

**TITLE III**  
**PERSONNEL**

**Chapters:**

Chapter 3.01	Purpose
Chapter 3.02	Employment categories and definitions
Chapter 3.03	Personnel policies and procedures
Chapter 3.04	Classification and pay plan
Chapter 3.05	Employee benefits

**Section 3.01.010                      Purpose**

This title provides employees with a general understanding of our personnel policies. Employees should familiarize themselves with the contents of this title.

- A.     This title cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create contractual obligations of any kind.
  
- B.     The city reserves the rights to change, revise or eliminate any of the policies and/or benefits described in this title. The only recognized deviations from stated policies are those authorized by the council and signed by the mayor.
  
- C.     The city believes the work conditions, wages and benefits it offers to its employees are competitive with those offered by other cities of the same size. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.
  
- D.     Our experience has shown when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe the city amply demonstrates it's commitment to employees by responding to effectively to employees concerns.
  
- E.     In an effort to protect and maintain direct employer/employee communications, we will encourage organization, within applicable legal limits, and protect the right of employees to speak for themselves.

- F. If and when employees examine the option of representation by individuals outside the city, we strongly encourage careful consideration of such related issue as regular deductions from paychecks for representation fees, the potential for outside interference with supervisory relationships, and the commitment to comply with directions from thirds parties.

## Chapter 3.02

### Employment Categories and Definitions

#### Sections:

3.02.010	Intent
3.02.020	Definitions
3.02.030	Permanent full-time employees
3.02.040	Permanent part-time employees
3.02.050	Temporary employees
3.02.060	Probationary employees

#### **Section 3.02.010**            **Intent**

It is the intent of the city to clarify the definitions of employment classifications so that employees understand their employee status and benefit eligibility. No employment classification guarantees employment for any specific period of time.

#### **Section 3.02.020**            **Definitions**

- A.    Anniversary date  
One (1) year after the date of hire and thereafter.
  
- B.    Appeal  
A request to a supervisor, department head, or city administrator for the consideration of a ruling on a problem, disciplinary action or other situation.
  
- C.    Compensation  
The total of salary or wages and benefits paid to an employee of the city.
  
- D.    Compensatory time  
Time off for non-exempt employees in the lieu of monetary overtime compensation, at the rate of not less than one and one-half hours of compensatory time for each hour of overtime worked as required by section 7 of the FLSA. Exempt employee rate is one hour off for one hour worked.
  
- E.    Department

For purpose of this procedure, departments of the city are administration, harbor master, public works and planning.

- F. Department head  
The chief administrative or executive officer or employee in each department of the city appointed department head by the mayor.
- G. Disciplinary action  
Administrative personnel actions concerning and employee including, but not limited to, verbal and/or written reprimand, warning, suspension, demotion and discharge,
- H. Employee  
Any person hired by the city to do work by execution of a personnel action form signed by the city.
- I. Exempt employee  
An executive, administrative or professional employee that meet the exemption criteria of 29 CFR section 541.1 and 541.101 of the FLSA. Included in this exemption are all officers of the city, to include the mayor, six council persons, the city attorney, the city treasurer, as authorized b AS 29.20.360 and all the department heads appointed by the mayor and ratified by the council.
- J. Full time employees  
An employee who is hired to work a pre-determined scheduled of forty (40) hours or more per work week and at least 2080 hours per twelve (12) month period.
- K. Grievance  
Any dispute from the employee, oral or written, regarding some aspect to his or her employment.
- L. Hourly rate  
The wage paid to an employee of the City of Coffman Cove calculated at an hourly rate.
- M. Immediate Family  
The city defines “immediate family” as the employee’s spouse, parent, child, sibling; the employee’s grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee is similar to any of the above relationships.
- N. Layoff

Involuntary employment termination initiated by the organization for no-disciplinary reasons.

- O. Leave of absence  
Time off from work for reasons within the scope and purpose of these rules and regulations upon prior approval of the city administrator.
- P. Merit pay  
Merit pay will be in addition to the base rate established for each grade.
- Q. Military leave  
Leave of absence for an employee entering reserve military duty.
- R. Non-exempt employee  
Any employee who is not employed in an exempt administrative, professional or executive position.
- S. Non-occupational disability  
Disability from an accident or sickness suffered or contracted by the employee which cannot be attributed to the performance of assigned duties.
- T. Occupational disability  
Disability from an accident or sickness suffered or contracted as a result of the performed duties.
- U. Officer  
An employee appointed to a position in the city, which has been designated as an official position in accordance with AS 29.30.360.
- V. On call time  
Time during which an employee is required to be available and subject to call for duty. Employee must remain capable to do work during call time, i.e. sober, rested and available by pager, radio, or telephone. All on call time must be authorized by a department.
- W. Overtime  
Authorized time worked by non-exempt employees in excess of the normal work week, forty (40) hours per seven (7) consecutive days period, and is paid at one and one-and-half times the regular rate.
- X. Permanent employee

An employee who has been retained in a position after the completion of his/her probationary period and notification of satisfactory completion of probation.

