consent, release and/or testing custody and control form, failure to follow the directions of any testing facility personnel, and any conduct that obstructs or delays the testing process. Additionally, any adulterated samples or samples that have been tampered with or perceived to have been tampered with will result in disqualification from City employment or consideration of employment.
3. Proper Use of Medication – An employee taking any medication which, according to the employee’s doctor, could cause impairment or interfere with the employee’s ability to safely perform his/her job; or the employee has reason to believe it may present a safety risk to himself/herself or others while competing their job duties, must promptly report the use of the medication to his/her Department Director. The City reserves the right to have a physician of its choice determine whether an employee can safely perform his/her job including while using or being under the influence of any properly used therapeutic drug. In appropriate cases, the City may require the employee to be temporarily transferred to another job or to be temporarily off work.

As used in this policy, the term City’s premises means any property, facility, land, structure, parking lot and vehicle owned, leased, used by or under the control of the City, any location at which an employee is performing work, and any vehicle while used for City’s business.

Violation of any of the prohibitions or requirements listed above or any other requirement of this policy constitutes misconduct and will subject the employee to disciplinary action, up to and including termination. Any applicant who violates any of these prohibitions or requirements will be disqualified from consideration for employment.

### ***POLICY – PHYSICAL FITNESS AND EXAMINATIONS***

Every applicant for employment within the City of Republic may be required to present proof that he or she is physically fit to perform the duties of the job which the applicant seeks. All newly and rehired employees shall be required to take a blood or urine test for the presence of illegal drugs, unauthorized prescription drugs, or any other adulterants prior to being hired. Any applicant with a confirmed positive test result will be denied employment. The City will not

discriminate against applicants for employment because of a past history of drug abuse. Therefore, individuals who have failed a pre-employment test may initiate another inquiry with the City after a period of no less than one (1) year.

### ***THE OMNIBUS TRANSPORTATION EMPLOYEE TESTING ACT OF 1991***

It is the City of Republic's intent to comply with all regulations and requirements of the Omnibus Transportation Employee Testing Act of 1991. City employees required to have a Commercial Driver's License (CDL) must comply with all regulations in the 1991 Omnibus Transportation Act. The Act requires alcohol and drug testing for all City employees whose jobs require a CDL. The tests include pre-employment, post-accident, random, reasonable suspicion, return to duty and follow-up testing. The City of Republic will not permit an employee who refuses to submit to required testing to perform or continue to perform any activity that requires a CDL. All CDL drivers must obtain from the City of Republic the City's written substance abuse policy. CDL drivers are required to read this material and sign an acknowledgment of receipt.

All contractors of the City of Republic shall be required to state in writing that they comply with the provisions of this act and its implementing regulations while engaged in services for the City of Republic or in activity while on City of Republic property as a condition of the award of any such contracts for services or work and the continuation of same.

### **ALCOHOL AND CONTROLLED SUBSTANCE PROHIBITIONS**

An employee is prohibited from operating a commercial motor vehicle and/or from engaging in any work-related functions, for alcohol-related conduct: (1) while consuming alcohol; (2) while having a blood alcohol concentration of 0.02 or greater; (3) within four (4) hours of consuming alcohol; (4) after refusing to submit to an alcohol test; and (5) from consuming alcohol within eight (8) hours after an accident as specified in this policy. An employee is prohibited from the unauthorized use and possession of a controlled substance at any time whether on or off duty and prohibited from the unauthorized possession or use of alcohol while on duty. Upon a finding in a disciplinary proceeding that an employee has tested positive for a controlled substance or a finding that an employee was in possession of an unauthorized controlled substance and/or alcohol, the employee will be terminated.

Any employee convicted of illegal conduct related to controlled substances or alcohol, who fails to report such a conviction to their Department Director, shall be subject to immediate termination from service.

### **CONTROLLED SUBSTANCE AND ALCOHOL TESTING PROVISIONS**

Employees subject to the Alcohol and Controlled Substance policy shall be subject to controlled substances and alcohol testing including the following types of tests: pre-employment testing, random testing, reasonable suspicion testing, post-accident testing, return to work testing and follow up testing.

### **PRE-EMPLOYMENT TESTING**

Pre-employment urine drug testing shall be required of all employees as a condition of employment. Upon notification by the City, an applicant must report for testing within 48 hours. Any extenuating circumstances must be approved by the Policy Administrator. Failure to report for testing within this time frame shall be viewed as a failure of the drug testing policy. Employees who move via promotion, demotion or transfer to a DOT/safety sensitive position or public safety position will be required to submit to a pre-employment drug test.

Receipt of satisfactory test results is required prior to commencement of employment and/or engaging in safety sensitive functions.

