

# CITY OF JESUP

# EMPLOYEE PERSONNEL POLICIES AND PROCEDURES HANDBOOK

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# CITY OF JESUP

## EMPLOYEE PERSONNEL POLICIES AND PROCEDURES HANDBOOK

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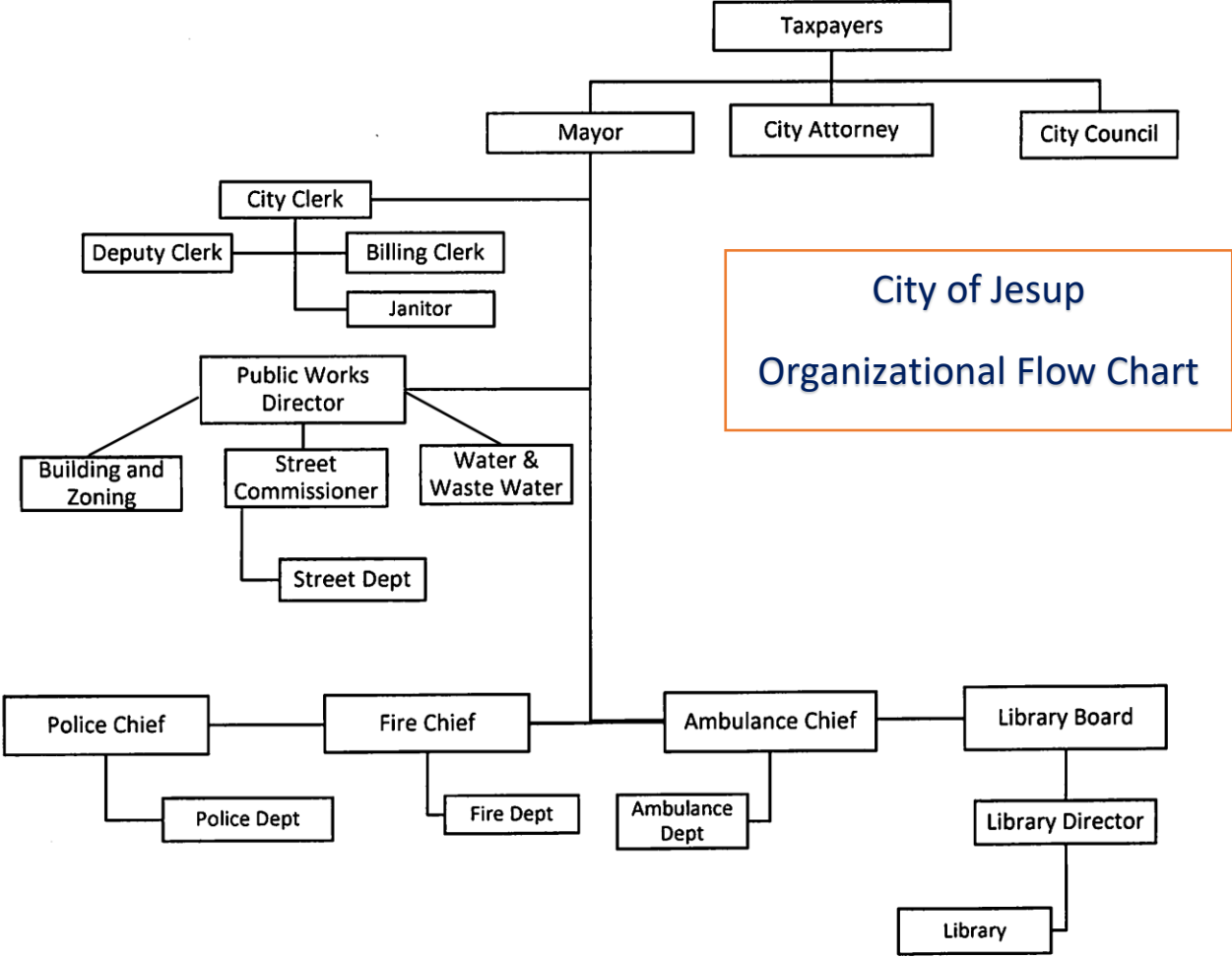
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## ARTICLE 1. DEFINITIONS

- A. CITY: The City of Jesup, Iowa.
- B. CITY COUNCIL: All voting members of the City of Jesup, Iowa City Council.
- C. COMPENSATION: The salary, wage, allowances, and other forms of valuable consideration, earned by or paid to any employees by reason of service in any position, but does not include allowances authorized and incurred incident to employment.
- D. DEMOTION: The change of an employee from one classification/position to another having a lower pay grade.
- E. DISABLED PERSON: Any person who has a physical or mental impairment, which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment, as defined by applicable state law.
- F. FRINGE BENEFITS: Employee compensation other than wages, such as, but not limited to: medical insurance, holiday pay, vacation, sick leave, retirement, jury leave, personal leave, military leave, injury leave, and longevity pay.
- G. FULL-TIME EMPLOYEE: A Full-Time Employee is defined as an Employee working forty (40) hours during the workweek. All full-time employees are on-call employees and subject to call out at any hour and day at the order of the Department Supervisor and/or Mayor.
- H. IMMEDIATE FAMILY: Includes: Mother, father, step-parents, foster parents, spouse, son, daughter, brother, sister, spouse's parents, spouse's brothers and sisters, stepchildren, foster children, grandparent, grandchild, son-in-law, daughter-in-law.
- I. LAYOFF: The involuntary, non-disciplinary separation of an employee from a position because of a reduction in forces or funds.
- J. LEAVE: An approved absence from work.
- K. OVERTIME: Approved time worked by an employee in excess of forty hours for the week.
- L. PART-TIME EMPLOYEE: An employee who works less than thirty (30) hours per week on either a regular schedule or intermittent basis.
- M. POSITION: A group of specific duties, tasks, and responsibilities assigned by an appointing authority to be performed by one employee. A position may be part-time or full time, temporary or regular, occupied or vacant.

- N. PROBATIONARY PERIOD: That period of time (six months from hire or reassignment, or longer if necessary) during which an appraisal of the new or reassigned employee's skills, aptitudes, and adjustments is made prior to appointment to a regular position.
- O. PROMOTION: The change of an employee from one classification to another having a higher pay grade.
- P. REGULAR EMPLOYEE: Any person employed by the Employer, other than a temporary employee, who regularly works forty (40) hours or more per week.
- Q. SUSPENSION: The temporary separation of an employee for disciplinary purposes.
- R. TEMPORARY EMPLOYEE: A person who is hired for a short period of time on a seasonal or emergency basis.
- S. TERMINATION: The separation of an employee from service, to include: death, resignation, discharge, layoff, or retirement.
- T. TRANSFER: The movement of an employee from one position to another within the same pay grade.

SECTION 1. Organizational Flow Chart



City of Jesup  
 Organizational Flow Chart

## ARTICLE 2. GENERAL PROVISIONS

### SECTION 2.1. AT-WILL EMPLOYMENT

The City of Jesup employees are at-will employees. Either the employee or the employer may terminate the employment at any time, with or without cause. This Handbook does not alter the at-will employment relationship in anyway. Written or oral statements, with the exception of the collective bargaining agreement and the employees it applies to, made to an employee to the contrary are not to be interpreted in any way that alters the at-will relationship. No employee or official, except City Council, and then only in writing, has the right or authority to make commitments that vary from or go beyond those outlined in the Employee Handbook.

**Nothing in neither this Handbook nor any oral or written representation by any employee, official, Manager, or Supervisor of City of Jesup shall be construed as a contract of employment.**

### SECTION 2.2 PURPOSE

In accordance with Resolution No. 86-40, entitled Personnel Policies and Procedures, City of Jesup and all amendments approved and passed over the years, it is the purpose of these rules to establish procedures, which will serve as a guide to administrative actions concerning the various personnel activities and transactions. State Code and City Ordinances supersede all personnel policies found to be in conflict with said code or ordinances.

### SECTION 2.3. NOTICE TO ALL EMPLOYEES

To assist with your success, this handbook has been prepared to provide employees with a basic understanding of our mission, key policies, working conditions, procedures, and benefits. The employee handbook also provides standard expectations for anyone working for or affiliated with the City. Please read it thoroughly and retain it for future reference. Although we hope your employment with the City will be long term, this handbook is provided for informational purposes only and is not a contract guaranteeing employment for any specific duration.

The policies in this handbook are guidelines only, with the exception of our policy of “at will” employment. No employee handbook can anticipate every situation, circumstance, or question about policy. Policies in this Handbook are subject to change at any time at the sole discretion of the City. The policies in this handbook replace all previous oral and/or written policies and practices regarding matters contained in this Handbook. If current policy conflicts with collective bargaining agreement, collective bargaining agreement governs.

If you have any questions regarding anything in this handbook, please ask your supervisor, the Mayor, or the City Clerk. Expanded and detailed policies are available upon request. Many issues addressed in this Handbook are controlled in other official documents (such as medical insurance or the collective bargaining agreement). Please consult the Mayor for questions regarding such issues. If you need this handbook in another format, please contact City Clerk and it will be provided to you.



## SECTION 2.4 POSITIONS COVERED:

These rules and regulations shall cover all employees in the municipal government, in addition to the Union Collective Bargaining Agreement, which currently exists. If these rules and regulations conflict with the Union Collective Bargaining Agreement, the Collective Bargaining Agreement's provisions shall supersede.

## SECTION 2.5 ADMINISTRATION:

1. The amendments, changes, or revisions of the rules and regulations shall be recommended by the Mayor or City Council and approved by the City Council.
2. The Union Collective Bargaining Agreement applies to certain positions in the City. Additionally, the S.O.P. policy applies to the police department. The Union Collective Bargaining Agreement and the S.O.P. shall supersede any provisions of this Employee Handbook that may conflict with those documents.
3. Department Supervisors may formulate appropriate rules and regulations to regulate operating practices and procedures in their respective department as long as the prescribed rules and regulations do not conflict with or permit a lesser standard than the Employee Handbook, Collective Bargaining Agreement, Standard Operating Procedures, or City Policy. Any such departmental rules and regulations will be in written form, a copy shall be provided to employees who shall sign an acknowledgement of receipt and shall be retained in a manual of Standard Operating Procedures. All such departmental rules and regulations are subject to Mayor review.

## SECTION 2.6 EQUAL EMPLOYMENT OPPORTUNITY

Jesup provides equal employment opportunities to all employees and applicants for employment without regard to race, religion, color, creed, sex, sexual orientation, gender identity, age, national origin, disability, pregnancy, genetic information, veteran status, or any other characteristic protected by local, state, or federal law. This policy applies to all terms, conditions, and privileges of employment, including, but not limited to, recruitment, hiring, placement, compensation, and promotion, leaves of absence, training, discipline, and termination.

## SECTION 2.7. NON DISCRIMINATION

The City will not tolerate discrimination by or against any employee on the basis of race, religion, color, creed, sex, sexual orientation, gender identity, age, national origin, disability, pregnancy, genetic information, veteran status, or any other characteristic protected by local, state, or federal law.

All decisions regarding hiring, recruitment, examination and selection procedures, training, promotion, salaries and wages, demotions, discipline, terminations, layoffs, and recalls shall be performed without regard to any protected class status. No question in any examination, or any employment form, or in any other personnel proceeding shall be so framed as to elicit information concerning political or religious opinions of any applicant or employee.

Claims of discrimination should be brought to the attention of the City Attorney. Immediate action will be taken by the City to resolve all claims of discrimination.