- Y. Permanent part-time  
Any employee of the city working less than forty (40) hours per week or two thousand eighty (2080) hours per year.
- Z. Probationary period  
The first 90 day period after hiring a new employee during which the newly hired employee's work is being reviewed prior to designations as a permanent employee. The probationary period for the police officers will be longer in accordance with State law. During this period the employee may be dismissed without full procedural recourse of a permanent employee.
- AA. Promotion  
The change of position for an employee from a position in one class designation to a position in a class assigned to a higher salary range.
- BB. Pay range  
One or more rates having sequential relationships to one another, assigned to a class of position, or grade, as compensation for that class.
- CC. Reclassification  
The allocation of a position to a different class with either a higher or lower pay range due to a change in the duties and responsibilities of the position.
- DD. Resignation  
Employment termination initiated by an employee who chooses to leave the organization voluntarily.
- EE. Retirement  
Voluntary retirement from active employment status initiated by the employee.
- FF. Seniority  
The length of time an employee has been employed by the city , or has held a specific position, since the date of initial hire or appointment to specific position.
- GG. Supervisor

Any person given the specific job title responsible for directing and evaluating the work of others.

- HH. Shift employee  
An employee whose daily hours of work rotate from one shift to another periodically and whose duties are continuous from the start to the end of the shift.
- II. Suspension  
A forced period of absence for disciplinary reasons or pending investigation of charges made against an employee. This period of absence may be with or without pay pending upon a particular circumstances that led to the employee being suspended.
- JJ. Transfer  
An assignment of an employee from one position to another position.
- KK. Work week  
The regularly scheduled workweek shall be five (5) scheduled workdays not to exceed forty (40) hour in a seven (7) consecutive day period.
- LL. Work day  
The regularly scheduled workday shall be eight (8) hours unless otherwise specified in writing by the administrator.

**Section 3.02.030 Permanent full-time employees**

Permanent full-time employees are those who are not assigned probationary status and who are regularly scheduled to work the cities full-time schedule.

**Section 3.02.040 Permanent part-time employees**

Permanent part-time employees are those who are not assigned to a temporary or probationary status and who are scheduled to work less than forty (40) hours per week, while they do receive all legally mandated benefits (such as social security & worker compensation insurance.)

**Section 3.02.050 Temporary employees**

Temporary employees 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 beyond any initially stated period does not is anyway imply a change in employment status. Temporary employees retain that status until

notified of a change. Temporary employees receive all legally-mandated benefits (such as Social Security and Worker's Compensations Insurance).

**Section 3.02.060                      Probationary employees**

Probationary Employees are those whose performance is being evaluated to determine whether employment in a specific position with the City will be offered. Employees who satisfactorily complete the probationary period will be notified of their new employment classifications. Probationary employees receive legally mandated benefits.

## Chapter 3.03

### Personnel Policies and Procedures

#### Sections:

3.03.010	Equal Employment Opportunity
3.03.020	Hiring of Relatives
3.03.030	Residency
3.03.040	Probationary Period
3.03.050	Departmental Procedures
3.03.060	Performance Evaluations
3.03.070	Personnel Records
3.03.080	Promotions
3.03.090	Layoffs
3.03.100	Outside Employment
3.03.110	Solicitations
3.03.120	Political Activity
3.03.130	Conflict of Interest
3.03.140	Personal Appearance
3.03.150	Personal Conduct
3.03.160	Licensed Employees
3.03.170	Safety
3.03.180	In Service Training
3.03.190	Business Travel Expenses
3.03.200	Purchase Orders
3.03.210	Attendance and Punctuality
3.03.220	Employment Termination/Resignation
3.03.230	Legal Liability
3.03.240	Forms of Disciplinary Actions
3.03.250	Grievance Procedures
3.03.260	Drug Free Workplace
3.03.270	Use of Phone, Fax, Mail, and Computer Systems
3.03.280	Use of Equipment and Vehicles
3.03.290	Return of Property
3.03.300	Security Inspections
3.03.310	Non-Disclosure
3.03.320	Smoking
3.03.330	Emergency Closings

#### **Section 3.03.010 Equal employment opportunity**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the City will be based on merit, qualifications, and abilities. Except where required or permitted by law, employment practices will not be influenced or affected by an applicant's or

employee's race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

- A. The City will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including; selection, job assignment, compensation, discipline, termination, and access to benefits and training.
- B. The City is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.
- C. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form 1-9 and present documentation establishing identity and employment eligibility. Former employees who are re-hired must also complete the form if they have not completed an 1-9 with the City of Coffman Cove within the past three (3) years, or if their previous 1-9 is no longer valid.
- D. Employees with questions or seeking more information on immigration law issues are encouraged to contact the Personnel Officer. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.
- E. It is the policy of the City to check the employment references of all applicants
- F. We will respond to all reference check inquiries from other employers. Responses to such inquiries will be limited to factual information that can be substantiated by the City records.
- G. Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of the mayor. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

**Section 3.03.020                    Hiring of relatives**

The employment of relatives is permitted by the City.

