City of Carroll

112 E. 5th Street Carroll, Iowa 51401-2799 (712) 792-1000 FAX: (712) 792-0139

MEMO TO: Honorable Mayor and City Council Members

FROM: Mike Pogge-Weaver, City Manager MTPW

DATE: September 7, 2021

SUBJECT: Revised Policy 0400 – Personnel Policies

Staff is forwarding a number of suggested changes to the City's Policy 0400 - Personnel Policies for the Council's consideration. These suggestions include the following:

- Applying certain policies and practices outlined in the Police Officer Union Collective Bargaining Agreement to the Police Sergeants and in limited cases to the Police Captain and Police Chief. It is particularly important with the workweek changes that were made to the Police Officer Union collective bargaining agreement earlier this year.
- Providing premium pay (shift differential) to lifeguard and control room operators to incentivize employees to work certain shifts.
- Increasing allowable meal reimbursement to match the current GSA rates for outside counties in Iowa. This was last updated in March of 2019.
- Clarifying current practices in the Personnel Policies.
- Correcting minor typographical errors.

The changes listed in this memo are not an exhaustive list of all the changes made to the overall personnel policies. Attached is a redline copy of the personnel policy that details all of the proposed changes.

RECOMMENDATION: Review and consider approving revised Policy 400 – Personnel Policies.

CITY OF CARROLL _____

POLICIES AND PROCEDURES MANUAL

Subject	Policy No.
Personnel Policies	0400

Responsible Division(s), Office(s)	Related Policies & Procedures
All	

Effective/Revision Date			Approval(s)
05/09/94	02/24/03	05/10/04	
08/09/04	09/11/06	06/9/08	Michel Pogge-Weaver
06/11/12	05/11/15	05/9/16	
03/25/19	05/26/20	09/13/21	

The purpose of these policies is to introduce each employee to the City of Carroll. It will provide you with some insight into how the City works and how you fit into the City as a whole. The handbook contains information on the personnel policies, which affect you directly and extend to every individual employee and group of employees throughout the City organization.

This handbook brings together information about benefits, policies, rules and other conditions of employment, which apply to you. If changes occur in these policies, you will be notified. Every effort has been made to convey accurate and clear information throughout this book, but no written summary can completely and without exception cover every situation that may develop. You are responsible for all information contained the City's personnel policies. If you have any questions, please feel free to discuss them with your Department Head.

These policies are not a contract but is intended solely to give eligible employees a short description of the benefits and working conditions in the City. The City is an employment at will employer. If at any time there should be conflict between a description in the City's personnel policies and a collective bargaining agreement, or an applicable state or federal statute, or both, the terms of the actual agreement or statute will govern in all cases. Personnel policies are applied at the discretion of the City and may be withdrawn, applied, or amended at any time.

CITY OF CARROLL
PERSONNEL POLICIES

DRAFT

Effective: May 9, 1994
Revised: February 24, 2003
Latest Update: ~~May 26~~September 13, 2021~~0~~

Contents

Section 1. FORWARD 1

Section 2. DEFINITIONS 2
- 2.1 Employees
- 2.2 Regular Full-Time Employees
- 2.3 Regular Part-Time Employees
- 2.4 Temporary Employees
- 2.5 Seasonal Employees
- 2.6 Exempt Employees
- 2.7 Non-Exempt Employees
- 2.8 Compensatory Time
- 2.9 Anniversary Date
- 2.10 Retired
- 2.11 Seniority
- 2.12 Union Employee

Section 3. GENERAL INFORMATION 4
- 3.1 Non-Discrimination
- 3.2 Recruitment and Selection
- 3.3 Employment of Relatives
- 3.4 Post-Offer, Pre-Employment Medical Exam
- 3.5 Probationary Period
- 3.6 Employment Medical Exams for Continuing Employment
- 3.7 Outside Employment
- 3.8 Employees at Will
- 3.9 Re-Employment Following Retirement
- 3.10 Performance Ratings

Section 4. HOURS 7
- 4.1 Workweek
- 4.2 Attendance
- 4.3 Schedule of Days Off
- 4.4 Overtime - Compensatory Time
  - 4.4.1 Overtime Authorization Required
  - 4.4.2 Exempt (Management/Other Exempt Positions)
  - 4.4.3 Non-Exempt (Non-Management)
  - 4.4.4 Police Union
- 4.5 Call-In or Call-Back

Section 5. PAY PERIODS AND PAYROLL 9
- 5.1 Pay Periods
- 5.2 Payroll Deductions/Direct Deposit

Section 6. SALARY ADMINISTRATION 10
- 6.1 Salary Resolution
- 6.2 New Employees
- 6.3 Wage Adjustments
- 6.4 Promotional raises
- 6.5 Premium Pay

Section 7. LAYOFF 11

DRAFT

Section 8. TRANSFER 11
Section 9. PROMOTION 11
Section 10. LEAVES OF ABSENCE 12
10.1 Sick Leave
10.2 Family and Medical Leave Act
10.3 Family Care Leave
10.4 Jury Duty
10.5 Injury Leave
10.6 Funeral Leave
10.7 Emergency Leave
10.8 Leave of Absence Without Pay
10.9 Military Leave
10.10 Voting Leave
Section 11. VACATIONS 16
11.1 Eligibility and Allowances
11.2 Vacation Pay
11.3 Choice of Vacation Period
11.4 Holiday During Vacation Period
Section 12. HOLIDAYS 17
Section 13. TERMINATION FROM SERVICE 19
13.1 Resignations
13.2 Discharge
13.3 Retirement
Section 14. MISCELLANEOUS 20
14.1 Acceptance of Gifts
14.2 City Property Usage
14.3 Residence Requirement
14.4 Bad Weather Days
14.5 Employee Birthday Recognition
14.6 Employee Recognition
14.7 Employee Potluck
14.8 Purchase of Food
14.9 Donation of Vacation
Section 15. POLITICAL ACTIVITY 22
Section 16. PERSONNEL RECORDS, DEDUCTIONS, AND REIMBURSEMENTS 23
16.1 Changes in Basic Personnel Records
16.2 Payroll Deductions
16.3 Deferred Income
16.4 Lost Checks or Warrants
16.5 Travel Expenses
16.6 Private Vehicle Allowance
16.7 Clothing Allowance
16.8 Safety Shoes
16.9 Recreation Center Membership
Section 17. INSURANCE 26
17.1 Life Insurance
17.2 Medical Insurance
17.3 Continued Coverage Provision (COBRA)
17.4 Disability Insurance
17.5 Dental Insurance
Section 18. EMPLOYEE WELLNESS PROGRAM 27
18.1 City Wide Employee Wellness Program

DRAFT

18.2 Police Physical Fitness Program
Section 19. WORK RULES 27
Section 20. SEXUAL HARASSMENT 28
20.1 Purpose
20.2 Procedures
Section 21. RESOLVING DISAGREEMENTS 30
Section 22. DRUG FREE WORKPLACE 31
Section 23. DISCIPLINARY PROCEDURES 32
23.1 Demotion
23.2 Suspension
Section 24. SAFETY, HEALTH AND WELFARE 33
Section 25. EMPLOYEE DEVELOPMENT 34
25.1 Employee Training
25.2 National Incident Management System (NIMS) Training
Section 26. DECLARED EMERGENCIES 35
Section 27. CONCLUSION 35

DRAFT

Section 1. FORWARD

The purpose of these policies is to introduce each employee to the City of Carroll. It will provide you with some insight into how the City works and how you fit into the City as a whole. The handbook contains information on the personnel policies, which affect you directly and extend to every individual employee and group of employees throughout the City organization.