Normally, a determination as to whether a claim of discrimination has merit will be made within five (5) days of filing the claim. Under usual circumstances, the investigation will be completed and a report issued within three (3) weeks of the filing of the claim. Efforts will be made to ensure the investigation and the report remains as confidential as possible, however, confidentiality cannot be guaranteed.

Employees whose conduct constitutes a violation of this non-discrimination policy shall be disciplined up to and including termination. The type of discipline will be determined on a case by case basis, contingent on the degree of the offense.

Through this policy, the City is affirming its commitment to create a work environment for all employees that is free of any form of discrimination.

## SECTION 2.8. ANTI-HARRASSMENT

Illegal harassment is defined as offensive verbal or physical conduct based on a person's race, creed, color, religion, sex, pregnancy, sexual orientation, national origin, age, or disability which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. It may also include unwelcome sexual advances such as requests for sexual favors or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made, either directly or indirectly, a term or condition of employment.
2. Submission to or rejection of such conduct is used as a basis for employment-related decisions, such as promotion, performance evaluation, pay, discipline, work assignment, etc.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

The City will not tolerate harassment in any form. Claims of harassment should be brought to the attention of the City Attorney. Immediate action will be taken by the City to resolve all claims of harassment.

Normally, a determination as to whether a claim of harassment has merit will be made within five (5) days of filing the claim. Under usual circumstances, the investigation will be completed and a report issued within three (3) weeks of the filing of the claim. Efforts will be made to ensure the investigation and the report remains as confidential as possible, however, confidentiality cannot be guaranteed.

Employees whose conduct constitutes a violation of this anti-harassment policy shall be disciplined up to and including termination. The type of discipline will be determined on a case by case basis, contingent on the degree of the offense.

Through this policy, the City is affirming its commitment to create a work environment for all employees that is free of any form of harassment.

## SECTION 2.9 RETALIATION

Employees who file good faith claims of discrimination or harassment shall not be subjected to retaliation. Witnesses who, in good faith, participate in any investigation regarding discrimination or harassment shall not be subjected to retaliation. Retaliation is punishing an employee by demoting them, terminating them, or changing their work conditions in a material way. The City shall not tolerate retaliation.

Claims of retaliation should be brought to the attention of the employee's supervisor (or a higher supervisor if the immediate supervisor allegedly is involved) and/or the Mayor. If a claim is made to a supervisor, the supervisor shall immediately notify the Mayor. Immediate action will be taken to resolve all claims of retaliation.

Normally, a determination as to whether a claim of retaliation has merit will be made within five (5) days of filing the claim. Under usual circumstances, the investigation will be completed and a report issued within three (3) weeks of the filing of the claim. Efforts will be made to ensure the investigation and the report remains as confidential as possible, however, confidentiality cannot be guaranteed.

Employees whose conduct constitutes a violation of this retaliation policy shall be disciplined up to and including termination. The type of discipline will be determined on a case by case basis, contingent on the degree of the offense.

Through this policy, the City is affirming its commitment to create a work environment for all employees that is free of any form of retaliation.

## SECTION 2.10. AMERICANS WITH DISABILITIES ACT AS AMENDED

The Americans with Disabilities Act as Amended prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities. The City will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of that person's physical or mental disability.

In compliance with the Americans with Disabilities Act as Amended (ADAAA), the City of Jesup will engage in the interactive process with qualified applicants or employees with disabilities to determine if a reasonable accommodation exists that will allow the applicant/employee to perform his/her essential job functions. A reasonable accommodation is an adjustment to the City to the employee's job or work environment that does not cause an undue burden that makes it possible for the employee to perform

his or her essential job functions. What constitutes a reasonable accommodation varies depending upon the needs of the employee and the essential job function at issue. The City encourages applicants or employees to raise any issues implicating the ADAAA with his/her immediate supervisor or the Mayor. All information regarding employees' disabilities and/or medical information shall be kept in a separate confidential medical file for the employee.

## ARTICLE 3. EMPLOYMENT POLICIES

### SECTION 3.1. BACKGROUND CHECK

A complete pre-employment background investigation will be conducted of all full-time candidates and employees who have direct contact with minors by the Jesup Police Chief. The intent of this investigation is to obtain full and complete disclosure of the following records: law enforcement, educational institutions, credit history, current and previous employment, and military service records. An Authorization for Release of Public Information form must be completed. A copy of this official form is included in the appendix of this manual (Appendix B).

The City does not have a policy of excluding all prospective employees with prior criminal histories, convictions, or incarcerations. Decisions regarding each prospective employee will be made on an individual basis. Upon receiving confirmation that a prospective employee has been convicted of a crime or incarcerated, the City will consider several factors in determining whether the history precludes the prospective employee's employment with the City. These factors include:

- The length of time since the crime/conviction or sentence was completed: generally, a time period of less than seven years will preclude a prospective employee from employment.
- The nature of the crime/conviction.
- The prospective employee's age at the time of the crime/conviction.
- The number of crimes/convictions (e.g. habitual offenders).
- How closely the crime/conviction relates to the prospective employee's anticipated job duties.
- The prospective volunteer's rehabilitative efforts since the crime/conviction.
- The prospective volunteer's record of performance since the crime/conviction.
- Any other mitigating factors identified or explained by the prospective volunteer.

If, based on the foregoing factors, the City determines that an offer of employment might be rescinded, the prospective volunteer will be afforded an opportunity to explain his or her criminal history, and why it should not disqualify him or her from employment. Any disqualifications will be job related and consistent with business necessity.

Although each decision will be made on an individualized basis, the following convictions normally will cause the City to assess a prospective volunteer's employability:

- Convictions pertaining to violent crimes such as murder, sexual abuse, felony assault, violence involving minors, crimes involving weapons.
- Offenses resulting in a person being placed on the sex offender registry.
- Felony drug convictions.
- Felony or serious misdemeanor convictions relating to property crimes including robbery, burglary, theft, embezzlement, forgery, arson.
- Driving records for anyone being considered for a driver role.

The foregoing list should not be considered all-inclusive. The City will review all prospective employee's criminal conviction and incarceration histories closely to evaluate the convictions and/or incarcerations

relatedness to a prospective volunteer's actual job position. The City will keep all information obtained about a prospective employee's criminal history, including convictions and incarcerations, confidential and will only use the information in the hiring process.

### SECTION 3.2. IMMIGRATION LAW COMPLIANCE

The City complies with the Immigration Reform and Control Act of 1986 and the Immigration Act of 1990 and is committed to employing only United States citizens and aliens who are authorized to work in the United States. As a condition of employment, each new employee must properly complete, sign, and date the first section of the Immigration and Naturalization Service Form I-9. Before commencing work newly, re-hired employees must also complete the form if the employee has not previously filed an I-9 with the City, if their previous I-9 is more than three years old, or is no longer valid. At the time the form is completed employees must show the original copies of two forms of legal identification such as driver's license, Social Security card, Birth Certificate, or an Immigration and Naturalization "green" card.

### SECTION 3.3. VETERANS' PREFERENCE

Any honorably discharged veteran as defined in Chapter 70.1 of the Code of Iowa is entitled to preference in appointment and employment over other applicants of no greater qualifications.

### SECTION 3.4. PHYSICAL EXAMINATION

All prospective employees shall be required to pass an employment health examination performed by a Jesup Clinic Physician at the City's expense prior to the first day of employment. The prospective employee's physical examination shall occur after an offer of employment has been made, but before the employee's first day of employment. A prospective employee may use his or her own physician, however, if the prospective examination shall then be paid for by the employee. Required medical laboratory and drug testing must be satisfactorily completed with satisfactory results prior to the first day of employment. The examining physician, whether the City-designated physician or a physician chosen by the employee, shall be provided a list of the prospective employee's essential job functions in order to determine if the prospective employee can perform the essential job functions.

### SECTION 3.5. PROBATIONARY PERIOD

Except as where otherwise provided under law, employees hired to fill a full-time, part time, seasonal, or temporary position, including employees who transfer to a new position within the organization, shall serve a probationary period of at least six months. This period may be extended for an additional three months if deemed necessary by the Mayor or Department Supervisor with City Council approval. During this period, the probationary employee's performance will be evaluated; if it is not up to standard, he/she may be terminated at any time. Completion of the probationary period does not alter the at-will nature of employment.

Probationary employees are eligible for insurance benefits, holidays, and sick leave, but are not eligible for vacation. An employee does not start to accrue vacation until he or she successfully completes probation.

## SECTION 3.6. EMPLOYMENT STATUS

### 1. FULL-TIME EMPLOYEES

Full time employees are those who are regularly scheduled to work 40 or more hours in a week. All hours worked over 40 hours per week shall be recorded by the Department Supervisor and reported to the City Clerk. Health and life insurance benefits are offered to all full-time Employees.

### 2. PART-TIME EMPLOYEES

Part-time employees are hired to work on a part-time basis, less than 30 hours per week. Regular, part-time employees working an average of 30 hours or more per week, or at least 130 hours per month, are eligible for health and life insurance benefits under the Union contract. The parties shall use a weekly average of the hours scheduled over the 12 months prior to July 1 for calculation of health and life insurance benefits. Health and life insurance benefits are not offered to employees who do not meet this threshold. Holidays and vacation are not offered to part-time employees.

### 3. TEMPORARY EMPLOYEES

Temporary appointments may be made, provided such appointments do not exceed six months' duration. Such appointments may be renewed for specific periods, not to exceed six months, provided funds are budgeted for and available, and the employee's additional services are required. Health and life insurance benefits are not offered to temporary employees.

### 4. SEASONAL EMPLOYEES

All seasonal employees are terminated at the end of their respective seasons and must re-apply at the beginning of each season. A temporary employee's "season" shall be communicated to the employee prior to beginning work. Health and life insurance benefits are not offered to seasonal employees.

### 5. VOLUNTEER FIRE AND AMBULANCE EMPLOYEES

Volunteer members of the fire and ambulance departments are subject to the provisions of this handbook except that they are not entitled to benefits. Volunteer Members of the Fire and Ambulance Departments are not compensated except for travel and training costs as covered in this manual. These costs are at the discretion of the Fire Chief, Ambulance Chief, and City Council. Performance standards of the Volunteer Members of the Fire and Ambulance Departments are governed by the individual Fire and Ambulance Department By-Laws, at the discretion of the City Council. Chiefs of the Fire and Ambulance Departments are additionally bound by the code of conduct standards of this manual.

Additional members of both departments who receive stipends are expected to abide by the rules of conduct of their respective Associations.

### SECTION 3.7. JOB CLASSIFICATIONS

1. Each Employee hired by the City, shall be assigned a Job Classification. A Job Classification Description Document shall be presented to the Employee. Upon the Employee's understanding of the Document as to the responsibilities and requirements of the Job Classification, the Employee shall be required to sign the Document as acknowledgement of their duties.
2. Employees changing Job Classifications shall be issued a new Job Classification Description Document. Upon the Employee's understanding of the new Document as to the responsibilities and requirements of the new Job Classification, the Employee shall be required to sign the Document as acknowledgement of their new duties.
3. Specific Employee Job Classification Descriptions and Requirements may be modified from time to time or replaced with other added Job Classifications by the Mayor and City Council.