Failure of a controlled substance or alcohol test disqualifies an applicant from appointment to consideration for employment for a period of one year. An applicant may provide written authorization allowing the applicant's current or previous employer to provide the City with drug testing information related to that employment. When there is a

break in employment with the City of three (3) months or more, pre-employment testing and background investigation will be required before re-employment. In some cases, (i.e. Parks Temporary staffing) the break in service may extend beyond 90 days due to unusual circumstances. In no circumstance shall the break service extend beyond six months.

## **REASONABLE SUSPICION TESTING**

Reasonable suspicion testing shall apply to all City employees regardless of their status and position. Reasonable Suspicion testing will be used to determine fitness for duty evaluations, including appropriate urine and/or breath testing, when there are objective observable reasons to believe that a controlled substance or alcohol use is adversely affecting an employee's job performance or that the employee has violated this policy. Reasonable suspicion referral for testing shall be made on the basis of documented objective facts and circumstances, which are consistent with the effects of substance use. Reasonable suspicion observations and reports can only be made by supervisory or management personnel who are trained to detect the signs and symptoms of controlled substance and alcohol use and who may reasonably conclude that an employee may be adversely affected or impaired in the employee's work performance due to the use of the controlled substance or alcohol. The observing supervisor, whether or not the person is the employee's immediate supervisor, is required to complete and submit their concerns in writing concurrent with the observation and consideration to impose reasonable suspicion testing.

Reasonable suspicion testing shall be required and completed whenever possible within two (2) hours of the observation, but in any case, no later than eight (8) hours after the observation for breath alcohol testing and thirty-two (32) hours for controlled substance testing. An employee who is ordered to submit to a reasonable suspicion drug and/or alcohol test should be transported to the testing facility.

A supervisor who fails to report an observation and, subsequently, fails to order a confirmed reasonable suspicion will be subject to disciplinary action up to and including termination.

## **POST-ACCIDENT TESTING**

Post-accident testing is applicable to all full-time employees after a vehicular accident has occurred in which one of the following has occurred: a fatality, when a traffic citation is issued to the City driver after an accident, where injury to a person requires transport to a medical treatment facility or disabling damage to one or more vehicles requires towing from the accident site to occur. Testing shall include both breath alcohol and urine drug testing of the employee.

Post-accident testing shall be required and completed whenever possible within two (2) hours of the accident occurrence but, in any case, no later than eight (8) hours after the accident for breath alcohol testing and thirty-two (32) hours for controlled substance testing. An employee involved in an accident should refrain from alcohol consumption for eight (8) hours following the accident.

## **RANDOM TESTING**

Random testing shall be conducted on all full-time and DOT employees covered by the Alcohol and Controlled Substance Testing policy as authorized by state or federal law. Random testing shall be unannounced and conducted with unpredictable frequency throughout the year using an established scientifically based selection method. DOT Testing shall be ordered by appropriate supervisory personnel as required by federal law and regulations, and in such numbers as is minimally determined under the regulations. Testing shall be ordered by appropriate supervisory personnel for those employees in safety sensitive positions. For the purpose of this paragraph, "safety-sensitive positions" shall mean public employment involving the performance of duties which have a direct and immediate impact on the safety of the public or other public employees.

## **RETURN TO WORK TESTING**

Return to work urine drug and alcohol testing for all employees covered by this policy may be required for an employee who previously refused to submit to a random alcohol and/or controlled substance test, which results in the reporting of a positive test result. Return to work testing may be permitted for other reasons as deemed necessary by the Policy Administrator. The employee must test negative in order to be permitted to return to work. If an employee tests positive for substance abuse on their return-to-work test, they will be subject to all of the consequences that follow related to positive testing including termination.

## **FOLLOW UP TESTING**

Follow up testing is required for all employees who have received a positive test result via failure to test for alcohol or controlled substance. These employees shall submit to frequent unannounced random urine and/or breath alcohol tests for a minimum of six (6) tests in the following twelve (12) months after returning to work. Follow up testing may be continued for a period of up to sixty (60) months from the employee's return to work date. The duration and frequency of the testing shall be in accordance with the Substance Abuse Professional's (SAP) recommendation.

## **FAILURE TO TEST**

Any on duty employee who fails to submit to the required testing under this policy is considered to have tested positive and shall be subject to all the consequences that follow related to positive testing including termination. Any delay in reporting to the testing site by the employee shall be treated as a refusal to test. Providing an adulterated sample shall be considered as a refusal to test and shall subject the employee to all of the consequences that follow related to positive testing including termination.

## **TESTING CONTROLS**

### **ALCOHOL**

Federal regulations require breath testing to be done on Evidential Breath Testing devices approved by the National Highway Safety Administration. An initial screening test is conducted first. Any result that is less than 0.04 blood alcohol concentration is considered negative. If the blood alcohol concentration is 0.04 or greater, a second confirmatory test must be conducted. If found to have engaged in prohibited alcohol conduct under this policy, the employee shall be immediately removed from work-related activity for a minimum of twenty-four (24) hours; and shall not be permitted to resume work until further notice.