**Section 3.03.030                    Residency**

Residency is not a condition of employment. Employees are encouraged however, to live within the city and to participate in civic affairs. Employees subject to on-call duty shall live within a FIVE (5) minute response area.

**Section 3.03.040                    Probationary period**

The probationary period is intended to give new employees 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. Either the employee or the City may end the employment relationship at any time during or at the conclusion of the probationary period, with or without cause or advance notice.

During the initial probationary period, new employees are eligible for those benefits that are required by law, such as Worker's Compensation Insurance, and Social Security.

The probationary employee shall not be eligible for vacation benefits, but he/she shall be credited with vacation allowed within the accrual limits from date of employment to the end of the probationary period upon satisfactory completion of probation.

Temporary employees assuming full time or part time status may apply time worked toward probationary period.

Benefits eligibility and employment status are not changed during the secondary starting wage or set D.O.E., at council's discretion through the probationary period subject to the conditions of the job market or hiring needs of the City.

**Section 3.03.050                    Departmental procedures**

Subject to the approval of the City council, each department of the City may establish departmental rules, regulations and procedures. All such rules, regulations and procedures shall be consistent with the provisions of this and other codes.

**Section 3.03.060                    Performance evaluations**

Supervisors and employees are strongly encouraged to discuss job performances and goals on an informal, day-to-day basis. Formal performance

evaluations are conducted at the end of an employee's probationary period in any new position.

The performance of all employees is generally evaluated according to an ongoing six (6) month cycle, beginning at the fiscal-year end.

### **Section 3.03.070                      Personnel records**

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

The personnel record shall show the employee's name, title, position held, the department to which assigned, salary, change in employment status, training received, date of employment, probationary reports and such correspondence and other information as may be considered pertinent.

Personnel files are the property of the City and access to the information is restricted. Only immediate supervisors and management personnel of the City who have a legitimate reason to review information in a file are allowed to do so. Personnel files will not be provided to any other persons absent a court order unless specifically authorized by the employee in writing.

Employees who wish to review their own files should contact the Personnel Officer. With reasonable advance notice, employees may review their own personnel files in the City offices and in the presence of an individual appointed by the City to maintain the files.

### **Section 3.03.080                      Promotions**

Whenever possible job vacancies will be filled by promoting qualified employees within the City service.

The appointment to fill the vacancy shall be on a competitive basis utilizing the criteria for appointments established in Section 3.03.010 of this code.

The employee who is promoted will receive 100% of the base rate.

### **Section 3.03.090                      Layoffs**

Employees may be laid off whenever the City council determines a shortage of work or funds, the abolishment of a position, or other changes in the City's organization necessitate a reduction in the number of employees for the good of the City service.

Employees shall be selected for layoff based on seniority and merit. Performance evaluation may be undertaken and used as an aid in determining an employee's merit and fitness at the time of layoff. If the affected employee's merit and fitness are not overriding factors in the City council's judgment, the least senior employee shall be laid off first.

**Section 3.03.100                      Outside employment**

Employees may hold jobs with other organizations as long as they satisfactorily perform their job responsibilities with the City. Employees should consider the impact that outside employment may have on their health and physical performance. All employees will be judged by the same performance standards and will be subject to the City's scheduling demands, regardless of any existing outside work requirements.

If the City determines that an employee's outside work interferes with the performance or the ability to meet the requirements of the City as they are modified from time to time, the employee may be asked to terminate outside employment if s/he wishes to remain with the City.

Outside employment will present a conflict of interest if it has an actual or potential adverse impact on the City.

**Section 3.03.110                      Solicitations**

The posting of written solicitations on company bulletin boards is restricted. These bulletin boards display important information, and employees should consult them frequently for: Internal Memoranda, Job Openings, Worker's Compensation Insurance information, State Disability Insurance/Unemployment Insurance information.

**Section 3.03.120                      Political privacy**

Political activity by employees is allowed to the extent permitted by the Alaskan Law.

**Section 3.03.130                      Conflict of interest**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the City wishes the business to operate. 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.

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 of that employee, as a result of the City's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related to the subject of acceptable standards of operation.

No presumption of conflict of interest is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that s/he disclose to an officer of the City as soon as possible the existence of any actual or potential conflicts of interest so that safeguards can be established to protect all parties.

Impermissible personal gain may result in cases where an employee or relation has a significant ownership in a firm with which the City does business and/or 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.

The materials, products, designs, plans, ideas and data of the City are the property of the City and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including possible termination of employment.

### **Section 3.03.140                      Personal appearance**

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

During business hours, employees are expected to present a clean and neat appearance and dress according to the requirements of their position.

Consult your supervisor or department head if you have questions as to what constitutes proper attire.