### SECTION 3.8. PAYROLL DEDUCTIONS

Only deductions required by law and those you have authorized in writing will be deducted from your pay. All deductions are listed on your paycheck stub. The City complies with all state and federal regulations for proper payment of its employees and takes every precaution to determine the appropriateness of each deduction. Any employee who believes that an error has occurred must notify the City Clerk as soon as he/she realizes the error. If it is determined that an error has been made, the employee will receive reimbursement for the deduction on the next paycheck and the City will take actions to remedy any processes necessary to ensure future errors will not occur.



## ARTICLE 4: EMPLOYEE RESPONSIBILITIES

The City of Jesup has always maintained the highest standards of public service. Therefore, in all dealings with the public and with each other all City of Jesup employees are expected to respect the dignity of each individual. With the foregoing in mind, the City of Jesup has developed policies and rules for the benefit of us all

### SECTION 4.1. DRUG AND ALCOHOL POLICY

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace as well as to the public we serve. No employee shall illegally use, sell, transfer, purchase, or possess drugs, alcohol, controlled substances, or drug paraphernalia, or any combination thereof while in a City facility, vehicle, vessel, or aircraft or while performing City business, including business conducted in the employee's own home. The following describes prohibited activity under this policy, but does not include every single scenario that may be prohibited under this policy. Employees may be disciplined up to and including termination for any of the following:

1. No employee shall report for work while under the influence of illegal drugs or alcohol. Furthermore, no employee shall report to work within four (4) hours of consuming alcohol even if the employee does not believe he or she is under the influence of alcohol during that time. No employee shall use illegal drugs or consume alcohol while at work.
2. No employee shall use prescription drugs unless: (1) a doctor has prescribed the medication to the employee; and (2) the doctor has advised the employee that the drug will not adversely affect the employee's ability to perform the essential duties of his or her job without endangering the public's, coworkers', or the employee's safety.
  - a. Any employee using properly prescribed drugs that may impair the employee or affect the employee's job performance shall notify his or her immediate supervisor about the use of the drug. A drug may impair an employee or affect an employee's job performance if it may cause the employee dizziness or drowsiness or the employee or the employee's doctor believe the drug will impair the employee or affect the employee's job performance in some way.
  - b. If an employee is using a prescription drug and his or her doctor has advised him or her that the drug may adversely affect the employee's ability to perform the essential duties of his or her job, the employee shall advise his or her supervisor of the adverse effects and the prescribed period of use.
  - c. Supervisors shall document this information with an internal memorandum and maintain this memorandum in the medical file of the employee maintained by the City Clerk/Deputy Clerk. See subsection G for information regarding the storage of drug test results and other medical information.
  - d. Any employee using properly prescribed prescription drugs must carry the medication in its original container and the container must be labeled with the employee's name, employee's doctor, dosage, and the name of the drug prescribed.

3. Any employee who unintentionally ingests or is made to ingest a controlled substance shall immediately report the incident to his or her supervisor so that appropriate medical steps may be taken to ensure the employee's health and safety.

In accordance with the Federal Drug Free Workplace Act, employees must notify the City of Jesup of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction. Failure to notify the City of Jesup of a conviction for a criminal drug violation occurring in the workplace will be subject to disciplinary action up to and including termination.

## Section 4.2 DRUG TESTING

The City is committed to ensuring that its employees work in a safe, drug-free environment. It is well recognized that individuals who use illicit drugs or use alcohol are more likely to have workplace accidents and perform their work in an inefficient and substandard manner.

To effectuate this commitment, the City has determined that it must take the necessary steps to ensure that City employees are free from the influence of drugs and/or alcohol while performing their duties. The City has developed the following Drug and Alcohol Testing Policy, which covers all City employees not otherwise affected by state or federal drug testing laws. This policy is applicable to all city employees at any time they are actually performing, preparing to perform, or immediately available to perform any paid function as designated by the City.

All employees in positions requiring Commercial Drivers Licenses are subject to the federal and state laws requiring drug and alcohol testing and those laws supersede the provisions of this policy. The Federal Transit Administration has adopted drug and alcohol-testing procedures covering safety-sensitive employees engaged in mass transit and those laws supersede the provisions of this policy.

### DEFINITIONS:

- A. **Safety Sensitive Employee:** A safety sensitive employee is an employee working in a position wherein an accident or an error could cause the loss of human life, serious bodily injury, or significant property or environmental damage, including a position with duties that include immediate supervision of a person in a job that meet the requirements of this paragraph. However, the City reserves the right to add or remove positions from its list of safety sensitive positions at any time. This includes part-time safety sensitive employees.
- B. **Reasonable Suspicion Drug and Alcohol Test:** Drug or alcohol tests based upon evidence that an employee is using or has used alcohol or other drugs in violation of this written policy. Evidence in support of such a violation is drawn from specific objectives, articulable facts, and reasonable inferences drawn from those facts in light of training and experience. For the purposes of this paragraph, facts and inferences may be based upon, but are not limited to, any of the following:
  1. Observations while at work, such as direct observation of alcohol or drug use or abuse, or physical symptoms or manifestations of being impaired due to alcohol or drug use as described in the educational materials provided to employees.

2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
  3. A credible source's report of alcohol use or the use of drugs. The Mayor will have the final determination of who is a credible source.
  4. Evidence that an individual has tampered with any drug or alcohol test during the individual's employment with the City.
  5. Evidence that an employee has caused an accident while at work which resulted in an injury to a person for which injury, if suffered by an employee, a record or report could be required under Chapter 88 of the Iowa Code, or an accident that resulted in damage to property, including equipment, in an amount reasonably estimated at the time of the accident to exceed One Thousand Dollars (\$1,000.00).
  6. Evidence that an employee has manufactured, sold, distributed/solicited, possessed, used, or transferred drugs while on the employer's premises, or while operating the employer's vehicle, machinery, or equipment.
  7. The employee's statement or admissions of drug use while he or she is a City employee.
- C. **Positive Test:** An employee tests positive for drugs if any trace of an illegal substance is detected following a drug test. An employee tests positive for alcohol if he or she has a blood alcohol concentration equal to 0.04 or greater.
- D. **Illegal Drugs/Substances:** Any substance that is illegal by law has not been legally obtained, or which cannot be legally obtained. This includes prescription medication for which the employee does not have a prescription and/or is not taken according to the prescription.
- E. **City Official:** Elected officers of the City including the Mayor and City Council members.

## **POLICY STATEMENT/PROCEDURES:**

### **A. Notification:**

1. The City will notify applicants of this drug and alcohol testing policy at the time of his or her first interview.
2. The City will provide all employees with drug and alcohol education, including the effects of drugs and alcohol, signs and symptoms of drug and alcohol use, assistance available for those abusing drugs and alcohol, drugs and alcohol to be tested, and drug and alcohol testing requirements.
3. All drug testing results and other confidential information will be kept confidential.
4. Each employee and applicant will sign a form acknowledging receipt of these materials.

### **B. Employee Drug Testing:**

1. Post-Accident Testing
  - a. After an accident, testing shall be conducted on employees whose performance could have contributed to the accident if (1) it is required by state or federal law; or (2) reasonable suspicion exists.
2. Reasonable Suspicion Testing
  - a. When any supervisor, manager, or City Official has reasonable suspicion that a City employee is under the influence of drugs or alcohol while on duty, or otherwise violating the terms of this policy, that supervisor, manager, or official shall require reasonable suspicion testing.

- b. If reasonable suspicion testing is required, the employee will not be permitted to drive to or from the testing or while at work until the test is returned and then only if the test produces negative results. The City will provide transportation to/from the testing at the City's expense if necessary.

**C. Drug Testing Procedures:**

1. Drug and alcohol testing shall require the employee to present a reliable form of photo identification to the person collecting the sample.
2. Drug testing will be conducted at a location designated by a supervisor or the Mayor.
3. The City will designate the type of testing to be performed on the sample collected.
4. Drug and alcohol testing shall normally occur during or immediately before working hours begin or immediately after working hours. The time required for such testing shall be considered work time for the purpose of compensation and benefits.
5. A specimen-testing positive will undergo an additional test to confirm the initial result.
6. The drug screening tests selected shall be capable of identifying every major drug likely to be abused including, but not limited to, marijuana, cocaine, heroin, amphetamine, and barbiturates. Personnel utilized for testing will be certified as qualified to collect urine samples or adequately trained in the collection process.
7. Any employee who breaches the confidentiality of testing information shall be subject to discipline.
8. The City shall pay all testing costs for pre-employment, reasonable suspicion, regularly scheduled or follow-up drug or alcohol testing ordered by the City.
9. In conducting drug or alcohol testing pursuant to this policy, the laboratory, the Medical Review Officer, and the City shall ensure, to the extent feasible, that the testing records maintained by the City show only such information required to confirm or rule out the presence of prohibited alcohol or drugs in the body.

**D. Post-Testing Procedures:**

1. Employees having negative drug test results shall receive a memorandum stating that no illegal drugs were found. The employee may request a copy of the memorandum be placed in the employee's medical file.
2. An employee who has a positive drug or alcohol test, either from random testing or reasonable suspicion testing, shall be subject to disciplinary action up to and including termination.
3. If the employee is permitted to return to work, the employee may be required to submit to evaluation by a Substance Abuse Professional and undergo treatment recommended by the Substance Abuse Professional prior to returning to work. If the employee successfully completes the treatment, no further disciplinary action will be taken against the employee. If the employee refuses to submit to the evaluation or fails to successfully complete treatment, the employee will be subject to further discipline up to and including termination.
4. If the Substance Abuse Professional determines that, the employee has a drug or alcohol related problem the employee will be required to do follow-up testing upon the employee's return to work. All follow-up testing will be unannounced and without prior notice to the employee and will be at the employee's expense.

**E. Drug Test Results:**

1. All records pertaining to required drug tests shall remain confidential and shall not be provided to other employees or agencies, with the exception of the City Attorney, Mayor, and City Clerk, without the written permission of the person whose records are sought. The City Attorney, Mayor, and City Clerk shall have access to the records for purposes of employment decisions. Computerized record keeping shall comply with this provision of the policy.
2. Drug test results and records shall be stored and securely retained for an indefinite period in an employee medical file maintained by the City Clerk.

**F. Responsibility:**

1. It shall be the responsibility of the Mayor to enforce this policy. Employees are expected to report any suspicious behavior or suspected drug abuse of an employee.
2. It is the responsibility of each employee to abide by the procedures as outlined. Any employee refusing to submit to a drug test request made under this policy will be subject to discipline up to and including termination.

**SECTION 4.3. SMOKING POLICY**

In accordance with Iowa law, employees are not permitted to smoke in any company-owned vehicles. For employees found to be in violation of this rule, the following disciplinary actions will apply:

1st Offense	Suspended one day without pay
2nd Offense	Termination

**SECTION 4.4. DISCIPLINARY ACTION**

If necessary, the City will discipline employees engaging in unsatisfactory conduction in the workplace.

If an employee’s conduct, work habits, performance, attitude, and/or demeanor is unsatisfactory or in violation of the provisions of this Handbook, the employee shall be subject to disciplinary action in accordance with the gravity of the offense up to and including termination. Certain offenses, depending upon the nature and circumstances of each situation, may be corrected using progressive discipline. Situations that the City believes will respond to corrective discipline may be handled as follows:

1. Oral Warning. The Mayor or the employee’s immediate supervisor may give the employee a verbal warning (which shall be documented in employee’s personnel file).
2. Warning notice or written reprimand. If the unsatisfactory conduct continues, the Mayor or immediate supervisor may issue a written warning (which shall be documented in employee’s personnel file).
3. Suspension. If sufficient improvement has not been made or if the conduct continues, the employee may be suspended with or without pay.
4. Termination. If the conduct continues, the City may terminate the employee.