This handbook brings together information about benefits, policies, rules and other conditions of employment, which apply to you. If changes occur in these policies, you will be notified. Every effort has been made to convey accurate and clear information throughout this book, but no written summary can completely and without exception cover every situation that may develop. You are responsible for all information contained the City's personnel policies. If you have any questions, please feel free to discuss them with your Department Head.

We hope you will find working for the City a pleasant and rewarding experience.

All employees of the City of Carroll shall be covered by these policies except:

a. Elected officials;

b. Members of committees, boards and commissions;

~~c. City Manager (covered separately by an individual contract with the City);~~

~~d~~c. Personnel appointed to serve without compensation;

d~~e~~. Any other employee hired on a contracted basis;

e~~f~~. None of the policies contained herein will supersede the Code of Iowa.

Employees covered by a collective bargaining agreement (Union Employees) shall be covered by these polices. When a conflict exists between their collective bargaining agreement and these polices, the collective bargaining agreement shall supersede these policies.

City Manager shall be covered by these polices. When a conflict exists between the City Manager's individual employment contract and these polices, the City Manager's individual employment contract shall supersede these policies.

Standard operating procedures of the City may vary somewhat between Departments. This is necessary because of the various duties and hours required of some Departments, and the various state and federal regulations which must be followed.

~~Each Department Head may establish additional policies for the purpose of handling matters applicable to their specific Department. These rules shall not conflict with these personnel policies established by the City.~~

This booklet is not a contract but is intended solely to give eligible employees a short description of the benefits and working conditions in the City. The City is an employment at will employer. If at any time there should be conflict between a description in the City's personnel policies and a collective bargaining agreement, or an applicable state or federal statute, or both, the terms of the actual agreement or statute will govern in all cases. Personnel policies are applied at the discretion of the City and may be withdrawn, applied, or amended at any time.

DRAFT

Section 2. DEFINITIONS

2.1 **Employees:** All persons who receive wages or salaries from the City.

2.2 **Regular Full-Time Employees:** Regular full-time employees are those who are normally scheduled to work at least forty (40) hours per week. Police Officers and Police Sergeants may be scheduled an alternative work period as allowed by the Fair Labor Standards Act.

All regular full-time employees are eligible for all employee benefits, including ~~IPERS~~retirement plans, paid vacations, paid holidays, group insurance, paid sick leave, etc.

2.3 **Regular Part-Time Employees:** Regular part-time employees are those who have completed their probationary period and are normally scheduled to work less than the customary number of full-time hours. Part-time employees are not to be scheduled to average more than twenty-nine(29) hours a week over a nine month period without prior approval of the City Manager.

2.4 **Temporary Employees:** Temporary employees are those who are hired to work for a period of two (2) years or less, but may be extended by the City Manager to three (3) years.

Temporary employees are not eligible for employee benefits until they have been continuously employed for one (1) year, and then shall become eligible for Holiday pay only, on days when the City office is closed. Holiday pay shall be prorated on the basis of the temporary employee's scheduled hours within the two-week (80 hour) pay period and shall not exceed the holiday pay benefit received by a regular full-time employee.

2.5 **Seasonal Employees:** Seasonal employees are those who are hired and intend to work 2 consecutive calendar quarters or less.

2.6~~5~~ **Exempt Employees:** An exempt employee is a salaried employee who is not covered by the overtime provisions of the Fair Labor Standards Act and is not eligible to receive overtime compensation in the form of compensatory time off or cash at the one and one-half (1 1/2) time rate.

2.7~~6~~ **Non-Exempt Employees:** A non-exempt employee is one who is covered by the overtime provisions of the Fair Labor Standards Act and is eligible to receive one and one-half (1 1/2) overtime compensation.

2.8~~7~~ **Compensatory Time:** Time off from scheduled work in lieu of cash payment for authorized overtime.

2.9~~8~~ **Anniversary Date:** The employee's anniversary date is established on the first day of regular full-time employment. The status of a re-employed person is that of a new employee and credit for previous service shall not be given. The anniversary date will be used to calculate seniority, sick leave and other benefits.

2.10~~9~~ **Retired:** For purposes of these policies, the word "retired" shall be construed to encompass individuals who fit the definition of "retired", and who have qualified for and are receiving a retirement benefit under applicable Federal/State statues.

2.11~~0~~ **Seniority:** Seniority means an employee's length of continuous regular full-time service with the City since their last date of hire. An employee on unpaid leave does not continue to accumulate additional seniority, but retains all earned seniority to the date of the start of the leave. The seniority list shall be revised to reflect the employees' status each year.

DRAFT

2.12~~1~~ **Union Employee**: Any employee covered by a collective bargaining agreement, as determined by agreement language and the Iowa Public Employee Relations Board, whether the employee is a dues paying member of the union or not. When a conflict exists related to benefits, rules and other conditions of employment for union employees between their collective bargaining agreement and these polices, the collective bargaining agreement shall supersede these policies. ~~Benefits, rules and other conditions of employment for union employees shall be determined by their collective bargaining agreement and not by these personnel policies.~~ If an employee does not know if they are covered by a union contract, they should inquire with their immediate supervisor.

DRAFT

Section 3. GENERAL INFORMATION

3.1 Non-Discrimination. It is the policy of the City to employ, train, compensate, and make available all conditions and privileges of employment without consideration of the individual's race, creed, color, religion, sex (including pregnancy), national origin, sexual orientation, gender identity, genetic information, age, disability, status as a U.S. veteran, and any other legally protected status.

3.2 Recruitment and Selection. It is the policy of the City to recruit and to select the best qualified persons for employment. Recruitment and selection will be conducted in an affirmative manner, ensuring open competition, providing equal employment opportunity, and prohibiting discrimination because of race, religion, sex (including pregnancy), national origin, sexual orientation, gender identity, genetic information, age, mental disability, physical disability–, political religious affiliations, status as a U.S. veteran, any other legally protected status, or other non-merit factors. The City also complies with all state and federal regulations regarding hiring of veterans.