### **CONTROLLED SUBSTANCES**

Controlled substance testing is conducted by analyzing an employee's urine specimen at a laboratory certified and monitored by the U.S. Department of Health and Human Services for the following controlled substances:

- Marijuana (THC metabolite)\*\*
- Cocaine
- Amphetamines
- Opiates (including heroin)
- Phencyclidine (PCP)
- Barbiturates
- Benzodiazepines
- Propoxyphene
- Methadone
- Methaqualone

*\*The City reserves the right to test for additional substances as deemed appropriate and if updates occur per the U.S. Department of Health and Human Services regarding the substances tested.*

*\*\*Please review Administrative Policy pertaining to marijuana in the workplace addressing the conditions relative to marijuana including testing requirements.*

The testing for controlled substances is a two (2) stage process. First a screening test is conducted. If the test is positive for one (1) or more of the controlled substances, a confirmatory test is conducted for each identified controlled substance. The confirmatory test is a gas chromatography/mass spectrometry (GC/MS) analysis.

Any employee, who tests positive on the confirmatory test, shall be interviewed by the Medical Review Officer (MRO) to determine if there is a legitimate medical reason for the positive test. If the MRO determines that there is no legitimate medical reason for the positive test, the employee shall be immediately suspended from work-related activity and appropriate disciplinary proceedings shall be instituted.

## **REQUEST FOR ADDITIONAL TEST**

Any employee who questions the results of a required urine drug test under this policy may request that an additional test be conducted. The test must be conducted on a split sample that was provided at the same time as the original sample and the test analysis shall be conducted at a different qualified laboratory than where the original test was conducted. All costs for employee-requested testing shall be paid by the employee unless the second test invalidates the original test. An employee's request for a re-test must be made to the Medical Review Officer (MRO) within seventy-two (72) hours of the notice to the employee of the initial test result. Requests made after the seventy-two (72) hour limit will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

## **REHABILITATION EFFORT**

Any employee who is determined to be in need of assistance for a substance abuse or related problem under this policy may be permitted to enter into a rehabilitation plan approved by the City of Republic in recommendation by the Substance Abuse Professional (SAP), provided the employee agrees to adhere to the terms of the rehabilitation contract with the City of Republic.

Rehabilitation assistance may only be granted to an employee once while employed by the City of Republic. The employee must invoke their right to a rehabilitation effort prior to submitting to the controlled substance/alcohol testing. Failure to complete the rehabilitation assistance plan or, to adhere to the criteria set forth in the rehabilitation plan, shall be considered a resignation by the employee from employment with the City of Republic.

The rehabilitation plan shall include the following terms and conditions to be adhered to by the employee who is granted rehabilitation assistance:

- The employee shall agree to undertake and successfully complete the rehabilitation assistance plan established for the employee by the SAP or by a rehabilitation professional accepted by the City of Republic; and,
- The employee agrees to refrain from any violation of this policy and the use of alcohol and controlled substances in violation with the plan of rehabilitation and this policy; and,
- The employee provides a release of all medical records for use and review by the City of Republic relating to the rehabilitation assistance plan for the assistance undertaken and compliance; and,
- The employee agrees to unannounced random testing for periods of time subsequent to the employee's return to work consistent with this policy; and,
- The employee agrees to submit to return to work testing demonstrating that the employee is negative under alcohol and controlled substance testing standards; and,

- The employee agrees that any future alcohol and/or controlled substance violations shall be considered as a resignation from employment with the City without recourse.
- The employee shall agree to unannounced follow up testing for a period of time as determined with the recommendation of the SAP and consistent with this policy.

## **PROCEDURE-BLOOD/URINE/BREATH TEST FOR THE PRESENCE OF ALCOHOL AND DRUGS**

In testing for the presence of alcohol, the City shall utilize a generally accepted breath or blood test procedure, which produces quantitative results showing the amount of alcohol in the blood. When such tests are performed, the threshold level for determination of an employee being under the influence of alcohol shall be .04 or more percent by weight of alcohol in the blood sample tested.

In testing for the presence of drugs, the City shall, in the first instance, utilize an immunochemical assay or radioimmunoassay test on the employee's urine. If the test is positive for drug, the same urine specimen shall be subjected to a further confirmatory test using the gas chromatography, thin layer chromatography or gas chromatography/mass spectrometry method for verification.

If a confirmation drug test is positive, the results will be submitted to a Medical Review Officer (MRO). The MRO may discuss the results with the employee before reporting the results to the City, unless, after making reasonable effort to reach the employee, the MRO is unable to do so. Under such circumstances, the MRO may notify a designated person at the City, who shall instruct the employee to contact the MRO. Failure of an employee to contact and provide information to the MRO within one workday of being instructed by the City to do so shall result in termination of employment. The MRO generally will not disclose to the City any medical information provided by an employee to the MRO unless the MRO is required by law to do so or, in the MRO's medical judgment, the information indicates that the employee's performance of responsibilities could pose a significant safety risk.