Nothing in this policy creates a requirement that the City follow the order of the disciplinary actions listed above. The City reserves the right to determine the appropriate discipline for the circumstance(s). In cases involving serious misconduct, the employee will be immediately suspended and if appropriate terminated. The agency reserves the right to terminate an employee for any misconduct when it determines that it is in the best interest of the agency.

#### SECTION 4.5. IMPROPER BEHAVIOR AND PROHIBITED ACTIONS

The policies throughout this Handbook, including those on this list provide a list of inappropriate actions and behaviors. You are encouraged to read this list of inappropriate actions and behaviors and to understand them fully. Violation of any of the policies in this Handbook, including this policy, or any other illegal, unsatisfactory, or insubordinate behaviors may result in discipline up to and including termination.

1. Improperly treating or exhibiting disrespect towards a fellow employee, vendor, citizen or other individual while on City property or working on behalf of the City.
2. Insubordination or lack of cooperation.
3. Failing to follow City of Jesup job instructions.
4. Failing to follow instruction of or to perform work requested by your Department Supervisor.
5. Failure to meet a City of Jesup measure of efficiency or productivity, as determined by the Department Supervisor.
6. Violating the City policy regarding telephone and information technology.
7. Unauthorized or excessive absences (including late arrival and early departure) from work.
8. Sleeping on City of Jesup property or during the time in which you are supposed to be working.
9. Abusing, wasting, or stealing City of Jesup property or the property of any City of Jesup employee or non-employee.
10. Removing City of Jesup property or records without written authorization from the City Clerk and Mayor.
11. Falsifying your employment application or other personal records.
12. Falsifying City of Jesup reports or records (including timesheets).
13. Violating the law on City of Jesup premises or while acting on behalf of the City of Jesup, including gambling.
14. Fighting or starting a disturbance on City of Jesup premises or while performing job duties including, but not limited to, assaulting or intimidating a City of Jesup employee or non-employee.
15. Unauthorized possession of firearms, weapons, or dangerous substances while performing job duties or on City of Jesup premises.
16. Reporting to work in a condition unfit to perform your duties, including reporting to work with measurable amounts of illegal drugs or controlled substances in your system or being under the influence of alcohol or drugs or controlled substances.
17. Consuming or selling alcohol, illegal drugs or controlled substances on City of Jesup premises or while performing your job duties.
18. Smoking, eating, and drinking in prohibited areas.

19. Violating a City of Jesup safety rule or practice, thereby creating or contributing to unhealthful or unsanitary conditions.
20. Acting in conflict with the interests of the City of Jesup.
21. Disclosing confidential City of Jesup information.
22. Unauthorized solicitation or distribution on City of Jesup property.
23. Using profanity towards others.
24. Failing to fully cooperate in any City of Jesup investigation.
25. Failure to fulfill financial responsibilities to the City of Jesup, including but not limited to utility bills.
26. Dishonesty
27. Insubordination
28. Recklessness resulting in an accident while performing job duties.
29. Threat or physical assault on a City employee while on duty or on City property.
30. Working unauthorized hours or violating working hours, rest periods, lunch periods, or other City hours of work policies.

#### SECTION 4.6. SOCIAL MEDIA POLICY

Social media includes, but is not limited to, electronic communication through which users create online communities to share information, ideas, personal messages, photographs, videos, and other content. Examples of the types of social networking sites covered by this policy include, but are not limited to: blogs, LinkedIn, Facebook, Google+, Twitter, YouTube, Instagram, Pinterest, Snapchat, YikYak, photo and video sharing sites, micro-blogging, podcasts, wikis, news sites, as well as viewable comments posted on Internet sites. This policy is not meant to address only certain forms of social media, but rather social media in general as advances in technology will occur and new tools will emerge that are also expected to be used in accordance with this policy.

All City employees, including reserve police officers, volunteers, council members, and members of all Boards and Commissions, are expected to use City computers, tablets, mobile phones, computer applications and programs, internet resources and network communications in a responsible, professional, ethical, and lawful manner at all times. This includes use of all social media utilizing these devices. Employees should be aware that all content, including social media, on these devices is not private and the employer could access any information saved to, accessed by, created on, transmitted on, downloaded to, exchanged over, or discussed on these devices, including social media, at any time. Consequently, employees should use common sense in all communications, particularly on a website or social networking site accessible to anyone. Additionally, all employees are expected to follow all other City policies with regard to their social media. Any employee who violates this policy may be subject to disciplinary action up to and including termination.

#### PROCEDURES:

The procedures for using Social Media are presented in two categories: (1) City sponsored sites used to provide citizens with official, accurate, and unbiased information, and (2) procedures governing employees' conduct while on social media sites.

1. City-Sponsored Sites:

- A. The City's social media sites are not an editorial page or blog for visitors to express personal opinions regarding such information. The City does not intend by its social media sites to create or allow the creation of an unlimited or open public forum for the public to post comments of any kind.
- B. The establishment and use by any City department of City social media sites are subject to approval by the Mayor. At the time such site is approved, the Mayor must determine who will be responsible for developing this site including establishing an administrative profile designating who will have authority for speaking on behalf of the City, and who will keep the site up to date, including answering questions in a timely manner.
- C. City social media accounts will only become affiliated (i.e., "like," "follow," etc.) with another social media page if it is related to official City business, services, and events. The Mayor shall have the final determination if another social media page is related to official City business, services, and events.
- D. Wherever possible, City social media sites should link back to the official City website for forms, documents, online services, and other information necessary to conduct business with the City.
- E. The Mayor or his/her designee will monitor the City's social media accounts to ensure that the social media sites further the City's policies, interests, and goals.
- F. Comments containing any of the following inappropriate forms of content will not be allowed on the City's social media sites and are subject to removal by the City:
  - a. Comments unrelated to the original topic;
  - b. Content that promotes, fosters or perpetuates discrimination of any protected class under local, state, or federal law;
  - c. Defamatory or personal attacks;
  - d. Threats to any person or organization;
  - e. Comments in support of, or in opposition to, any political campaigns or ballot measures;
  - f. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
  - g. Conduct in violation of any federal, state or local law;
  - h. Encouragement of illegal activity;
  - i. Information that may tend to compromise the safety or security of the public or public systems; or
  - j. Content that violates a legal ownership interest, such as a copyright;
  - k. Comments that are threatening in nature will be forwarded as appropriate to law enforcement.
- G. The City reserves the right to restrict or remove any content that is deemed in violation of City policy, including this policy, or applicable law. Any content removed based on these guidelines must be retained by the Mayor or his/her designee for a minimum of 90 days, including the time, date, and identity of the poster, when available.



- H. Comments posted by the public on the City's social media site express the opinions of the commentators or posters. Such comments do not necessarily reflect the opinions or policies of the City, and the publication of such comments does not imply endorsement or agreement by the City.
- I. The City is not responsible for and has no control over the accuracy, subject matter, content, information, or graphics when viewing links attached to its social media sites. The City also does not endorse any organizations sponsoring linked websites or the views or products they offer.
- J. The City reserves the right to deny access to its social media site for any individual who violates the City's policies or the law at any time and without prior notice. The City reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable local, state, or federal law.
- K. The City's website at <http://www.jesupiowa.com/> will remain the City's primary and predominant Internet presence.
- L. Employees representing the City via social media accounts must conduct themselves at all times as representatives of the City and must identify themselves as representatives of the City when doing so. Employees that fail to identify themselves and/or conduct themselves in an appropriate manner shall be subject to discipline up to and including termination.

#### EMPLOYEES' PERSONAL USE OF SOCIAL MEDIA:

- A. Employees are prohibited from using City technology, networks, or internet for social media during working hours unless authorized by a supervisor.
- B. Employees may not, unless expressly authorized in writing, make statements on behalf of the City on the employee's social media accounts. If an employee wishes to make a work-related statement on his/her social media, the employee should consider including a disclaimer indicating that the opinions are the employee's personal opinions not the opinion of the City.
- C. Employees shall not use City-provided email accounts to sign up or register for or access social media, social networks, or blogs for personal use unless expressly authorized to do so by the employee's supervisor.
- D. Employees shall have no expectation of privacy if they access their social media using City e-mail, City networks, City servers, City devices, and/or any other City resources when accessing social media.
- E. Employees shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment with the City unless expressly authorized. In addition, employees are expected to respect the privacy of their co-workers and citizens and must take steps to protect the privacy and confidentiality of others.
- F. Employees are not to use the City's intellectual property such as trademarks, logos, letterhead, *etc.* when posting on social media or in any other actions, unless expressly authorized in writing.

This includes posting pictures of yourself or others wearing City uniforms or other apparel bearing the City's name or logo.

- G. Employees are not allowed to use photographs or other depictions related to City business, including as discussed in the paragraph above, unless expressly authorized in writing. This includes, but is not limited to, posting, transmitting, and/or disseminating any photographs or videos of City training, activities, or work-related assignments.
- H. Employees shall not post material that is abusive, obscene, libelous, threatening, profane, or otherwise inappropriate about the City, its employees, or citizens.
- I. Employees shall not post material that may be construed to be discriminatory, harassing, or retaliatory under local, state, or federal law about the City, its employees, or citizens.
- J. Nothing in this policy is intended to infringe upon any employee's legitimate First Amendment rights and employees are free to express themselves as private citizens on social media sites. The intent of this policy is to prevent employees from engaging in unlawful speech, improperly impairing the working relationships of this City, impeding the performance of City duties and/or negatively affecting the public perception of the City. As public employees, employees are cautioned that speech made pursuant to an employee's official duties is not protected speech under the First Amendment and may form the basis for discipline.
- K. Employees should note that nothing in this policy is meant to prohibit employees from engaging in concerted protected activity where prohibited by the National Public Employee Relations Board and Iowa Public Employee Relations Board.
- L. The City of Jesup reviews applicants' and employees' public social media accounts prior to employment and, from time to time after the employee's hire.

#### SECTION 4.7. PERSONAL APPEARANCE AND HYGIENE

Employees shall be neat and clean at all time, when interacting with the public. Clothing shall be neat and in clean order. Hair shall be groomed and clean. Employees shall maintain a high level of hygiene as not to be offensive to others.

#### SECTION 4.8. INVESTIGATION PROCEDURE

Investigations will be handled by the Mayor or his/her designee. Investigations will be handled timely, completely, objectively and as confidentially as possible.

During the investigation, the investigator may take notes to capture specific details. Statements of other employees/individuals involved may also be captured. Statements of principle parties and witnesses will be obtained in written form and will be signed and dated. The investigation will begin as soon as possible and will be concluded within fourteen (14) calendar days from the date of complaint, unless circumstances delay the investigation. Employees are required to fully cooperate with any member of management who is conducting a work-related investigation. Retaliation against parties or

witnesses shall not be tolerated. The employee calling for an investigation will be notified of the outcome of the investigation once a decision has been determined.

Every effort will be made to promptly investigate allegations of discrimination or harassment in a confidential manner. As much as possible, the claimant's name and circumstances surrounding the complaint will be kept confidential, but absolute confidentiality cannot be guaranteed. While complete confidentiality may not be possible, in no event will persons outside the City receive the investigation report(s) unless ordered by an arbitrator or judge with competent jurisdiction over the matter. Claims of discrimination, harassment, and/or retaliation and principle party and witness statements will be kept as confidential as possible.