3.3 Employment of Relatives. It is the general policy of the City to avoid regular full-time employment of members of the immediate family of any other regular full-time employee. No individual may be hired or transferred into a department in which he/she would be supervised by an immediate family member or by such person having administrative discretion over said individual's employment. Immediate family members are defined as spouse, parent, child, sibling, stepparent, stepchild, stepsibling and corresponding in-laws.

3.4 Post-Offer, Pre-Employment Medical Exam, Drug Test, and Background Check. Prospective employees shall be required to submit to a pre-employment medical examination, hearing test and vision test by a qualified physician; drug test; and background check after a conditional offer of employment has been made. These examinations, drug test, and background check must be completed prior to a person being unconditionally hired. The expense of the examinations, drug testing, and background check will be borne by the City. Refer to City Policy 403 – Medical Exam: Post-Offer, Pre-Employment and Section 22. Drug Free Workplace of this Personnel Policies manual.

3.5 Probationary Period. All new employees shall serve a one (1) year probationary period. The employee's work will be carefully observed and evaluated during this probationary period. The intent of the evaluation is to determine the effectiveness of the new employee, to improve performance, and to determine whether or not the employee meets the City's needs. Said probationary period may be extended upon mutual agreement between the City and the employee. Upon satisfactory completion of the probationary period, the employee will be placed on the seniority list and his/her seniority will be determined from their date of employment. Probationary employees may be terminated, demoted or laid off for any reason during their probationary period without the right of any appeal.

DRAFT

3.6 **Employment Medical Exams for Continuing Employment.** Any City employee may be required to take a medical exam when the City Manager believes it is necessary for the employee's health and safety or if there is a question regarding the employee's ability to continue in his/her job. This is a condition of employment and failure to submit to a medical examination requested by the City may result in appropriate disciplinary action. The expense of the medical exam will be borne by the City, which may utilize City provider insurance to cover all or part of the cost.

3.7 **Outside Employment.** An employee shall not become involved in any activity that impairs attendance or efficiency in the performance of his/her duties as an employee. An employee shall not engage in any employment, activity, or enterprise that is inconsistent, incompatible, or in conflict with duties as an employee of City. Prior to accepting any outside employment, the employee must seek and obtain the prior written approval of the respective Department Head.

DRAFT

3.8 **Employees at Will.** Employment with the City is for an indefinite time and is terminable at any time, with or without cause shown by the City, or at completion of a special grant or project. The only exception to this provision is in the event of the existence of a written contract with an employee which provides to the contrary. Nothing in these Personnel Policies or in other rules or policies adopted by the City Council shall in any way be construed as creating an employment contract, either express or implied.

3.9 **Re-Employment Following Retirement.** The City of Carroll does not prohibit City retirees from being re-employed by the City of Carroll. Retired employees receiving a pension related to City service should contact their respective pension system to make sure the retired employee understands how going back to work will affect their benefits. The City of Carroll will not be held responsible for any impacts to an individual's pension benefits when returning to City employment.

3.10 **Performance Ratings.** Department Heads are required to submit to the City Manager periodic reports on the individual performance of all employees. The report shall be discussed with the employee privately and objectively. Employees, whether agreeing with the report or not, shall sign the report.

Two types of reports will be used:

a. A final probationary report just prior to completion of the probationary period. This report summarizes probationary performance and contains the recommendation for appointment or removal.

b. An annual report of performance. Each of the reports above shall be prepared by the employee's immediate supervisor and submitted to the Department Head for review and approval.

DRAFT

Section 4. HOURS

The purpose of this section is to define the normal hours of work, and shall not be construed as a guarantee of hours of work per day or days of work per week. Determination of daily and weekly hours of work shall be established by the Department Head. ~~The normal hours of work for the Police shall be in accordance with the collective bargaining agreement.~~

4.1 **Workweek.** The normal workweek for regular full-time non-exempt employees shall consist of five (5) eight (8) hour days. The normal workday shall include an unpaid lunch period of at least sixty (60) minutes, which will normally be taken at or near the middle of the eight (8) hour shift. All employees will normally be provided a fifteen (15) minute paid rest period during each one-half (1/2) shift. The times and arrangements for lunch and rest periods may vary depending on the nature of the work being performed and will be granted at the sole discretion of the immediate supervisor. The Department Head may approve flexible hours as long as a forty (40) hour workweek is maintained.

Full-time Police Officers shall follow their collective bargaining agreement related to the workweek. Full-time Police Sergeants shall follow the workweek for a Police Officer as outlined in the collective bargaining agreement for Police Officers.

4.2 **Attendance.** Employees shall be in attendance at their place of work in accordance with the rules regarding hours of work, holidays and leaves. All Department Heads shall keep daily employee attendance records. Failure on the part of an absent employee to notify his/her supervisor of his/her status within twenty-four (24) hours may be cause for immediate discharge.

4.3 **Schedule of Days Off.** Each Department Head shall periodically prepare a schedule of days off for all full-time employees within his/her Department which shall be posted in a conspicuous place. Except in emergencies, a notice of at least one week shall be provided for changes in the schedule.

4.4 **Overtime - Compensatory Time.**

4.4.1 Overtime Authorization Required. All overtime work must be authorized in advance by the Department Head or other direct supervisor.

4.4.2 Exempt (Management/Other Exempt Positions). Exempt employees shall not receive overtime compensation in the form of pay for hours worked in excess of forty (40) hours per week. The City Manager may grant administrative paid leave time as requested, but not to exceed forty (40) hours per calendar year.

4.4.3 Non-Exempt (Non-Management). All non-exempt employees, as defined by Fair Labor Standards Act, who work in excess of forty (40) hours in any workweek shall be compensated at the rate of time and one-half (1 1/2) either by compensatory time off (one and one-half (1 1/2) hours off for each hour of overtime worked) or by cash payment at the option of the Employee. All ~~such~~ time worked shall be accumulated in one-quarter (1/4) hour increments. Time sheets shall reflect whether overtime is to be paid or accumulated as compensatory time. Compensatory time may be accumulated annually up to the maximum of forty (40) hours. Compensatory time earned, but not used by December 31st each year in which it was earned, will be paid out by January 15th of the following year. For purposes of determining overtime compensation, jury duty leave, holiday hours and vacation hours shall be included as "hours actually worked." "Hours actually worked" does not include time worked on a holiday that is paid at the rate of time and a half. The scheduling of compensatory time off shall be at the discretion of the supervisor based on work requirements; however, the wishes of the employee shall be considered when possible. The

City Clerk shall maintain a record of employees' compensatory time off balances. For overtime calculations, full-time Police Sergeants shall follow workweek, overtime and compensatory time language for a Police Officer as outlined in the collective bargaining agreement for Police Officers.

4.4.4 Police Union. Full-time police officers shall follow their collective bargaining agreement related to overtime pay.