### **Section 3.03.150                      Personal conduct**

To assure orderly operations and provide the best possible work environment, the City expects employees to follow rules of conduct that will protect the interests and safety of all employees and the organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment;

- A. Theft of improper removal or possession of property.
- B. Falsification of time keeping records.
- C. Working under the influence of alcohol of illegal drugs.
- D. Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer owned vehicles or equipment.
- E. Fighting or threatening violence in the workplace.
- F. Boisterous or disruptive activity in the workplace.
- G. Negligence or improper conduct leading to damage of employer-owned or customer-owned property.
- H. Insubordination or other disrespectful conduct.
- I. Violation of safety or health issues.
- J. Sexual or other unlawful harassment.
- K. Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace.
- L. Excessive absenteeism or any absence without notice.
- M. Unauthorized absence from work station during the work day.
- N. Unauthorized use of telephones, computer, mail system, or other employer-owned equipment.
- O. Violation of personnel policies.
- P. Unsatisfactory performance or conduct.

Employment with the City of Coffman Cove is at the mutual consent of the City and the employee. The City of Coffman Cove may terminate the employment relationship consistent with the provisions of this code and Alaska Law.

**Section 3.03.160****Licensed employees**

An employee who works in a position for which a valid State of Alaska Driver's License, or any other license or certification is required shall notify his/her department head immediately if that license or certification is suspended, revoked, expired, or withheld for any reason. Failure to do so may result in disciplinary action or termination.

**Section 3.03.170****Safety**

To provide a safe and healthful work environment for employees, customers, and visitors, the City promotes an ongoing workplace safety program. This program is a top priority for the City. The Public Works Director has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

The City provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meeting, bulletin board postings, memos, or 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 encouraged to raise them with their supervisor, or another supervisor or manager, or bring them to the attention of the Public Works Director. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

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

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify a city official. Such reports are necessary to comply with initial insurance and workers' compensation benefits procedures.

Employees shall report any accidents causing damage to public or private property or equipment, occurring before, during or after working hours and involving city employees, equipment or property to their immediate supervisor. Such reports shall be made as soon as possible, but in no case later than TWENTY- FOUR (24) HOURS following such accident or the actual or suspected injury or occupational illness. Employees shall compile any accident reports requested by their supervisors. In the case of motor vehicle accident involving City property or equipment or involving an employee while engaged in the performance of his/her duties, the troopers shall also be notified immediately and an accident report filed. This is the responsibility of the employee. The employee may be required by the supervisor or administrator to provide a body substance sample (e.g., blood or urine).

The City Council shall be notified of any actual or suspected on-the-job accidents, occupational illnesses or injuries as soon as practicable, but in no case later than ONE (1) working day following the filing of any accident report.

**Section 3.03.180                      In service training**

The City Council shall encourage training opportunities for employees and supervisors in order that services rendered to the City will be more effective. They shall assist department heads in meeting training needs in their departments and in developing training programs designed to meet immediate city-wide personnel need and to prepare employees for promotion to positions of greater responsibility.

Training sessions may be conducted during regular working hours at the discretion of department heads.

**Section 3.03.190                      Business travel expenses**

The City will reimburse employees for reasonable business travel expenses incurred while on assignments away from the usual work location. All business travel must be approved in advance by the Treasurer, Mayor, or Mayor Designee.

Employees whose travel plans have been approved are responsible for making their own travel arrangements.

When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by the City. Employees are expected to limit expenses to reasonable amounts.

Expenses that generally will be reimbursed include the following:

- A. Airfare or train fare for travel in coach or economy class or the lowest available fare.
- B. Car rental fees, only in compact or mid-sized cars.
- C. Fares for shuttle or airport bus service, where available, costs of public transportation for other ground travel.
- D. Taxi fares, only when there is no less expensive alternative
- E. Mileage cost for use of personal cars, only when less expensive transport is not available.
- F. Cost of standard accommodations in low to mid-priced hotels, motels, or similar lodgings.
- G. Cost of meals, no more lavish than would be eaten at the employee's own expense.
- H. Tips not exceeding 15% of the total cost of a meal or 10% of a taxi fare.
- I. Charges for telephone calls, fax, and similar services required for business purposes.

Any employee who is involved in an accident while traveling on business must promptly report the incident to the immediate supervisor. Vehicles owned, leased, or rented by the City may not be used for personal use without prior approval.

Cash advances to cover reasonable anticipated expenses may be made to employees, after travel has been approved. Employees should submit a written request to their supervisor when travel advances are needed.

When travel is completed, employees should submit completed travel expense reports within five (5) working days. Reports should be accompanied by receipts for all expenses to be reimbursed.

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

Abuse of this Business Travel Expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination or employment.

**Section 3.03.200 Purchase orders**

A purchase order is initiated by submission of a purchase requisition to the department head. The requisition with the signature of the department head shall be presented to the accounting office. Telephone orders shall be placed only after a purchase order has been signed. A confirming purchase order shall be mailed following the telephone order.