Upon completion of investigation, the Mayor will secure documentation relating to the case, present in writing findings and conclusions to the supervisor and if disciplinary action is warranted the supervisor or Mayor will issue discipline. Any employee who is determined during investigation to have engaged in discrimination, harassment, and/or retaliation will be subject to immediate and appropriate disciplinary action, up to and including termination. Also, intentionally false allegations or statements made during the course of the investigation will be subject to disciplinary action, up to and including termination. In the event a non-employee subjects an employee to discrimination, harassment or retaliation in the workplace, the Mayor will inform the non-employee and (if appropriate) his or her employer of the City's policy against discrimination, harassment and retaliation. The City will require the person (or, if appropriate, his or her employer) to take prompt action that the City deems appropriate to remedy the situation and to prevent further discrimination, harassment or retaliation.

Documentation regarding discrimination/harassment investigations and findings will be maintained by the Mayor, separate from the employee personnel files.

#### SECTION 4.9. CONFLICT RESOLUTION PROCEDURE

It is the City's policy to treat all employees equitably and fairly in matters affecting their employment. Each employee will be provided ample opportunity to understand and resolve matters affecting his/her employment, which the employee believes are unjust. The complaint procedure established in this policy shall be available to all regular City employees not covered by a collective bargaining agreement and who have completed their initial orientation period with the city. Employees shall have the right to present complaints without fear of reprisal.

Note: Complaints involving discrimination, harassment, or retaliation shall be handled under those provisions of this handbook or under any procedures offered under state and federal law. Any other complaint of an employee shall be handled in accordance with the following procedure:

**Step 1.** If comfortable doing so, employees are encouraged to express their objection to behaviors to the person engaged in the behavior.

**Step 2.** If an employee is uncomfortable, discussing his or her complaint directly with the person engaged in the behavior or if that is unsuccessful, the employee shall discuss any alleged violation with her/his immediate supervisor. The employee should discuss his or her complaint with the employee's immediate supervisor within seven days of the date of the incident. The immediate supervisor shall respond to the employee in writing no later than seven days after the initial discussion. Every effort should be made to resolve the complaint at Step 1.

**Step 3.** If the Step 2 response fails to resolve the matter, the aggrieved employee may present the complaint in writing to the Mayor within seven days following receipt of the Step 2 response. The employee should include the complaint, the date of the complaint, suggestions on ways to resolve the complaint and a copy of the supervisor's Step 2 response in the employee's submission to the Mayor. Normally within five (5) days of receiving the claim the Mayor will issue a written decision, however, under unusual circumstances the Mayor's decision may take up to three weeks to be issued. The Mayor's decision shall be final and binding.

#### SECTION 4.10. NEPOTISM

It is the City's policy to observe and support the philosophy of equal employment opportunity in all hiring decisions. In addition, nepotism (meaning favoritism that is based on either a blood or marital relationship) is also to be avoided. The immediate family or any member of the same household of current City employees will not be employed by the City of Jesup under any of the following circumstances:

1. When one of the employees would have authority or practical power to supervise, appoint, remove, influence salary or compensation decision, or discipline the other; or
2. When one party would handle confidential material that creates improper or inappropriate access to that material by the other; or
3. When one party would be responsible for auditing the work of the other; or
4. When both parties would be supervisors and not subject to the collective bargaining agreement as an employee;
5. When other circumstances exist that might lead to potential conflicts of interest among the parties, or conflict of interest of one or both parties, in the best interest of the City.

Change in Circumstances: If two employees marry, begin sharing living quarters with one another, or become related by marriage or adoption and, if in the City's judgment, potential problems noted above exist or reasonably could exist, only one of the employees will be permitted to remain employed by the City. The decision as to which employee will remain employed by the City must be made by the two employees within thirty (30) calendar days of the date they marry, become related or share living quarters with each other. If no decision is made during this period, the City reserves the right to terminate either employee or both.

Immediate Family Member: Includes spouse, domestic partner, parent, child, brother, sister, son, daughter, mother, father, mother-in-law, father-in-law, son-in-law, daughter-in-law, grandparents, grandchild, or any other relative who resides in the employee's home. An individual is considered a relative whether related by blood, marriage, or adoption.

Chapter 71 of the Iowa Code shall apply to this policy when appropriate.

## **ARTICE 5. OVERTIME**

### **SECTION 5.1. EXEMPT AND NON-EXEMPT EMPLOYEES**

**PAYROLL EXEMPT:** Salaried staff members earning an annual salary equal to or greater than that required under the Fair Labor Standards Act (“FLSA”) may be considered “exempt” employees under the FLSA. The FLSA provides that certain employee shall be considered exempt due to professional, administrative, or executive positions they hold within the agency. Exempt staff members work full time, at least eighty (80) hours per pay period, and do not accrue overtime pay for any hours worked over forty per week. Employees should consult with the City Clerk if they have questions regarding their classification as an exempt employee.

**PAYROLL NON-EXEMPT:** Employees that are not considered exempt are paid on an hourly basis rather than a salaried basis. Non-exempt employees are entitled to overtime pay of 1.5 times the regular hourly rate of pay for all hours worked over 40 per workweek and 2.5 times the regular hourly rate during holidays. All overtime must be approved in advance. An employee’s failure to seek approval for overtime prior to working overtime will result in discipline for that employee. Employees should consult with the City Clerk if they have questions regarding their classification as a non-exempt employee.

### **SECTION 5.2. GENERAL PURPOSES**

All full-time employees shall normally work forty (40) hours per workweek. Non-exempt employees who work in excess of forty hours per work week in any work week shall be entitled to overtime pursuant to the FLSA. Non-exempt employees shall not work more than forty hours without prior approval from their department head or the Mayor. The City of Jesup will compensate non-exempt employees working over forty hours in any work week either by (1) payment of a wage of one and one-half times their normal wage or (2) awarding the employee compensatory time equal to one and one-half hours of the overtime worked by the employee as required by the FLSA. The employee is required to take the compensatory time off as soon as possible. Employees shall fill out an Employee Leave Request form to request compensatory time off. Employees shall not be permitted to accrue more than 80 hours of compensatory time. Once an employee has accrued 80 hours of compensatory time, all overtime shall be paid to the employee as overtime pay.

### **SECTION 5.3. HOURS OF OPERATION**

Work schedules for employees vary by department. Supervisors will advise employees of their individual work schedules. 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 work day.

City Hall hours of operation will generally be: 8:00 AM–4:30 PM Monday – Friday. Public Works Departments hours of operation will generally be 6:30 AM to 3:00 PM Monday through Friday. However, management reserves the right to change the hours of operation and/or the hours an employee is required to report to work at any time. Furthermore, in cases of emergencies, employees

may be required to work different or additional hours outside the employee's normal work schedule and/or the normal hours of operation.

A half hour (unpaid) lunch break will be observed by all city employees, (with the exception of the Police Department), during an eight (8) hour shift. To the extent reasonably possible, each employee shall receive a fifteen (15) minute break 9:00 AM-9:15 AM during the first half of the work day and a fifteen (15) minute break 2:00 PM to 2:15 PM during the second half of the work day.

#### SECTION 5.4. OVERTIME DURING LEAVE PERIODS

In calculating eligibility for overtime, time taken officially as vacation leave, comp time, or holidays shall be considered as time worked. During a sick leave period, the employee shall not be offered overtime or call time. Overtime worked by fellow employees during this leave period, shall not be used in the future determination of who is to work the next overtime available after the employee returns from leave.

### **ARTICLE 6: EMPLOYEE COMPENSATION AND BENEFITS**

#### SECTION 6.1. DETERMINATION OF RATES OF PAY

Prior to being hired by the City of Jesup, an Employee's rate of pay will be by the potential employee's qualifications and experience as it relates to the job opportunity. The Rate of Pay shall be determined by the City Council who shall have final approval responsibility for the amount. For Union employees, the City shall follow the requirements of the Union contract when determining new hire rate of pay.

#### SECTION 6.2. EVALUATIONS

While employed by the City of Jesup, an employee's Department Supervisor shall formally review his or her work performance, attendance, compliance with City policies and procedures, including this Handbook, and general job attitude on an annual basis and the City Council will take note of an employee's supervisor's written review regarding your work performance, attendance, compliance with City policies and procedures, including this Handbook, and general attitude toward the job. These written reviews will be stored in an employee's personnel file.

During their employment with the City of Jesup, Department Heads shall undergo formal evaluations by the Mayor concerning work performance, attendance, compliance with City policies and procedures, including this Handbook, and general job attitude on an annual basis. The City Council will then assess the written review with the option of adding written comments. These written reviews will be stored in the Department Head's personnel file.

Evaluations shall be completed no later than November 30 of each year.

#### SECTION 6.3. PAY RATE INCREASES AND RAISES

Union employees shall receive wage increases pursuant to the Union contract.

Wage increases will generally be determined by the economic status of the city and if the economic status of the City allows for a wage increase the employee's performance review from the prior year. Wage increases, if given, shall be implemented by July 1 of each year. Employees are not guaranteed a wage increase every year. All wage increases must be approved by the City Council prior to being implemented.

**SECTION 6.4. LONGEVITY PAY**

Longevity pay will be computed for all regular full-time employees on the following basis.

Completed Years of Employment	Pay per Pay Period	Completed Years of Employment	Pay per Pay Period
5	\$10.00	18	\$75.00
6	\$15.00	19	\$80.00
7	\$20.00	20	\$85.00
8	\$25.00	21	\$90.00
9	\$30.00	22	\$95.00
10	\$35.00	23	\$100.00
11	\$40.00	24	\$105.00
12	\$45.00	25	\$110.00
13	\$50.00	26	\$115.00
14	\$55.00	27	\$120.00
15	\$60.00	28	\$125.00
16	\$65.00	29	\$130.00
17	\$70.00	30	\$135.00

**SECTION 6.5. UNIFORM ALLOWANCE & PERSONAL APPEARANCE / HYGIENE**

The City expects its employees to be presentable to the public at all times. The City also expects all employees to be neat and clean when interacting with the public. The city understands that there are circumstances that will occur when employees are engaged in work that will render the employee to be dirty or stain-covered. Employees should make every attempt to become presentable to the public after such work is complete.

**1. Police Uniform Policy and Allowance**

All newly hired employees shall receive two (2) winter shirts, two (2) summer shirts, and one (1) winter coat. New-hire police officers shall also receive two (2) trousers, one (1) bulletproof vest, and one (1) clip-on tie at no cost to the employee. Following an employee's first year of employment, the City shall allow each employee to bill up to \$500.00/year for uniform replacement items. Employees shall not receive this money directly. All costs must be billed through the City. Part-time employees working in excess of thirty hours per week shall be eligible to receive a uniform and replacement items under this policy. Employees shall return old uniforms to the Chief of Police upon receipt of the replacement items.

Additionally, the City shall provide each employee with the equipment the City deems necessary for the employee to do his or her job. Equipment is not part of the Uniform Replacement Policy and shall be replaced whenever necessary.

For Jesup Reserve Police officers the City shall provide two badges, collar brass, a name plate, and a bullet resistant vest. A weapon will be provided only if one is available. The City will provide all ammunition needed for reserve officer training and qualification purposes. The City will provide a one-time reimbursement to reserve officers up to \$250.00 for uniform purchases. Reserve officers seeking this reimbursement must provide an invoice to the City Clerk. Reimbursement shall not be made for education or training.