4.5 **Call-In or Call-Back.** In the event an employee is required to return to work after having left work for the day, the employee shall receive a minimum of one (1) hour's pay at the appropriate straight time or time and one-half rate. Employees shall be compensated for all hours worked during call-in or call-back. Employees who are contacted by phone to address work related issues but are not required to return to the work site shall be compensated for their actual length of contact at the appropriate straight time or time and one-half rate with a minimum of fifteen (15) minutes of paid time.

DRAFT

Section 5. PAY PERIODS AND PAYROLL

5.1 **Pay Periods.** Pay periods are two-week periods beginning on Saturday and ending on Friday of the following week. Payday is the Thursday following the end of the pay period. If Thursday falls on a bank holiday, payment will be made prior to the holiday.

5.2 **Payroll Deductions/Direct Deposit.** Payroll deduction options to include:

- Deferred Compensation (457 Plan)
- Group Medical Insurance
- Medical and Dependent Care Flexible Spending Accounts (125 Plan)
- Any other ancillary benefits approved by the City Council

The direct deposit of payroll checks is also provided and encouraged. An employee may divide their check among ten depositories and/or accounts for same day direct deposit. All new employees hired as of May 1, 2019 are required to participate in direct deposit. For these employees, the City will only issue paper payroll checks for the first and last pay periods an employee is employed with the City. Contact the City Clerk's Office for additional information on direct deposit.

DRAFT

Section 6. SALARY ADMINISTRATION

The City seeks to balance the need to be prudent with public funds and the compensation needs of its employees. A uniform salary administration provides a fair and consistent method for administering salary raises for all employees. The City may from time to time assess the labor market in order to determine the competitiveness of the City's pay plan.

6.1 **Salary Resolution.** From time to time, the City Council may approve a resolution setting salaries and wages for employees of the City. Said resolution will list every position within in the City and set the top of pay or pay range for each position.

6.2 **New Employees.** New regular full-time employees to the City are to be started at 76% of the top of pay for that position. At the time of conditional offer, the City Manager may authorize starting an employee at a higher starting percentage based on past experience and/or education achievement.

6.3 **Wage Adjustments.** New regular full-time employees will only receive salary adjustments annually on their anniversary date. Annually on the employee's anniversary date, new regular full-time employees will receive an additional 4% to the top of pay until they are at 100% of the wage rate for that position. Unless an employee starts at a higher starting wage, generally new employees will have a six (6) year wage progression as follows:

Start	76%
1st Anniversary Date	80%
2nd Anniversary Date	84%
3rd Anniversary Date	88%
4th Anniversary Date	92%
5th Anniversary Date	96%
6th Anniversary Date	100%

Once an employee is at 100% of the salary for that position, salary adjustments will be received when changes are made to the salary resolution by the City Council.

6.4~~3~~ **Promotional raises.** Employees promoted to a new position shall be started at 76% of the top of pay for the new position, unless the former salary of the promoted employee is above that wage level or the starting wage would be below any subordinates they would supervise in the new promoted position. In which case the City Manager is authorized to set a promotional raise at a reasonable level when considering the salaries of his/her peers, supervisors, subordinates and his/her experience and skills. Promoted employees shall receive annual wage adjustments on their promotion date like a new employee until they reach 100% of the top of salary for that position. Then they will receive salary adjustments when changes are made to the salary resolution by the City Council.

6.5 **Premium Pay.** The following premium pay is authorized for work performed:

- The City Manager is authorized to provide premium pay for lifeguards in order to cover hours during the weekday early mornings, weekday noon hours, and special events. The City Manager is authorized to provide premium pay for control room operators in order to cover weekend shifts and during special events. In no case shall premium pay exceed 1.5 times the employees' regular rate of pay.
- Police Officers and Police Sergeants that work as a field training officer and completes a minimum of 120 hours of training with a new officer shall received 16 hours of Compensatory Time.

DRAFT

Section 7. LAYOFF

If and when it becomes necessary to reduce the number of employees, consideration will be given to the needs of the City, seniority, employees' qualifications, past performance, ability to perform the work required, and the ability to get along with other employees and the public which they serve. Temporary and regular part-time employees performing similar work shall be laid off prior to regular full-time employees.

Except for emergencies, such as equipment breakdown or weather, an employee who is to be laid off for more than one (1) week will be given at least five (5) days notice prior to the layoff.

No notice will be needed for layoffs of a shorter period caused by lack of work, equipment breakdown, weather, etc.

Recall shall be in reverse order of lay-off provided the employee is qualified to perform the work available.

While on layoff, an employee is not eligible for any benefits. Vacation~~s~~, sick leave and seniority do not accrue during a layoff.

Section 8. TRANSFER

The City Manager may transfer an employee to another classification having the same pay range assignment in the same Department or another Department. This rule shall not apply to re-assignments within the Police Department.

No person shall be transferred to a position for which he/she does not possess the minimum qualifications. Transfer shall not be used to effectuate a promotion, demotion, advancement or reduction.

Section 9. PROMOTION

When an employee is promoted from one job classification to another job classification having a higher pay range, the employee will be placed on probation for thirty (30) days. A regular full-time employee who vacated his/her position to accept a promotion and is rejected during the thirty (30) day probationary period shall be reinstated to his/her former position with no loss of seniority or benefits. The vacated position shall remain vacant until the end of the thirty (30) day probationary period.

DRAFT

Section 10. LEAVES OF ABSENCE

10.1 **Sick Leave.** Sick leave will be granted to all regular full-time employees on the following basis:

a. Sick leave with pay shall accumulate at the rate of eight (8) hours per month of continuous employment and can accumulate up to a maximum of one thousand four hundred-forty (1440) hours.

b. Sick leave can be used only for bona fide sickness or non-work related accidental injury of the employee. Sick leave may be used for medical exams and consultations with physicians. Sick leave for medical exams and consultations with physicians is limited to reasonable travel time to and from the appointment and the actual appointment time. Employees are expected to report to work or use vacation time for time away from the office in excess of reasonable travel time to and from the appointment and the actual appointment time.

c. Sick leave will accrue for any month that an employee is employed with the City on the 1st day of the month. Sick leave will not accrue for any month that the employee is on any type of unpaid status (leave of absences without pay, unpaid FMLA, etc.) for an entire calendar month.

d. Any employee who requests sick leave shall contact the Department Head or designee prior to the beginning of the employee's scheduled shift whenever possible.

e. A medical verification of illness or injury is required by the City for the substantiation of the need for sick leave if the leave is more than three (3) working days.

f. Unused sick leave at the time of resignation from all employment of the City shall be forfeited.

g. The purpose of sick leave is to make an employee's work week whole. Sick leave will not be paid over an employee's normally scheduled 40 hour work week or in the case of Police Officers or Police Sergeants in excess of the hours scheduled for that work week.