Any purchase order over one hundred (\$100.00) dollars must be authorized and signed by the Treasurer prior to ordering. Unauthorized expenditures over one hundred (\$100.00) dollars will only be honored in emergency situations.

**Section 3.03.210 Attendance & punctuality**

To maintain a safe and productive work environment, the City expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on the employees and on the City. In rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

Employees shall be in attendance at their work in accordance with the rules regarding hours of work, holidays, and leave of absence.

An employee shall not leave work for any reason other than those specified in this code authorizing sick leave without making prior arrangements with his or her supervisor. Unless such prior arrangements are made, an employee who for any reason fails to report to work, shall make a sincere effort to immediately notify the supervisor on a daily basis unless other arrangements have been made with the supervisor. Any unauthorized absence of an employee from duty shall be deemed to be an absence without pay and may be cause for disciplinary action.

Department heads shall maintain records of employee hours of work and submit time reports to the accounting office.

**Section 3.03.220 Employment termination/resignation**

Since employment with the City is based on mutual consent, both the employee and the City have the right to terminate employment. Employees will receive their final pay in accordance with applicable state law.

To resign in good standing, an employee shall give the Mayor or Mayor designee not less than ten (10) working days written notice of such resignation unless the

Mayor or Mayor designee agrees to permit a shorter period of notice because of extenuating circumstances. The notice of resignation shall be in writing and shall contain reason for leaving City service.

**Section 3.03.230                      Legal liability**

Employees shall abide by all laws and regulations, which govern the performance of their duties, and shall perform their duties as reasonable, prudent persons.

If an employee is negligent in the performance of duties and responsibilities and if an accident results from such negligent performance of duties and responsibilities, the employees may be held personally and legally liable.

Employees are advised that a court of law may hold them personally liable if, while acting as a municipal employee, they deprive any person of that person's rights, privileges or immunities granted by federal laws or the U.S. Constitution 42 U.S.C. Section 1983.

**Section 3.03.240                      Forms of disciplinary action**

Disciplinary action ranges from oral or written reprimands to suspension, demotion and dismissal from the city service. The level and form of disciplinary action depends on the severity and frequency of the offense.

It shall be the duty of all city employees to comply with and to assist in carrying into effect the provisions of the City's personnel rules and regulations to the extent they apply to their positions.

Every supervisor shall discuss improper or inadequate performance with the employee in order to correct the deficiencies and to avoid the need to exercise disciplinary action. Discipline shall be of increasingly progressive severity whenever possible.

All permanent employees shall have the right to appeal disciplinary action taken against them to the Mayor or designee within five (5) days after the effective date of disciplinary action. Appeals shall be made as grievances in accordance with the provisions of the grievance procedure, section 2.28.

**Section 3.03.250                      Grievance procedure**

The City shall promptly consider employee grievances relating to employment conditions and relationships. All supervisors and employees are expected to resolve problems as they arise.

The following steps shall be followed in submitting and processing a grievance:

- A. The aggrieved employee or group of employees shall orally present the grievance to the immediate supervisor within five (5) days of its occurrence, not including the day of the occurrence. The supervisor shall give his oral reply within, three (3) working days of the date of presentation of the grievance, not including the date of presentation.
- B. If the grievance is not settled in step A, it shall be reduced to writing. The grievance shall be dated and signed by the aggrieved employee or group of employees and shall be presented to the department head within five (5) working days after the supervisors oral reply is given, not including the day the answer is given. The department head shall reply in writing to the grievance within five (5) working days of the date the presentation of the written grievance, not including the day of the presentation. The department head shall advise the Mayor or designee of the grievance.
- C. If the grievance is not settled in step B, the written grievance shall be presented along with all pertinent correspondence, records and information accumulated to date to the Mayor or designee within five (5) working days after the department head's response is given, not including the day the response is given. The Mayor or designee may meet with the aggrieved employee or group of employees, the immediate supervisory personnel and the department head. The Mayor or designee shall reply to the grievance in writing within five (5) working days of the date of presentation of the written grievance.

If the grievance procedures are not initiated within the time limits established by this section, the grievance shall be considered not to have existed.

Any grievance not taken to the next step of the grievance procedure shall be considered settled on the basis of the last reply made and received in accordance with the provisions of this section.

The time limits prescribed in this section for the initiation and completion of the steps of the grievance procedure may be extended by the Mayor or designee if extenuating circumstances so require. Any step in the grievance procedure may be eliminated by mutual consent. Mutual consent shall be indicated in writing and shall be signed by all parties involved.

No employee shall be disciplined or discriminated against in any way because of the employee's proper use of the grievance procedure.