#### 1. Non-Police Employees Uniform Policy and Allowance

Except for the Police Department, at the City's discretion all other City employees may be provided with department specific workplace attire and cleaning of said workplace attire by the City at no cost to the employee.

#### 2. Uniforms Property of the City

All uniform and equipment shall remain the property of the City without any exception. Uniforms and equipment shall be returned to the City on the date of the employee's termination of employment. Any uniforms or equipment not returned may be deducted from the employee's final paycheck.

### SECTION 6.6. HEALTH INSURANCE

1. Health Insurance is available for all employees. The renewal date is April 1 of each year. The city pays 80% of the premium for the full-time employees, with the employees submitting proof of expense for the deductible up to an amount determined by City Council and 20% of the premiums.
2. The health insurance will be in effect for new full-time employees on the first of the month following the first 30 days of employment. Health Insurance will not be offered to part-time employees.

### SECTION 6.7. DENTAL AND VISION BENEFITS

The Employer will reimburse each full-time employee up to \$600.00 per year, for the employee's and employee's immediate family members' dental and vision expenses, commencing July 1 of each year. Reimbursement will be issued following receipt of invoice.



## **ARTICLE 7. EMPLOYEE LEAVE**

### **A. SICK LEAVE**

The use of sick leave is designed to help safeguard employees' health and morale, but such leave is a privilege and not a right, which an employee may use as he/she pleases. The abuse of sick leave is grounds for termination.

#### **SECTION 1: RATE OF EARNINGS**

All regular full-time employees shall earn sick leave at a rate of eighteen (18) days per year accumulated at one and a half (1 1/2) days of sick leave per month and shall have the right to accumulate unused sick leave up to a maximum of ninety (90) days.

#### **SECTION 2: USE OF SICK LEAVE**

In case of illness, employees shall contact their respective department heads at least four (4) hours prior to their scheduled starting shift time. The City Clerk shall be notified and will in turn notify the Mayor.

1. Family Illness—Non-Union employees may use accrued sick leave in the event of family illness. This may be to take an immediate member of the family to the doctor, dentist, or other persons or facilities depending on the illness. The immediate family includes husband, wife, child, step-child, father, and mother. Except for emergency or unanticipated situation, an employee shall fill out an Employee Leave Request form prior to taking any family illness leave and such leave shall be approved by the employee's Supervisor and Mayor. If the family illness leave is due to an emergency or unable to be anticipated, the employee shall notify his or her supervisor and the Mayor as soon as possible and fill out an Employee Leave Request form upon his or her return to work. The Mayor will then review the employee's request and determine if the leave qualifies for family illness leave.

2. Union employees may use sick leave for an illness related to the employee's immediate family or the birth of the employee's child pursuant to the Union contract. For union employees, immediate family is defined pursuant to the Union contract. Except for emergency or unanticipated situation, an employee shall fill out an Employee Leave Request form prior to taking any family illness leave and such leave shall be approved by the employee's Supervisor and Mayor. If the family illness leave is due to an emergency or unable to be anticipated, the employee shall notify his or her supervisor and the Mayor as soon as possible and fill out an employee leave request upon his or her return to work. The Mayor will then review the employee's request and determine if the leave qualifies for family illness leave.

3. Daily notification to the employee's Supervisor is required when an employee is sick. The employee's Supervisor and City Clerk should be notified periodically of the date the employee anticipates returning to work. In the event it is the City Clerk who is ill, the Deputy Clerk will be notified. The Deputy Clerk shall notify the Mayor.

4. If an employee is absent for three or more consecutive days the employee must have an excuse from a medical doctor. In some cases, a medical excuse may be required from a medical doctor if absent after one day.
5. Sick leave shall not be granted the last two weeks of employment unless there is an excuse from a medical doctor. Any unused sick leave shall be lost in the event of termination or resignation. There will be no payment of accumulated sick leave.
6. Sick leave is to be charged in units of whole hours or whole days.
7. Personal Illness--In case of a long-term personal illness, will be taken first with sick leave, second with comp time and third with vacation.
8. All city employees are covered under Workmen Compensation for injuries incurred while on duty. These should be reported to the City Clerk who will immediately forward the information to the Mayor and Department Supervisor.
9. General leave without pay--All full-time employees may request leave without pay for any reason considered valid by his/her Supervisor upon approval of the Mayor and City Council.
10. Leave without pay shall not exceed one (1) month, but may be extended for an additional one (1) month upon recommendation of the Department Supervisor with approval of the Mayor and City Council. Leave without pay must also be taken with the employee having to pay the entire monthly group premium for the health insurance and life insurance programs provided by the City.
11. Funeral Leave--In the case of funeral leave, an employee may take up to five (5) days leave of absence in the employee's or spouses immediate family. In reference to funerals specifically: immediate family includes husband, wife, child, grandchild, or stepchild, mother or father, brother, sister, mother-in-law, father-in-law, sister-in-law, and brother-in-law. Any such leave shall be used within six (6) months and only for the scheduled workdays falling within the period commencing upon the death and extending through the day after the service. An employee may take one-day leave for the death of a grandparent, aunt, or uncle. This would include step-mother, step-father, step-brother, step-sister, and step-grandparents. In the event of the above 1 day funeral leave, additional unpaid funeral leave days may be requested if the funeral is out of the State of Iowa. Vacation or other leave may be used for these additional unpaid days. In all cases of funeral leave, a written request form shall be filled out and signed by the Supervisor. The employee may be required to show written confirmation that the funeral was attended from the Funeral Director.
12. Employees may take (1) day unpaid leave for a funeral if they are a participant in the funeral service or if the funeral is for a friend or relative not listed above. Leave requests must be approved by the employee's supervisor.

## B. PREGNANCY AND MATERNITY LEAVE

In accordance with state and federal law, the City shall grant employees disabled by pregnancy a leave of absence if the leave of absence is for the period that the employee is disabled because of the employee's pregnancy, childbirth, or related medical conditions or for eight (8) weeks, whichever is less. Employees shall be granted this leave even if no other leave, including sick leave, is available to the employee, however, an employee shall run all applicable leave available, including sick leave or vacation, concurrent to the pregnancy and maternity leave. It is important to note that this is disability leave due to disabilities related to an employee's pregnancy, childbirth, or other related medical conditions, not parental leave. While on this leave, employees may continue health insurance benefits if the employee continues to pay the employee's portion of insurance premium at her expense. If an employee chooses not to continue benefits while on leave, the employee will have the option of continuing benefits when they return to work with no waiting period.

The City shall treat a pregnant employee unable to perform her job due to a medical condition related to pregnancy or childbirth in the same way as it treats any other temporarily disabled employee. Additionally, if a pregnant employee endures impairments resulting from pregnancy (i.e., gestational diabetes, pre-eclampsia) the City will evaluate those impairments under its ADA policy.

Employees shall fill out an Employee Leave Request form prior to pregnancy and/or maternity leave when possible.

## C. CIVIL LEAVE

### SECTION 1. JURY DUTY

All full-time city employees selected for jury duty shall be entitled to Civil Leave with pay for the period of absence required. Such leave shall not be charged to annual or sick leave earnings, except that on any day when such employee is excused from service on a jury he will be expected to report for duty at the regular place of work if within reasonable commuting distance or be charged vacation for the time excused from jury duty because of illness shall be charged sick leave. Jury fees shall be turned into the City and the City will compensate the employee as a normal workday.

### SECTION 2. OFFICIAL COURT ATTENDANCE

All full-time employees subpoenaed or ordered to attend court to appear as a witness or to testify in some official capacity on behalf of the City, State, or the Federal Government shall be entitled to leave with pay for such period as his court attendance may require.

### SECTION 3. PRIVATE LITIGATION

Absence of a City employee to appear in private litigation shall be charged to vacation or comp time when such appearance is not on behalf of the City, State, or Federal Government.

## SECTION 4. MILITARY LEAVE

Employees who are members of the Reserves or the National Guard will be granted, upon request, an unpaid leave of absence for military training duty. Employees requesting such leave shall fill out an Employee Leave Request form. However, they must present their orders in advance to the City Clerk. Employees eligible for vacation may use their vacation for their military leave.

A military leave will also be granted to employees who enter active military service in the Armed Forces or who are ordered for an initial period of active duty for training in the Reserves of the National Guard. Employees will be paid for any unused vacation, if eligible, on a pro rate basis for that year in accordance with the terms of the vacation policy set forth in this Handbook. Employees who return to work after an extended absence for military service are eligible for reinstatement in accordance with applicable law. They must, however, seek reinstatement within the required time limits and be qualified for work. If you have any questions regarding military leave, please contact the City Clerk.

## D. VACATION LEAVE

### SECTION 1: PURPOSE

It is the policy of the City of Jesup to provide vacation affording for healthful rest and relaxation to all full-time employees. No employee shall be paid for vacation if vacation has not yet been earned.

### SECTION 2: WORKWEEK

As used in this policy, the term "workweek" shall mean the number of hours an employee is scheduled to work during a normal week. A normal workweek is considered forty (40) hours.

### SECTION 3. RATE OF EARNINGS – VACATIONS

All full-time employees shall earn vacation time at a rate of the following:

Year of Employment	Hours Per Pay Period
< 4	3.0
>= 4 & < 8	4.0
>= 8 & < 12	5.0
>= 12 & < 16	6.0
>= 16	7.0

1. Employees may accumulate no more than one-hundred eighty-two (182) hours of vacation time.
2. A request form for vacation shall be filled out and approved by the Supervisor or Mayor. An employee's supervisor may require requests for vacation be received at least one (1)

week in advance of the requested vacation leave. Failure to have the form signed shall result in the loss of vacation pay.

#### SECTION 4. EXCEPTIONS TO VACATION LEAVE

1. Exceptions must be approved by the City Council.
2. Temporary and seasonal employees are not entitled to vacation time.
3. Employees on leave without pay, except for pregnancy and maternity leave shall not earn credits for paid vacation while in leave status.

#### SECTION 5. USE OF VACATIONS

Except in the case of an emergency, all earned vacation time must be approved in advance by the employee's Supervisor or Mayor. All requests should be made on the Employee Leave Request form. A request for vacation, even two weeks prior to the date the vacation is requested, is not a guarantee that the employee will be granted vacation. Whether or not an employee is granted vacation is determined on the staffing requirements as determined by the City.

When the City observes an earned holiday during the period an employee is on an earned vacation, the employee shall receive time off at another date. When an employee terminates employment, the employee shall be paid for accrued, unused vacation.

### **ARTICLE 8. HOLIDAYS**

The following shall be observed as official holidays for full-time employees of the City of Jesup, Iowa:

Memorial Day	Thanksgiving Day
Farmers Day (Friday)	The day after Thanksgiving
July 4th-Independence Day	Christmas Eve Day
Labor Day	Christmas Day
Veterans' Day	New Year's Eve Day
	New Year's Day

When a holiday falls on Saturday, the proceeding Friday will be observed. When a holiday falls on Sunday, the following Monday will be observed.

Regular full-time employees shall be paid at their straight-time hourly rate for eight hours for each holiday not worked. If an employee works a holiday, he/she shall be entitled to take time equal to the time the employee worked off at another date. If an employee has a holiday fall on his /her normal day off, he/she shall be entitled to time off equal to his or her normal work day at another date.

Holidays used as alternate holiday time off shall be used within sixty (60) days after the earned holiday. A request form for alternate holiday's time off shall be filled out and approved by the Supervisor or Mayor. Failure to have the form signed shall result in loss of alternate holiday time off.