10.2 **Family and Medical Leave Act.** The Family and Medical Leave Act of 1993 (FMLA) is a federal law that provides eligible employees of the City job-protected leave for specified family and medical reasons. To be eligible for leave under FMLA, the employee must:

- have been employed by the City for at least 12 months, and
- have been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave.

Eligible employees are entitled to a total of 12 work weeks of paid, unpaid, or a combination of paid and unpaid leave during any 12 month period. Leave under FMLA is generally unpaid. Employees may choose to substitute accrued paid leave (sick, vacation, floating holiday, and compensatory time) for FMLA leave. Substitute means that the accrued paid leave will run concurrently with the unpaid FMLA leave. When paid leave is used for an FMLA-covered reason, the leave is FMLA-protected.

Eligible employees may also take up to 26 work weeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness when the employee is the spouse, son, daughter, parent, or next of kin of the service member. An eligible employee is limited to combined total of 26 work weeks of leave for any FMLA-qualifying reasons during the single 12-month period.

Any eligible employee who takes leave under FMLA shall be entitled, on return from such leave:

a. To be restored by the City to the position of employment held by the employee when the leave commenced; or

b. To be restored to an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment.

The taking of leave shall not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

During any period that an eligible employee takes leave under FMLA, the City shall maintain coverage under any "group health plan" for the duration of such leave at the level and under the conditions coverage would have been provided if the employee had continued in employment continuously from the date the employee commenced the leave until the date the employee is restored. This benefit may not be provided if an advance request is not made. All questions regarding the Family and Medical Leave shall be directed to the City Manager or their designee.

10.3 Family Care Leave. Employees may use up to a maximum of twenty-four (24) hours with pay per fiscal year for the purpose of providing care for an employee's household family members who are sick and in need of care. This benefit shall not be considered as a right which an employee may use at his/her discretion, but shall be allowed only if not in conflict with City manpower or scheduling needs. The benefit provided in this paragraph shall not accrue or accumulate from year to year. Use of leave under this subparagraph shall be deducted from accrued sick leave.

In order to receive compensation while absent on Family Care Leave, the employee shall notify the supervisor as soon as possible in advance. All Family Care Leave must be approved in advance by the supervisor.

10.4 Jury Duty. An employee required to serve as a juror or as a witness shall receive his/her regular wages. In order to receive payment of regular wages for such duty, the employee must submit certification of service and assign all fees received from the court to the City.

Employees who are called to jury duty during scheduled working hours shall show proof of this fact and shall be paid his/her regular pay. Mileage, per diem meal reimbursement and other out-of-pocket reimbursement items shall be retained by the employee. An employee who is summoned for jury duty but who is not selected for jury duty shall return to work when released from jury duty within the employee's scheduled work hours.

10.5 Injury Leave. Injury leave with pay shall be granted to regular full-time employees who are incapacitated as a result of injury or occupational disease incurred through no misconduct of their own while in the actual performance of their assigned job. Paid injury to be charged against the employee's sick leave balance shall apply only to the waiting period not covered by worker's compensation. During the leave, an employee may use accrued paid leave (sick, vacation, or compensatory) to receive full wage or salary less any amounts paid to an employee by worker's compensation insurance for lost time. The portion compensated by the Ceity shall be calculated and charged to applicable accrued paid leave. Also see Section 24. Safety, Health and Welfare for work place injuries reporting requirements.

The City has a return to work program to provide guidelines for employees injured on the job who are unable to return to their regular job classification upon returning to work. Refer to City Policy 0902, Return to Work Program, for more information.

10.6 Funeral Leave. An employee shall be granted not to exceed five (5) days of paid leave in order to attend the funeral of the employee's spouse or child. Any such leave shall be only for the

scheduled workdays falling within the period commencing upon the death and extending through the fifth workday after the funeral.

An employee shall be granted not to exceed three (3) days of paid leave in order to attend the funeral of an employee's parent, parent substitute, sister, brother, mother-in-law or father-in-law. Any such leave shall be only for the scheduled workdays falling within the period commencing upon the death and extending through the third workday after the funeral.

An employee shall be granted not to exceed one (1) day of paid leave in order to attend the funeral of the employee's grandparents, aunts, uncles, brother-in-law or sister-in-law, or spouse's grandparents. Any such leave shall be only for the scheduled workdays falling within the period commencing upon the death and extending through the day after of the funeral. Use of leave under this subparagraph shall be deducted from accrued sick leave.

When accrued paid leave time is not available, an employee may request not to exceed one (1) day of time off without pay to attend the funeral of a relative or friend, or to serve as a pallbearer. When vacation time is not available, an employee may request not to exceed two (2) days off without pay to attend the funeral of a relative listed in this section if additional travel time is needed in order to attend the funeral or settle family estates.

Each day of paid leave in this section shall mean eight (8) hours of work time.

10.7 Emergency Leave. Employees may use up to a maximum of twenty-four (24) hours with pay per fiscal year for the purpose of providing care of an employee's spouse, child, mother, father, in-law parents, brother or sister, who is experiencing a serious illness. Serious illness shall be considered to be an illness or injury causing an individual to be hospitalized in serious or critical condition. The Emergency Leave benefit provided in this paragraph shall not accrue or accumulate from year to year. Use of leave under this subparagraph shall be deducted from accrued sick leave.

10.8 Leave of Absence Without Pay. The City Manager may grant a regular full-time or probationary employee a leave of absence without pay, if in his/her opinion, such leave will serve the best interest of the City. No such leave shall be granted except upon written request of the employee setting forth the reason for the request. Upon expiration of a regularly approved leave or within a reasonable period of time after notice to return to duty, the employee shall be returned to the position held at the time leave was granted. Failure on the part of an employee to report promptly at its expiration, or within a reasonable time after notice to return to duty, shall be deemed a voluntary resignation. Leave of more than sixty (60) days, except for disability, shall result in an adjustment to the employee's seniority date equal to the time of the leave. Sick leave or vacation benefits do not accrue during a leave without pay for an entire calendar month.

Department Heads may grant a regular full-time or probationary employee a leave of absence without pay not to exceed one week. Such leaves shall be reported immediately to the City Manager.

An employee shall be granted a leave of absence without pay if appointed to an elective office of the City for the balance of the term of such office.

10.9 Military Leave. Employees shall be granted military leave in accordance with the Code of Iowa.

10.10 Voting Leave. All employees are entitled to vote in an election. However, if an employee does not have three consecutive hours of non-work time in the period between the opening and closing of the polls, the employee is entitled to limited paid time off to go vote. Notice must be given to the employee's supervisor prior to taking leave.

DRAFT

DRAFT

Section 11. VACATIONS

11.1 **Eligibility and Allowances.** Each regular full-time employee shall earn vacation on a monthly basis at the following schedule:

Service Requirement	Vacation Allowance
During first year of employment	3.34 hours/month
Beginning 2nd year of employment	6.67 hours/month
Beginning 8th year of employment	10.00 hours/month
Beginning 18th year of employment	13.34 hours/month

Vacation leave will accrue for any month that an employee is employed with the City on the 1st day of the month. Vacation leave will not accrue for any month that employee is on any type of unpaid status (leave of absences without pay, unpaid FMLA, etc.) for an entire calendar month.