### **Section 3.03.260 Drug-Free workplace and drug testing**

It is the City's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on the City's premises and while conducting business-related activities off the City of Coffman Cove premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or engage in the unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs. Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

The legal use of prescribed and non-prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor to receive assistance or referrals to appropriate resources in the community.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program. Leave may be granted if the employee agrees to abstain from use of the problem substance; abides by all the City policies, rules and prohibitions related to the conduct in the workplace; and if granting the leave will not cause the City of Coffman Cove any undue hardship.

Under the Drug-Free Workplace Act, an employee who performs work for a government contract or grant must notify the City of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five (5) days of the conviction.

Employees with questions on this policy or issues related to drug or alcohol use in the workplace should raise their concerns with their supervisor without fear of reprisal.

Any driver who refuses to be tested under the provisions of the DOT regulations will not be permitted to operate a commercial motor vehicle. Any driver who tests positive for drugs will be immediately disqualified and taken off the road. Where

test results are positive, the driver will be advised by the supervisor or administrator as to what drug was discovered.

In cases where a positive drug test is confirmed, consideration will be given to available rehabilitation where appropriate at the employee's expense. Questions concerning this policy or its administration should be directed to the Mayor or designee.

In case of motor vehicle accident involving City property or equipment or involving an employee while engaged in the performance of his/her duties, the employee shall submit to an alcohol or drug screening test at the municipality's expense.

### **Section 3.03.270 Use of phone, fax, mail and computer systems**

Employees may be required to reimburse the City for any charges resulting from their personal use of the telephone or fax machine.

The use of the City's postage for personal correspondence is not permitted.

To assure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller had done so.

Employees are expected to use City computers in an appropriate manner at all times. Employees using a password for computer access are required to inform the mayor (or designee) of password(s) currently being used. Employees should be aware that all information on the computers is the property of the City.

### **Section 3.03.280 Use of equipment and vehicles**

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicle used on the job.

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

Personal use of equipment or vehicles is not permitted.

City policy shall dictate any/all rental agreements.

**Section 3.03.290                      Return of property**

Employees are responsible for items issued to them by the City of Coffman Cove or in their possession or control such as the following:

Credit cards, equipment, identification badges, keys, manuals, protective equipment, security passes, uniforms, vehicles, computers, computer software, written materials; including all reports, grants, research material and associated paperwork.

All City property must be returned by employees on or before their last day of work. Where permitted by applicable laws, the City of Coffman Cove may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The City may also take all action deemed appropriate to recover or protect its property.

**Section 3.03.300                      Security inspections**

The City wished to maintain a work environment that is free of 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 of Coffman Cove.

Accordingly, they, as well as any articles found within them, can be inspected by any agent or representative of the City at any time, either with or without prior notice.

**Section 3.03.310                      Non-Disclosure**

The protection of confidential business information and trade secrets is vital to the interests and the success of the City. Such confidential information includes, but is not limited to, the following examples:

Pending litigation, pending projects, and proposals.

Any employee who discloses trade secrets or confidential business information will be subject to disciplinary action, up to and including termination of

employment, even if he or she does not actually benefit from the disclosed information.

**Section 3.03.320                      Smoking**

In keeping with the City intent to provide a safe and healthful environment, smoking is prohibited throughout the workplace.

**Section 3.03.330                      Emergency closings**

At times, emergencies such as severe weather, fires, power failures, or earthquakes, 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 during non-working hours, employees will be notified by the best means possible.

When operations are officially closed due to emergency conditions, the time off from scheduled work exceeding normal workday hours will be unpaid. Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay. Operations may be set up at an alternative/temporary location.

## Chapter 3.04

### Classification and Pay Plan

#### Sections:

3.04.010	Position Classification Plan
3.04.020	Pay Plan
3.04.030	Merit Pay
3.04.040	Pay Period
3.04.050	Hours of Work
3.04.060	Overtime
3.04.070	Overtime Compensation

#### **Section 3.04.010**                      **Position classification plan**

A position classification plan shall be part of these rules:

- A. The classification plan shall consist of positions in the city service defined by job descriptions and identified by the class titles. The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority, and character of work are included within the same class, and the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same class.
- B. Copies of this plan and specifications for individual classes shall be available in the City Clerk's Office.

#### **Section 3.04.020**                      **Pay plan**

The Mayor or designee shall prepare a compensation plan, which shall prescribe a salary or hourly rate for each job classification. The Compensation Plan shall be adopted with the budget each year.

The salary and rate shall equitably reflect the difference in duties and responsibilities and shall be related to compensation for comparable positions in other places of public and private employment within the City and the same job market.

The Pay Plan and Compensation amounts will be reviewed annually for possible adjustment.

The Pay Plan shall consist of a base rate for each job classification identified by a grade. Newly hired employees may be hired at less than the base rate for the duration of the probationary period at the discretion of the administrator.

**Section 3.04.030                      Merit pay**

Each year after evaluations, supervisors will recommend to the administrator employees for merit pay. Merit pay will be in addition to the base rate established for each grade. Merit pay may not exceed 75% of the difference between the employee's current grade and the next higher grade.