## **ARTICLE 9: USE OF CITY VEHICLES AND EQUIPMENT**

A. **USE OF CITY VEHICLES:** City Vehicles shall be used only for City business. Only the employee assigned a City vehicle or a fellow employee temporarily designated by the assignee may operate the vehicle. City employees assigned or otherwise operating city vehicle shall observe the following practices:

1. Operate vehicle safely and economically and in strict compliance with all traffic and parking regulations including the proper use and wearing of seatbelts. This would not apply to emergency vehicles as defined in the State Code of Iowa when in use as an emergency vehicle.
2. Employees are expected to comply with routine maintenance schedules as established by the supervisor.
3. Employees shall report needed repairs.
4. Employees shall maintain the cleanliness of the interior and exterior of the vehicle.
5. Radio equipped vehicles shall maintain radio contact with an appropriate base station when on duty or on call.
6. No posters, stickers, or advertisements shall be placed upon city vehicles without prior approval of the Jesup City Council.
7. City vehicles shall only be used for City business only and shall not be used for personal business (i.e., travel to a restaurant or other location for personal business).

### **B. VEHICLE OPERATION POLICY**

**SECTION 1. AUTHORIZED OPERATORS:** Any employee candidate who will be authorized to operate any city owned vehicle shall provide a valid State of Iowa Driver's License, prior to being granted an interview for employment.

**SECTION 2. DRIVING RECORD:** Employees who are authorized to operate city vehicles shall make every attempt to maintain a clean driving record and shall maintain their drivers' license as to avoid a lapse in driving privileges.

**SECTION 3. PERSONNEL COVERED:** This policy shall cover all personnel who are authorized to operate vehicles as part of their employment whether full-time, part-time, or volunteer.

**SECTION 4. DRIVING PRIVILEGES SUSPENDED, REVOKED, BARRED, OR OTHERWISE CAUSING THE EMPLOYEE TO BE AN INVALID DRIVER IN ANY STATE:** If at any time an employee has their license suspended, revoked, or barred, that employee shall be immediately suspended from their duty without pay, and shall be subject to termination.

Employees shall promptly and accurately complete all records required by the employer to substantiate both business and personal use of City vehicles to meet Internal Revenue Service requirements. The City shall report an employee's personal use of City vehicles as taxable income to the employee as required by the Internal Revenue Service.

## **ARTICLE 10: WORKPLACE SAFETY**

### **SECTION 10.1. SAFETY EQUIPMENT AND TRAINING**

The City of Jesup will make every attempt to provide a safe working environment for all employees. The City of Jesup will provide safety training for the City employees and the proper equipment, according to OSHA regulations. Safety vests, hard hats, appropriate hand protection, safety glasses, and hearing protection shall be provided to any employee working in specific job classifications, as will any additional safety equipment requested and approved by the Council.

All City employees shall observe all safety regulations and attendance at all safety committee meetings will be mandatory. The City expects that all employees will accept responsibility to follow our commitment to providing and maintaining a safe working environment. The City expects all employees to practice only safe work habits. Observance of safety guidelines and the use of good judgment will go far to avoid the possibility of accidents. Compliance with City safety regulations is essential. This means employees shall practice the following behaviors:

- Work areas should be kept neat and orderly;
- Halls and floors should be free of slip and trip hazards; and
- Waste materials and other fire hazards should be removed from work areas.

### **SECTION 10.2. EMPLOYEE INJURIES/WORKERS' COMPENSATION**

The City follows all applicable laws with regards to workers' compensation. Employees are covered by Workers' Compensation insurance if injured in the course of their employment.

The employee should be aware of their surroundings constantly while performing their work. Some job classifications inherently contain more risks of personal injury. Working in a safe manner is the responsibility of the employee and the City strives to help avoid injury to all employees. If an employee feels an unsafe working condition exists, they are to report it to the department supervisor before attempting to carry out the work.

In the event that any injury to an employee while performing their work assignment occurs, the injury is to be immediately reported to the City Clerk who will then notify the Mayor. Disciplinary action shall be taken in the event an injury or accident is not reported, regardless of the severity. The employee shall be required to see the City's designated physician or if unavailable, an alternate physician designated by the City. Seeking medical attention without prior authorization or from a provider other than that designated by the City may jeopardize the employee's worker's compensation benefits. Employees are required to communicate regularly with the supervisor throughout the length of their claim.

If medical restrictions are presented from the physician, both the employee and the City are required to comply. Failure to do so will result in disciplinary action up to and including termination.



### SECTION 10.3. HAZARDOUS CHEMICAL COMMUNICATIONS

This policy is to ensure, under The Employee Right to Know law, that each employee or contractor who is employed by the City is aware of the hazardous chemicals used, stored, or generated in any City facilities. It will be accomplished by the following:

- a) Listing of all chemical products used or generated on City property.
- b) Appropriate labels on containers of all chemical products.
- c) Material safety data sheets (MSDS) will be available for all chemical products on company property.
- d) Employees will be trained to recognize and interpret labels, warnings, color-coding, signs, etc. that are affixed to containers in order to properly protect themselves against potential hazards.
- e) Employees will be trained to understand the elements of Material Safety Data Sheets (MSDS) and to recognize possible risks to health and physical harm so employees can properly protect themselves against potential hazards.

The written hazard communication in its entirety will be available upon request to employees, their designated representatives, and to local/state/federal officials who have proper authority.

In-depth safety policies and procedures are available to all employees and can be acquired from the company Safety Officer.

### SECTION 10.4. EMERGENCY MANAGEMENT

All City employees are expected to know potential fire hazards, evacuation routes, and evacuation procedures as appropriate to their position. Employees are also expected to know and follow procedures for tornados, fires, bomb threats, utility failures, and medical emergencies. Drills will be held periodically in this regard.

## ARTICLE 11: TRAINING

### SECTION 11.1: TRAINING

1. The City may authorize or require employee attendance at conferences, seminars, workshops, or other functions of a similar nature that are intended to improve or upgrade the employee's job skills.
2. Requests to attend training sessions should be made at least ten days prior to the deadline for registration. The Department Supervisor will make decisions regarding employee attendance subject to final approval of the Mayor. All approved requests for training are to be forwarded to the City Clerk.
3. If a request for training is approved, the employee's cost of registration, tuition and publications, transportation, lodging and per diem will be covered by the City.

### SECTION 11.2: TRAVEL AND SUBSISTENCE ALLOWANCE

When City employees are required to travel on official business, the City will pay reasonable amounts for transportation, meals, and lodging. Paid bills and receipts for related expenses are required to be attached to the travel expense form and submitted to the City Clerk for payment or reimbursement. An employee must provide a receipt to receive reimbursement.

### SECTION 11.3: GENERAL

Travel advances may be made to cover anticipated travel expenses with the approval of the City Council. Decisions as to which trips are authorized are normally made during the formulation of the annual budget (at the rate at the time of forming the budget). Travel expense must be itemized on a travel expense form, which must be forwarded to the City Clerk within three working days after returning from a trip. Paid bills for lodging and receipts for other related expenses are required to be attached to the travel expense form if such expenses have been incurred. The City shall pay actual registration fees, which shall be based upon a copy of the official conference brochure indicating such fees.

### SECTION 11.4: TRANSPORTATION

1. The City may purchase tickets in advance for employees traveling by common carrier. All employees shall travel in tourist or economy class where such services are available.
2. Municipal owned vehicles should be used for out-of-town travel. All expenses incurred for operation of such vehicles must be documented by receipts attached to the expense reports.
3. Employees may, with authorization from their Department Supervisor, (and approval by the Mayor or the Mayor's designee), use their personal vehicles for official business and

shall be reimbursed at 75% of the current I.R.S. mileage rate. Adequate vehicle liability insurance must either be previously provided or secured by the employee prior to utilizing a personal vehicle for official business.

4. Receipts must be attached to the expense report to claim reimbursement for all ferry, bridge, road, and parking lot tolls. Taxi cab fare receipts are not required, but all expenses must be itemized on the expense report.

#### SECTION 11.5: LODGING

An employee is expected to make hotel reservations well in advance whenever possible and to take actions to insure that lodging is secured at moderate rates. If an employee is to attend a formal, organized meeting or conference, he/she may stay at the hotel or motel where the meeting is to be held. The City, in all cases, will pay no more than the regular single room rate.

#### SECTION 11.6: REIMBURSEMENT FOR MEALS

Allowable subsistence expenses will be at a reasonable amount and shall not exceed \$48.00 per day. Travel, which does not involve an overnight stay away from the City, may result in reimbursable subsistence expense of: \$12.00 breakfast; \$16.00 lunch; \$20.00 dinner. Receipts must be presented to the City Clerk for reimbursement for subsistence expenses incurred during periods of travel not involving an overnight stay away from the City.

## ARTICLE 12: ATTENDANCE, ATTENDANCE RECORDS, AND FEDERAL ADA SUPPORT

### SECTION 12.1: GENERAL

1. Full-Time, Part-Time, Seasonal, and Temporary employees are scheduled to work eight (8) hours on a given workday, shall receive two paid 15 minute breaks, one in the first half of the day and one in the second half of the day. The employee shall not take the two breaks together. The breaks are to give the employee a rest for 15 minutes. The employees shall take a half hour off for an unpaid lunch break during an 8-hour shift.
2. Work schedules will be determined by the Supervisor and submitted to the Mayor for approval. Non-supervisory employees are not entitled to a flexible work day schedule unless approved by the Supervisor and Mayor. Non-supervisory employees are to report to their work location at the established starting time and continue to work until the scheduled quitting time. Overtime and emergency time is covered in Article VII Section I.
3. If you are going to be late or absent, you must contact your Supervisor immediately. If you have to leave early, you must obtain approval from your Supervisor. Your Supervisor may require that you make up any lost work time.
4. The City of Jesup will take disciplinary action, up to and including termination, where attendance is unacceptable.
5. This policy shall not be construed to conflict with the American with Disabilities Act, the Family and Medical Leave Act, The Iowa Civil Rights Act, and other applicable federal and state laws.
6. The City Clerk shall maintain an attendance record for each employee. This record shall reflect all absences, including sick leave, vacation leave, civil leave, etc. The Department Supervisor shall be responsible for daily attendance records to be turned into the City Clerk on the day after the time sheet ends.

## **ARTICLE 13: OUTSIDE EMPLOYMENT, POLITICAL ACTIVITY, AND NON-SOLICITATION**

### **SECTION 13.1: OUTSIDE EMPLOYMENT/CONFLICTS OF INTEREST**

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in personal gain for that employee or for a relative as a result of City 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 by blood. No "presumption of guilt" is created by 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 he or she disclose to the Mayor, as soon as possible, the existence of any potential conflict of interest so that safeguards can be established to protect all parties. Employees may not receive any kickbacks, substantial gifts, or special consideration as a result of any transaction or business dealings involving the City.

An employee shall never engage in any employment, activity, or enterprise that is inconsistent, incompatible, or in conflict with duties as an employee; or with the duties, functions, and responsibilities of the City.