Employees shall not be allowed to use accumulated vacation leave for the first twelve (12) months of employment. Only accrued vacation hours may be taken. Vacation leave may be accrued to a maximum of 120 hours. Employees ~~continuously employed by the city since~~hired prior to June 30, 2013 (July 1, 2015 for Police Officers, Police Sergeants, Police Captain, and Police Chief) shall earn vacation at the rate of 16.67 hours/month beginning the 25th year of employment. Employees hired prior to ~~continuously employed by the city since~~ June 30, 2013 (July 1, 2015 for Police Officers, Police Sergeants, Police Captain, and Police Chief) may accrue vacation leave to a maximum of 160 hours.

When an employee provides a written notice of resignation at least ten (10) working days in advance of the final workday, unless such time limit is waived by the City Manager, the City will pay out all unused vacation leave on the employee's final paycheck. An employee who fails to provide a written notice of resignation at least ten (10) working days in advance of the final workday shall forfeit all remaining vacation time.

Other than specifically noted above, no employee shall receive cash payment in lieu of vacation.

The City Manager may advance an employee's position on the vacation scale due to past experience and/or education achievement.

11.2 **Vacation Pay.** The rate of vacation pay shall be the employee's regular straight time rate of pay for the time for which he/she would have been regularly scheduled to work. Vacation shall be taken in fifteen (15) minute increments.

11.3 **Choice of Vacation Period.** The City Clerk will maintain the official record of vacation leave credit and its use. Departments will schedule vacation leaves with regard to seniority of employees, the Department's operating requirements and responsibilities and insofar as possible with the requests of employees. All vacation time off requires the prior approval of the respective Department Head.

11.4 **Holiday During Vacation Period.** If a holiday occurs during the employee's scheduled vacation period, such holiday shall not be charged as vacation.

DRAFT

Section 12. HOLIDAYS

Regular full-time employees are eligible for the following paid holidays:

New Year's Eve Day (One-half day)
New Year's Day
Good Friday (One-half day)
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Day after Thanksgiving Day (Friday)
Christmas Eve Day (One-half day)
Christmas Day
Two Floating Holidays per calendar year

- Must be taken as full days (i.e. two (2) 8 hour workdays)
- May be taken at the discretion of the employee with approval of the Department Head, but not to be carried into the next calendar year.
- Employees beginning employment on or before April 30th shall receive two floating holidays their first year. Employees beginning employment on or after May 1st and on or before August 31st shall receive one floating holiday their first year. Employees beginning employment on or after September 1st shall receive no floating holidays their first year.
- Unused floating holidays at the end of the year and at the time of resignation of an employee shall be forfeited.

Holidays for full-time police officers are covered under their collective bargaining agreement. Full-time Police Sergeants shall follow the Observed Holidays and Holiday overtime pay for a Police Officer as outlined in the collective bargaining agreement for Police Officers.

Except for Police Officers or Police Sergeants ~~designated employees~~ in the Police Department:~~,~~

- ~~p~~Paid holidays falling on Sunday will be observed on Monday, and paid holidays falling on Saturday will be observed on the preceding Friday.
- If a holiday falls on an employee's regularly scheduled day off, the employee shall not lose the holiday and will be compensated either by cash or later time off at the City's discretion.
- When a full-time non-exempt employee's services are required ~~for an emergency or performance of an essential public service~~ on an observed holiday, the employee shall receive overtime pay for the hours worked on the holiday.
- When a part-time employee works on an actual holiday, the employee shall receive overtime pay for the hours worked on the holiday.

For one-half day holidays, the employee shall receive overtime pay for those hours worked after 12:00 Noon or for any hours worked over 4 hours.

Regular Part-Time employees that have successfully completed their probationary period, and are scheduled to work not less than thirty (30) hours each week, shall become eligible for Holiday pay only, on days when the City office is closed. Holiday pay shall be prorated on the basis of the part-time employee's regularly scheduled hours within the two-week (80 hour) pay period.

No holiday pay shall be paid to any employee who uses sick leave, emergency leave, or family care leave for the entire scheduled work day before or the entire day after a holiday except in cases where an employee provides a doctor's statement indicating that the employee should not be at work on those days or provides a doctor's note that substantiates the use of emergency leave or family care leave. Funeral leave which is charged as sick leave shall be considered working the day before or the day after the holiday for purposes of this paragraph.

DRAFT

DRAFT

Section 13. TERMINATION FROM SERVICE

13.1 Resignations. Upon the decision of an employee to resign, a written resignation shall be submitted to his/her immediate supervisor stating the reason and the effective date. This written notice shall be submitted at least ten (10) working days in advance of the final workday (unless such time limit is waived by the City Manager). A statement by the Department Head concerning the resigned employee's service performance and other pertinent information shall be forwarded to the City Manager. Pursuant to Iowa Code Section 22.15, if you resign in lieu of termination that fact is a public record, as well as supporting documents showing the reasons and rationale for the action.

13.2 Discharge. The City Manager may, after a pre-termination hearing, discharge any employee for neglect of duty, disobedience, misconduct or failure to properly perform his/her duties. Any regular full-time employee who has been discharged shall be entitled to receive a written statement of the reasons for such action. A report stating the reasons for the action shall be filed with the City Clerk following any discharge. Pursuant to Iowa Code Section 22.15, if you are discharged that fact is a public record, as well as supporting documents showing the reasons and rationale for the action.

13.3 Retirement. Whenever an employee meets the conditions of the appropriate City recognized retirement plan, he/she may retire and shall receive all benefits earned under such plan.

DRAFT

Section 14. MISCELLANEOUS

14.1 **Acceptance of Gifts.** Employees of the City shall not directly or indirectly accept or receive any gift or series of gifts as defined in Section 68B.22 of the Code of Iowa. This includes special discounts or offers that are not available to the general public.

14.2 **City Property Usage.** At no time shall an employee use any City owned equipment, tools, materials or property or use any City owned facility for personal use without prior written approval by the City Manager.

Fines or penalties arising from unlawful acts by an employee while operating a City-owned vehicle will be the responsibility of the employee.

City employees may be granted permission, by their supervisor, to place their personal vehicle in a City maintenance facility, for the purpose of removing ice, so that the vehicle may be cleared to allow for proper vision for the driver. At no time shall a City vehicle be placed outside, or left outside to accommodate this provision. It is anticipated that the need to park inside a City maintenance building will be very infrequent.