**Section 3.04.040                      Pay period**

All employees are paid every two (2) weeks. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

Neither pay advances nor extensions of credit on unearned wages can be provided to employees.

If a regular pay day falls during an employee's vacation, the employee's paycheck will be available upon his/her return from vacation.

The law requires that the City make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The City also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." The City matches the amount of Social Security taxes paid by each employee.

The City offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the cost of participation in these programs.

Pay setoffs are pay deductions taken by the City, usually to help pay off a debt or obligation to the City or others, required by law.

**Section 3.04.050                      Hours of work**

The normal work schedule for all employees is part time. Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Each workday, full-time nonexempt employees are provided with two rest periods of 15 minutes in length for every four hours worked. To the extent possible, rest

periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their work stations.

**Section 3.04.060 Overtime**

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

**Section 3.04.070 Overtime compensation**

Overtime compensation is paid to all no exempt employees in accordance with federal and state laws at the following rate(s); One and one-half times straight-time rate for all hours over forty (40) in a work week.

As required by law, overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours work for purpose of performing overtime calculations.

Employees who work overtime without receiving prior authorization from the supervisor may be subject to disciplinary action, up to and including termination of employment.

## Chapter 3.05

### Employee Benefits

#### Sections:

- 3.05.010 Benefits Program
- 3.05.020 Holidays
- 3.05.030 Worker's Compensation Insurance
- 3.05.040 Sick Leave and Medical Leave Benefits
- 3.05.050 Family Leave
- 3.05.060 Time Off to Vote
- 3.05.070 Bereavement Leave
- 3.05.080 Jury Duty
- 3.05.090 Witness Duty
- 3.05.100 Time Keeping
- 3.05.110 Conferences and Conventions
- 3.05.120 Volunteer Civic Duties
- 3.05.130 Leave of Absence without Pay
- 3.05.140 Military Leave
- 3.05.150 Educational Opportunities
- 3.05.160 Social Security
- 3.05.170 Retirement Program
- 3.05.180 Other Miscellaneous Benefits

#### **Section 3.05.010 Benefits program**

Eligible employees at the City of Coffman Cove are provided some benefits. A number of the programs (such as Social Security, Worker's Compensation, State Disability, and Unemployment Insurance) cover all employees in the manner prescribed by law.

#### **Section 3.05.020 Holidays**

The City will grant holiday time off to all non-essential employees on the holidays listed below:

New Year's Day	January 1 <sup>st</sup>
Memorial Day	last Monday in May
Independence Day	July 4 <sup>th</sup>
Labor Day	first Monday of September
Thanksgiving Day	fourth Thursday of November
Christmas	December 25 <sup>th</sup>

**Section 3.05.030****Worker's compensation insurance**

The City provides a comprehensive worker's compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, worker's compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should 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.

**Section 3.05.040****Sick leave and medical leave benefits**

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday, or within four hours if possible. The direct supervisor must also be contacted on each additional day of absence.

If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement may, at the decisions of the supervisor, provided verifying the disability and it's beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition to receiving sick leave benefits.

The City provides medical leaves of absence without pay to eligible employees who are temporarily unable to work due to a medical disability. For purposes of this policy, medical disabilities include, but are not limited to, temporary disabilities associated with pregnancy, childbirth, and related medical conditions.

Employees in the following employment classification(s) are eligible to request medial leave as described in this policy;

Permanent full-time employees  
Permanent part-time employees

As soon as eligible employees become aware of a need for a medical leave of absence, they should request a leave of absence from their supervisor. A physician's statement must be provided verifying the medical disability and it's beginning and expected ending dates. Any changes in this information should be promptly reported to the employer. Employees returning from medical leave must provide a physician's verification of their fitness to return to work.

Employees who sustain work-related injuries are eligible for a medical leave of absence for the period of disability in accordance with all applicable laws covering occupational disabilities.

When medical leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar position for which the employee is qualified. However, the City cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the end of the medical leave, the City will assume the employee has resigned.

Employees with life-threatening illness, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. The City supports these endeavors as long as employees are able to meet acceptable performance standards.

### **Section 3.05.050                      Family Leave**

The City provides family leaves of absence without pay to eligible employees who wish to take time off from work duties to fulfill family obligations relating directly to the birth or adoption of a child or illness of a child, spouse or parent. Employees in the following employment classification(s) are eligible to request family leave in this policy.

- Permanent full-time employees
- Permanent part-time employees

As soon as eligible employees become aware of the need for family leave of absence, they should request a leave from their supervisor.

Employees requesting family leave related to the illness of a child, spouse or parent, may be required to provide a physician's statement verifying the illness, its beginning and expected ending dates, the need for the employee to provide care, and the estimated time required.

Eligible employees may request up to ninety days of family leave. Requests for family leave will be evaluated based on a number of factors, including anticipated work load requirements, staffing considerations, and hardship to the City's operations during the proposed period of absence. Requests that cannot be accommodated may be denied or deferred.