### **SECTION 13.2: POLITICAL ACTIVITY**

1. City employees are encouraged to support the governments in our federal system in an appropriate fashion. City employees may join civic, partisan, or political organizations in accordance with the Constitution and laws of the state and nation.
2. No city employee shall be required to contribute any money or anything of value to any candidate for nomination or election to any office; or to any campaign or political committee or take part in any political campaign except to cast his / her vote and to express his/her personal opinion.
3. Any city employee who seeks a city elective office will submit his/her resignation or face termination of employment; on the date, such employee officially files for such office.
4. Prohibited Activities:
  - A. Engaging in any type of political activities as set forth herein, during normal working hours or while pursuing regular duties in the course of employment. Members of the Police Department may not take part in any political activity while in uniform.
  - B. Receiving expenses, gifts, remuneration of any type of monetary reward in exchange for political activities or as a result of holding a political office or position.
  - C. Using one's public or official position or knowledge or allowing it to be used to further a political party, cause, candidacy, issue, or position, or influence a political outcome.
  - D. Serving in any political position for which such appointment or selection is the result of any action or intercession by a political candidate or elected official, or persons on their behalf.

- E. Any city employee violating this section shall be guilty of improper conduct and shall be subject to disciplinary action.

### SECTION 13.3: NON-SOLICITATION

The City of Jesup, as an employer, is legally responsible for promoting the efficiency of the public services it performs. The following rules are drawn up to further that legal responsibility.

1. Solicitation or distribution of literature by city employees during working time on city property is prohibited. Working time is the time an employee is expected to be working.

## **ARTICLE 14: RESIGNATION GUIDELINES**

An employee who resigns shall give a fourteen-day notice. The notice shall be directed to the Supervisor and the City Clerk. In the absence of the City Clerk, the notice shall be directed to the Deputy Clerk. The Mayor shall be notified of each employee resignation on the day it was received.

Any employee who assumes leave without proper notification or misses 3 consecutive workdays without notifying their Supervisor, City Clerk, or Mayor, shall be considered being absent without permission and assumed terminated. This provision will be reviewed on a case-by-case basis.

## **ARTICLE 15: CREDIT CARDS**

The use of City of Jesup Credit Cards will be used according to these Rules, as follows:

1. All Credit Cards will be kept secure.
2. All Credit Cards will be kept in one location.
3. All Credit Cards will have to be checked out before using.
4. All Credit Cards will be used at the Direction of the Mayor, City Clerk, or Deputy Clerk.
5. The Employee that checks out the card will be held responsible for the use and safety of the card.
6. If a credit card is lost or stolen when in an employee's possession, the employee shall immediately call the credit card company to report the card lost or stolen. The employee should contact the City Clerk or Mayor immediately following the call to the credit card company.
7. If a credit card is damaged the employee shall immediately report the damage to the City Clerk.
8. All Credit Cards will be used strictly for business purposes.
9. All Credit Cards will be returned to the City Clerk or Deputy Clerk as soon as the transaction requiring the use of the Credit Card is completed.



## **ARTICLE 16: INFORMATION TECHNOLOGY/TELEPHONE USAGE/CELL PHONE USAGE**

### **SECTION 16.1: TELEPHONE- AND CELL PHONE USAGE**

To assure effective telephone communications with callers to the City, employees should always identify themselves to the caller including the employee's department and name and speak in a courteous and professional manner. Please confirm information received from the caller and hang up only after the caller has done so. Take careful and complete messages for co-workers.

Cellular phones are provided to Department Supervisors and full time employees that are deemed necessary by the Mayor to have a cellular phone. Cell phones belonging to the city are to be used for business purposes only.

Personal use of office telephones for long distance or toll calls is prohibited. Employees may use City office telephones or their own private cellular telephones during work hours to make local personal calls of a reasonable duration and frequency; when they do not interfere with the performance of the City's business; if it is not related to any illegal, discriminatory or harassing behavior or business; if it would not cause the City public embarrassment and does not compromise City security or confidential information. The City reserves the right, in its sole discretion, to define what a reasonable or permissible personal use is. Families and friends should be encouraged to call employees only when urgent or necessary; and such calls must be kept to a minimum. Employees are requested to make personal calls, when necessary, during their breaks or meal periods.

All phone usage related to city business may be subject to public open records requests.

### **SECTION 16.2: INFORMATION TECHNOLOGY**

Information Technology is defined as computers, computer files, networks, tablets, and software, furnished to employees are City property and intended for business use. The content of all communications created or disseminated through the use of any City information technology is the property of City and shall comply with all policies. Employees should not access files or retrieve any stored information or communications without authorization. Employees should access those files only as necessary for the performance of their duties. Employees using the City's information technology shall not attempt to exceed the access rights granted by the City.

Sharing user identification and/or passwords for any City information technology is prohibited, unless directed by the Mayor for legitimate business reasons.

The City prohibits the use of information technology in ways that are disruptive, offensive to others, or harmful to others. Sending, transmitting, storing, or accessing offensive, derogatory, defamatory, pornographic, or illegal content on the City's information technology is prohibited. The City reserves the right, in its sole discretion to block access to offensive, malicious, and non-business web content or websites.

The following rules shall apply in all circumstances when using City information technology:

1. City information technology shall be used as productivity tools for City related business only.
2. City information technology shall not have games or other entertainment software installed on them. This does not include programs, which are part of the operating system software package.
3. Only City information technology shall be connected to the City's wired and or wireless network and only City Employees using the internet for city business shall be allowed access to the network.
4. Exceptions to this shall only include laptops and remote access, specifically allowed by the Mayor and City Council. Before the access is allowed, it must come before the city council for approval. A signed document of Network Access Permission shall be kept on file at City Hall for each exception. Each document of Network Access Permission shall be valid until January 1 of the next year and must be renewed on a yearly basis.
5. Vendors providing maintenance services information technology requiring access to the network shall be required to sign a confidentiality agreement with the City of Jesup, prior to network access permission being given.
6. City owned information technology is specifically prohibited from wireless connection to any and all privately owned wireless access devices, unless approved by the Mayor and City Council. A violation of this policy may result in serious disciplinary action including but not limited to unpaid suspension or termination of employment at the discretion of the City.
7. The City of Jesup retains the right to monitor all information technology including internet usage, e-mail, and devices. Employees shall have no expectation of privacy with regard to City information technology. If the City determines that use of information technology is interfering with an Employee's efficient use of work time, these privileges shall be revoked.

NOTE: When an Elected City Official's term has expired, or any other Employee leaves the City's employment, their laptop or fixed computer, which have been connected, either locally or remotely, into the City's Computer Network System, must be taken to the City approved vendor who supplies the City with File removal service. Any and all City Files, which are not Public Information, copied from the City Server, shall be removed from their computers. Additionally, copies of the *CITY CODE OF JESUP IOWA*, and any hardcopy information, which is not Public Information, shall be returned to the City Clerk.

Internet usage by City Employees is considered a privilege and shall be governed by the following rules:

1. Access:
  - A. For business purposes.
  - B. Not to be accessed for any unethical purpose.
  - C. Not to be accessed for any type of illegal activity.
  - D. Not to be accessed for any type of controversial information.
  - E. Only accessed by City Employees.

2. Use:

- A. For looking up information for the benefit of the City.
- B. For doing research for the benefit of the City and as directed.
- C. For submitting reports to the County, State or Federal Government.
- D. For receiving reports from the County, State or Federal Government.
- E. To order supplies or materials as directed for the City (for future use).  
City Employees may use the internet for their own purposes while on an authorized break, as long as it is not used for any unethical or any illegal activity.

All information technology usage related to City business may be subject to open records requests.

## **ARTICLE 17: CONFIDENTIALITY**

As an employee of the City of Jesup, you may learn confidential business information. During and after employment with the City of Jesup, confidential business information may not be shared with non-employees of the City of Jesup and may only be shared with City of Jesup employees on a need to know basis. If you violate this policy, disciplinary action will be taken up to and including immediate termination.

The City of Jesup will provide employee information to outside agencies only upon written authorization of the employee or as provided by law, except for information requested pursuant to Chapter 22 of the Iowa Code.

Our standard credit or other reference letters are limited to confirming dates of employment, job title, current rate of pay, or if the request is made pursuant to Chapter 22 of the Iowa Code, information allowed under the Code. All requests for employment verification must be received by the City Clerk in writing. Our response will be in writing unless special arrangements are made in advance with the City Clerk. The City of Jesup does not provide letters of recommendation.

The City of Jesup protects employee's confidentiality and expects the employees to protect the City of Jesup's confidences as well. Supervisors shall not give out any information about an employee and must refer any phone calls seeking such information to the Mayor. Under no circumstances shall a Supervisor verify employment over the phone.

In addition, the City of Jesup also expects that you respect the privacy of your fellow employees, both with employees and non-employees. Personal information about any employee may not be discussed with other employees or non-employees without written authorization from the Employee.

## **ARTICLE 18: PERSONNEL RECORDS AND DATA CHANGES**

Each employee is responsible for updating personnel information with the City Clerk in writing when there is a change in address, telephone number, marital status, emergency contact, or number and names of dependents.

Tax information must be kept current. W-4 forms are available from the City Clerk throughout the year.

All personnel files are the property of the City of Jesup. Employees may view their Personnel Files in the presence of the City Clerk or a designee. A reasonable charge may be required if such materials need to be copied or printed.

Employee personnel record shall be kept confidential. Only the City Clerk or Mayor may have access to such personnel records. The Mayor may authorize others to review an employee's personnel record if there is a legitimate reason for doing so.

**ARTICLE 19: STATEMENT OF UNDERSTANDING**

The City of Jesup continually reviews its personnel policies and employee benefits and reserves the right, in its sole discretion, to modify, supplement, amend, or delete any of the provisions contained in this Handbook or any employee benefits at any time. This Handbook does not represent the entire policies of the City of Jesup but is designed to give guidance to many essential City of Jesup’s personnel policies.

I \_\_\_\_\_ hereby acknowledge that I have received my Handbook describing City of Jesup’s policies and my benefits as an employee of the City of Jesup. I have read and understand the City of Jesup’s policies contained herein and am fully aware of my obligations at all times to fully comply with the responsibilities that are imposed on me as a condition of employment.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
NAME (Please Print)

**APPENDIX (B): FORM FOR THE RELEASE OF PERSONAL INFORMATION TO THE CITY**

I \_\_\_\_\_ hereby authorize the City of Jesup to obtain information relating to any and all of the aforementioned policies, including but not limited to the following:

1. Medical Records (Please find attached Medical Release Form)
2. Article IV – Drug and Alcohol Policy
3. Training records and certificates
4. Motor vehicle operation and licensing
5. Article V – Employee responsibilities and pre-employment health records

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
NAME (Please Print)

**ATTACHMENT A  
REQUEST FOR LEAVE OF ABSENCE**

I, \_\_\_\_\_ request permission for leave from work  
on (dates) \_\_\_\_\_  
from (time) \_\_\_\_\_ to \_\_\_\_\_ for the purpose of:

- |                                |                                   |
|--------------------------------|-----------------------------------|
| _____ Vacation Leave           | _____ Leave of Absence            |
| _____ Sick/Injury/Doctor Leave | _____ Emergency Leave             |
| _____ Maternity Leave          | _____ Workers' Compensation Leave |
| _____ Military Leave           | _____ Personal Day                |
| _____ Court Leave              | _____ Comp Time                   |
| _____ Funeral Leave            | _____ (Relationship)              |
|                                | _____ (Participant)               |

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

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Permission Granted \_\_\_\_\_ with pay  
Permission Granted \_\_\_\_\_ without pay

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

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Permission Granted \_\_\_\_\_ with pay  
Permission Granted \_\_\_\_\_ without pay

\_\_\_\_\_  
Mayor Signature

\_\_\_\_\_  
Date

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