14.3 **Residence Requirement.** All regular full-time employees, with the exception of sworn police officers, shall reside within Carroll County or a contiguous county to Carroll County upon completion of the probationary period. All sworn ~~police officers~~law enforcement officers must live within a thirty (30) mile radius of the Police Department. All individuals within the Fire Department shall reside within the City or within the extraterritorial zoning area immediate surrounding the City (as described by Ordinance No. 9007, adopted March 12, 1990). Any employee who fails to meet these requirements shall be considered to have voluntarily resigned from City employment.

14.4 **Bad Weather Days.** When weather conditions, bad weather days, are so severe as to require closing City offices, as determined by the City Manager, no accounting of time is necessary for regular full-time employees. In situations where a limited number of offices (i.e. Recreation Center) are closed and City Hall is open, full-time employees of the closed offices are expected to report to work or take vacation time for that day. Safety of employees is paramount to the City; if an employee thinks it is unsafe for them to report to work due to weather conditions and City offices remain open as usual, the employee may choose to not report to work and take vacation or compensatory time for that time.

Due to the nature of City work, some employees may be deemed essential by the City Manager and be required to report to work even when City offices are closed due to bad weather conditions. Essential employees receive no additional compensation for working on days City offices are closed due to bad weather conditions.

14.5 **Employee Birthday Recognition**. Annually employees are invited to have lunch with the City Manager to recognize their Birthday. This lunch will be paid for by the City in order to increase employee morale and retention.

DRAFT

14.6 **Employee Recognition.** Annually the City will hold an employee recognition event in the summer to recognize our employees. The City will pay all costs of the lunch and City offices will be closed during the lunch period to provide the opportunity for all employees to participate. Additionally, at the employee recognition event, the City will recognize employee anniversary milestones as outlined in City Policy 0404 – Service Recognition. This lunch and the awards will be paid for by the City in order to increase employee morale and retention.

14.7 **Employee Potluck.** Employees are authorized to annually hold an employee potluck. City offices will be closed during the lunch period in order to provide the opportunity for all employees to participate. This time is being set aside for employees in order to increase employee morale and retention.

14.8 **Purchase of Food.** The City Manager is authorized to approve the purchase of food to support various events such as retirement recognition, employee trainings, council retreats, council budget meetings, end of the season events, and other similar activities. This will be paid for by the City in order to increase employee morale and retention, address safety concerns, and/or improve overall operations within the City.

14.9~~8~~ **Donation of Vacation.** An employee may donate up to forty (40) hours of vacation leave and floating holidays to a co-worker who has used all available paid leaves (sick, vacation, compensatory time, and floating holidays), but cannot work due to the employee's or the employee's household family member's illness. Donated floating holidays shall be in 8 hour increments. Hours shall be exchanged one for one without regards for differing pay rates. The donating employee shall fill out the appropriate form available from the City Clerk and the amount donated shall be debited against the accrued total of the donor and credited to the receiving employee's total. No employee may donate more than a total of forty (40) hours per fiscal year.

DRAFT

Section 15. POLITICAL ACTIVITY

Employees may participate in or contribute to the election or appointment of public officials. Political activity shall not be conducted during employees' work hours. No City employee will be coerced or compelled to take part in political campaigns to favor the appointment or election of candidates for any office. Leaves of absence, without pay, may be granted to any person that becomes a candidate for elective office.

DRAFT

Section 16. PERSONNEL RECORDS, DEDUCTIONS, AND REIMBURSEMENTS

16.1 **Changes in Basic Personnel Records.** Any changes in name, marital status, withholding tax exemptions, address or telephone number should be reported promptly to the City Clerk's office. The employee's personnel record on file at City Hall shall contain all items affecting payroll.

16.2 **Payroll Deductions.** Deductions for Federal and State income withholding tax are made routinely on the basis of the number of exemptions claimed by the employee. Additional deductions shall be made in accordance with applicable law. At the beginning of employment, each employee must complete a W-4 certificate with the City. At any time when there is a change in dependents, etc., the employee must notify the City Clerk.

a. Social Security. The City deducts the required amount of Social Security from the employee's salary, matches it with a designated amount, and forwards the total to a federal tax depository. Police officers are not subject to social security deductions.

b. Iowa Public Employee's Retirement System (IPERS), Municipal Fire and Police Retirement System of Iowa (Chapter 411). Starting with an eligible employee's first paycheck, it is mandated by law that deductions for retirement are made from each paycheck. The City also pays an amount designated by law of gross pay for the retirement program.

International City Management Association Retirement Corporation (ICMA-RC) was established as an alternate to IPERS for certain eligible employees.

16.3 **Deferred Income.** The City makes available to all employees a deferred income plan whereby an individual can defer a portion of his/her current salary. The City does not make a financial contribution to this plan. Information is available from the City Clerk.

16.4 **Lost Checks or Warrants.** If an employee has lost his/her check/warrant, a report of the loss should be made immediately to the City Clerk. The procedure followed in issuing a new check/warrant will be explained to the employee and upon completion of the procedure, a new check/warrant will be issued as soon as possible. The employee shall pay all out-of-pocket costs incurred.

16.5 **Travel Expenses.** Employees required to use their personal automobile for City business shall be reimbursed, for authorized travel at the IRS Business Standard Mileage Rate. IRS rate mileage reimbursement will be allowed only if no other reimbursement, or allowance, is provided to the authorized person for the same travel occurrence. If the City business keeps the employee away overnight, actual room expense will be reimbursed if authorized by the Department Head prior to said expense being incurred. Lodging that is authorized and approved by the City will be paid on an actual cost basis. Meal reimbursement, for expenses incurred outside of Carroll County and not included as part of a conference registration, is allowed at the following maximum rates: Breakfast - $13~~0~~.00; Noon - $14~~2~~.00; and Evening meal - $23~~18~~.00. For travel exceeding 24 hours, meals may be aggregated up to $50~~40~~.00 per day. Employees may purchase groceries in lieu of restaurant meals; reimbursement will follow the meal reimbursement schedule. Meal gratuity and alcoholic beverages are not reimbursable expenses. Detailed receipts for all expenses shall be attached to the vouchers filed with the Department Head. If any receipt does not itemize out the items for reimbursement, the expenses will not be reimbursed.

DRAFT

16.6 **Private Vehicle Allowance.** The City provides a private vehicle allowance to the following employees:

- City Manager
- City Engineer
- Police Chief
- Fire Chief/Chief Building Official
- Parks and Recreation Director
- City Clerk/Finance Director

In limited circumstances, the City Manager may authorize use of a City vehicle in lieu of a vehicle allowance.

The private vehicle allowance is currently $200 per month and will be treated as income by the Internal Revenue Service (IRS) and will be reported on the employee's W-2 form. This allowance is to cover all costs of vehicle transportation used for conducting City business within Carroll city limits. Mileage reimbursement will be granted for travel incurred outside the Carroll city limits related to official City business.