When a family sick leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. Except when legally required, the City cannot guarantee reinstatement.

If an employee fails to report to work promptly at the end of the approved leave period, the City will assume the employee has resigned.

**Section 3.05.060                      Time off to vote**

The City 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 able to vote in an election during their non-working hours, the City will grant up to one hour of paid time off to vote.

Employees should request time off to vote from their supervisors at least two working days 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.

**Section 3.05.070                      Bereavement leave**

If an employee wishes to take time off due to death of an immediate family member, the employee should notify his/her supervisor immediately.

The City defines “immediate family” as the employee’s spouse, parent, child, sibling; the employee’s grandparents or grandchildren. Special consideration will also be given to any other person whose association with the employee was similar to any of the above relationships.

**Section 3.05.080                      Jury duty**

The City encourages employees to fulfill their civic responsibility by serving jury duty when required.

**Section 3.05.090                      Witness duty**

The City encourages employees to appear in court for witness duty when subpoenaed to do so.

If employees have been subpoenaed as witnesses by the City, they will receive paid time off for the entire period of witness duty.

The subpoena should be shown to the employee’s supervisor immediately after it is received so that operating requirements can be adjusted, where necessary to accommodate the employee’s absence. The employee is expected to report for work whenever the court schedule permits.

### **Section 3.05.100 Time keeping**

Accurately recording time worked is the responsibility of every employee. Federal and State laws require the City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

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.

Nonexempt employees should report to work no more than fifteen minutes prior to their scheduled starting time nor stay more than fifteen minutes after their scheduled stop time without expressed prior authorization from their supervisor.

It is the employee's responsibility to sign his/her time record to certify the accuracy of all time recorded. The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and supervisor must verify the accuracy of the changes by initialing the time record.

### **Section 3.05.110 Conferences and conventions**

Decisions concerning attendance at conferences, conventions, or other meeting at the City's expense shall be made by the department head with the approval of the City Council. Permission shall be granted on the basis of an employee's participation in or the direct relation to their work such as attendance is considered to be in the best interest of the City.

### **Section 3.05.120 Volunteer civic activities**

Volunteer services to elected offices organization not associated with the City or job related needs, will be on a voluntary basis only. Time off for these of or activities will be allowed using compensatory time or vacation time or leave without pay only. Time off for these activities is subject to the approval of the respective supervisor.

### **Section 3.05.130 Leave of absence without pay**

A leave of absence without pay may be granted by the mayor or designee in order to allow a permanent full time or permanent part-time employee to be absent from work without pay for personal or family reasons or to take time off beyond the medically certified period of temporary disability following childbirth. The foregoing reasons for granting leave without pay shall not be considered all inclusive and the mayor or designee shall have the discretion to grant leave without pay for other reasons so long as any leave without pay that is granted is consistent with the best interest of the City.

A leave without pay must be requested by the employee in writing as soon as the need for such leave is known. Any written request shall state the reason the leave is being requested and the amount of leave time requested. Written request shall be submitted to the employee's department head who shall review and refer the written request to the mayor or designee with the department head's recommendation.

A leave without pay may be granted for any period not to exceed twelve months, provided such leave can be scheduled without adversely affecting the operations of the City.

Employees on a leave without pay may return to work early if they notify their department head of their return at least seven working days in advance. Failure or inability of an employee to return from any leave without pay by the designated date may be considered cause for disciplinary action.

### **Section 3.05.140                      Military leave**

A military leave of absence will be granted to employees, except those occupying temporary positions, to attend scheduled drill or training or if called to active duty with the US Armed Services.

### **Section 3.05.150                      Education leave**

The City provides educational leaves of absence without pay to eligible employees who wish to take time off from work duties to pursue course work that is applicable to their job duties with the City. Employees in the following employment classification(s) are eligible to request educational leave as described in this policy:

- Permanent full-time employees
- Permanent part-employees

When educational leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the position for which the employee is qualified. However, the City cannot guarantee reinstatement in all cases.

If an employee fails to report to work at the end of the approved leave period, the City will assume that the employee has resigned.

**Section 3.05.160                      Social security**

All permanent full-time, permanent part-time, temporary full-time, temporary part-time employees, and the City (employer) shall participate in the Social Security System. Please refer to current year Circular E Booklet and United States Internal Revenue Code, Title 26. Questions pertaining to Social Security Benefits or inquiries should contact Social Security Benefits Administration 800-234-5772, or Internal Revenue Service at 800-TAX-1040.

**Section 3.05.170                      Retirement program**

**Section 3.05.180                      Other miscellaneous benefits**

The City will not discriminate against any employee who requests an excused absence for medical disabilities associated with pregnancy and/or childbirth (apart from medical disabilities associated with these conditions) will be considered in the same manner as any other request for an unpaid personal leave.

Other miscellaneous benefits are available to the employee's date of hire. These benefits are given in detail at the time of orientation.