## **CORRECTIVE ACTION**

Report of a positive test result constitutes under the influence of the substance(s) for which the test is positive. An employee whose test result is reported as positive will be subject to corrective action, including immediate termination. A report that a sample was adulterated will be treated the same as a positive test result.

Any employee who is found to have engaged in off-duty substance abuse, which adversely affects the employee's ability to perform job duties, may be placed on a leave of absence without pay for a period of up to sixty (60) days. The leave of absence may be extended for good cause by the City Administrator up to an additional fifteen (15) days. (Longer leave may be available under the Family Medical Leave Act leave policy, if applicable.) The employee may use any accumulated sick leave or vacation during the leave of absence. The purpose of the leave of absence is to provide the employee with an opportunity for rehabilitation. The City may assist the employee in locating an appropriate program of rehabilitation.

## **CONFIDENTIALITY**

All records developed and/or acquired pursuant to this policy will be maintained under strict confidentiality by the City of Republic, the testing laboratory, the MRO and the SAP when and where applicable. All records will be kept in a secure location and will not be released to others without the written consent of the affected employee, except under provisions provided in the federal regulations, as needed with regard to the rehabilitation contract, in litigation or administrative proceedings related to positive test results and/or matter initiated by the employee.

Any person who breaches the confidentiality provisions of this policy shall be subject to immediate termination from employment and/or any contractual relationship with the City of Republic.

## **OTHER CONSIDERATIONS**

This policy shall be administered in compliance with federal, state and local laws related to employee health and welfare policies, leave policies, benefit programs and other related policies of the City of Republic. In the case of apparent conflicts between this policy, other policies, and applicable laws, the Policy Administrator shall make the appropriate ruling to resolve the potential conflicts, whenever possible.

## **802 SECURITY INSPECTIONS**

The City wishes to maintain a work environment that is free from illegal drugs, alcohol, firearms, explosives, or other improper materials. To this end, the City prohibits the possession, transfer, sale or use of such materials on its premises. The City requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of the City. Accordingly, they will not be inspected without either consent or at least reasonable suspicion that it contains some form of contraband (such as stolen items, illegal drugs, or any items prohibited by City policy).

The City prohibits theft or unauthorized possession of the property of employees, the City, visitors, and customers. To facilitate enforcement of the policy, the City or its representative may inspect not only desks and lockers but also persons entering and/or leaving the premises and any packages or other belongings. Any employee who wishes to avoid inspection of any articles or materials should not bring such items onto the City's premises.



# SECTION 9



# MISCELLANEOUS INFORMATION



## **901 SEVERABILITY**

Should any of the provisions in this handbook be determined to be contrary to federal, state, or local law, the remaining provisions of this handbook shall remain in full force and effect.

To the extent that any law provides additional or different benefits or rights to employees, the provisions of this handbook shall be deemed to include those statements of law.

## **902 CONCLUSION**

It is not possible to answer in the handbook all of the questions you might have regarding your employment with the City. Answers to your specific questions and additional information are available from your Supervisor or Department Director. Do not hesitate to speak with them, as they want to have you well-informed and prepared to do your job.

Section Nine of the handbook includes an acknowledgment page. You are required to sign and date that page, remove it from the handbook, and return it to the Human Resources office to be placed in your personnel file.

You may retain the remainder of the handbook for future reference.

**WELCOME TO THE CITY OF REPUBLIC!**



# **SECTION 10**



# **ACKNOWLEDGMENT OF RECEIPT**



# EMPLOYEE ACKNOWLEDGMENT OF RECEIPT

## THE CITY OF REPUBLIC

## EMPLOYEE HANDBOOK



I acknowledge that I have received a copy of the City of Republic Employee Handbook and that I am responsible for becoming familiar with its contents. I have entered into my employment relationship with the City of Republic voluntarily. I understand and agree that the employee handbook is a compilation of guidelines only, that it is not a contract of employment, and that the City reserves the right to add to, modify, delete, interpret or replace the employee handbook at any time with or without advance notice. Only the City Administrator, with the approval of the City Council, has the ability to adopt any revisions to the policies in this handbook. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

Furthermore, I acknowledge that this handbook is not a contract of employment. By signing below, I hereby acknowledge that I have received and read the employee handbook in its entirety and have been given the opportunity to have any questions or concerns I may have regarding its terms, policies and procedures addressed. I further state that I will comply with the policies contained in this handbook and any revision made to it.

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Employee's Signature

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Date

---

Employee's Name (Printed or Typed)