16.7 **Clothing Allowance.** The City Manager shall determine the extent to which uniform or special items of clothing are provided to various classes of employees. Full-time Police Sergeants, Police Captain, and Police Chief shall be provided the same uniforms as are provided to Police Officers as outlined in the collective bargaining agreement for Police Officers.

The value of benefits provided from an employer to an employee must be included in the taxable income of the employee unless there is an applicable Internal Revenue Code exclusion. The purpose of this guideline is to provide information to help identify when income exclusions may apply to clothing the City of Carroll gives its employees versus when employer provided clothing or clothing allowances must be reported as taxable income.

The value of clothing provided by an employer to an employee must be included as taxable income of the employee unless there is an applicable income exclusion. Two possible income exclusions could apply when the employer provides clothing:

- De minimis benefit, or
- Clothing not suitable for general wear.

A de minimis benefit of clothing is:

- A benefit so small that accounting for it would be unreasonable or administratively impracticable considering its value and frequency.
- Per City policy, the value must be $100 or less to qualify as de minimis.
- The provision of clothing must be only upon hire and then only on an as-needed basis to qualify as de minimis.

When clothing qualifies as de minimis, it is not subject to tax.

Not Suitable for General Wear. Clothing is considered not suitable for general wear and may be provided by an employer to an employee tax-free when all three of the following provisions are met:

- The clothing is specifically required to be worn as a condition of employment,
- The clothing is not of a type adaptable to general or continued usage to the extent the clothing takes the place of regular clothing, and
- The clothing is not used for general or personal wear.

DRAFT

Just because the employee typically would not wear clothes provided by the employer away from the work place does not mean the clothing is not suitable for general wear. The tax policy behind this treatment is that clothing that can be worn for general wear is a personal expense, so if an employer is providing clothing suitable for general wear, the value of the clothing should be subject to tax. The IRS views protective clothing, such as safety shoes or boots, hard hats, and work gloves required to be worn by an employee as not suitable for general wear. Additionally, because of important public safety concerns, the IRS has concluded that police uniforms are considered safety clothing and not suitable for general wear. Clothing not suitable for general wear can be provided tax-free.

16.8 **Safety Shoes.** The City will reimburse the cost of safety shoes for employees whose job duties require the use of safety shoes, as determined by the employee's Department Head. The City will reimburse up to $200.00 for a single pair of safety shoes that meet the requirement and specification in American Society for Testing and Materials (ASTM) F2413-11, F2413-17, or F2413-18. In no case should any employee receive the City allotment for safety shoes more than once in any twelve-month period. Refer to City Policy 0901 – Safety Policy for additional information on the City's Safety Policies. Full-time Police Sergeants, Police Captain, and Police Chief shall be provided the same safety shoes allowance that is provided to Police Officers as outlined in the collective bargaining agreement for Police Officers.

16.9 **Recreation Center Membership.** In order to encourage physical fitness for employees and their families, full-time employees and members of the Carroll Fire Volunteer Fire Department shall receive a 50% discount for Recreation Center memberships. This discount is available for a single membership for the employee or for a family membership covering the employee's family. Regularly scheduled part-time employees shall receive a 30% discount for a single Recreation Center membership for the employee.

DRAFT

Section 17. INSURANCE

17.1 Life Insurance. The City provides life insurance for regular full-time employees with a maximum principal sum of $10,000. Additional insurance of $1,000 is provided for spouse and dependent children over the age of six (6) months and $100 is provided for dependent children fourteen (14) days to six (6) months. The full range of coverage and details are available upon request from the City Clerk.

17.2 Medical Insurance. The City shall provide the opportunity to enroll in a health insurance coverage plan designated by the City to full-time employees and eligible part-time employees. Eligible part-time employees are those employees who average thirty (30) or more hours of paid time, which includes actual hours worked or any type of paid time off, over any consecutive twelve (12) month look back period.

For employees selecting single health insurance coverage, the City will contribute 80% of the cost of the lowest cost single health insurance plan the City has available toward the plan the employee selects. For employees selecting family health insurance coverage, the City will contribute 80% of the cost of the lowest cost family health insurance plan the City has available toward the plan the employee selects. The employee shall pay, on a monthly basis through payroll deductions, the difference between the City's health insurance contribution and the cost of the health insurance plan the employee selects.

Annually, if an employee certifies that he or she is otherwise covered by health insurance and opts to waive coverage through the City, the City shall pay the employee an amount equal to thirty percent (30%) of the lowest cost monthly single health insurance premium. For purposes of this section, the cost of the premium will be equal to the cost of electing continuing coverage under COBRA. The full range of coverage and details are available upon request from the City Clerk.

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

Qualified beneficiaries who are determined to be disabled under the Social Security Act at the time they become eligible for COBRA continuation are entitled to coverage for up to twenty-nine (29) months.

The beneficiary must notify the Plan Administrator of the desire to continue coverage within sixty (60) days of the qualifying event. After the initial election, the beneficiary must remit the applicable premium to the City. Delinquent payments of the premium may be grounds for terminating the continuation coverage.

The beneficiary shall have the option of converting group coverage to a direct subscriber plan with the group medical insurer. The beneficiary will have thirty (30) days from the date of termination of the continuation coverage to convert their group medical coverage.

17.4 Disability Insurance. The City provides Workman's Compensation for job related injury and disability.

17.5 Dental Insurance. The City may elect to offer a voluntary dental insurance plan for its employees. Premiums for dental insurance shall be paid 100% by the employees through payroll deduction.

DRAFT

Section 18. EMPLOYEE WELLNESS PROGRAM

18.1 City Wide Employee Wellness Program. The City of Carroll establishes the Wellness Committee in pursuit of better overall physical and mental wellness for City employees. The initiatives of the Wellness Committee shall address the primary components of a healthy lifestyle including healthy eating, physical activity, mental wellness, tobacco use cessation, stress management, career well-being, social well-being, financial well-being, and community well-being.

The initiatives of the Wellness Committee and implementation of the wellness program shall be the responsibility of the City Clerk/Finance Director or his/her designee.

Within the annual appropriation set by the City Council, the Wellness Committee is authorized to expend City funds in order to: put on wellness programs and workshops, offer annual employee flu shots, offer annual wellness checks, and provide employee incentives to participate in said programs.

18.2 Police Physical Fitness Program. Full-time Police Sergeants, Police Captain, and Police Chief shall participate in the City's Physical Fitness Program for Police Officers and be accorded the same benefits that Police Officers receive for participating in the program as outlined in the collective bargaining agreement for Police Officers. For the Police Captain and Police Chief hours rewarded shall be in the form of vacation time. The City will not discipline any employee for any test failure resulting from participating in the Physical Fitness Program.

Section 19. WORK RULES

The City may from time to time adopt and/or publish changes in departmental procedures and rules. Such rules and changes shall be prominently posted on appropriate bulletin boards. Under normal circumstances, the City will provide at least ten (10) days notice before changes in rules are effective. All employees must comply with such departmental procedures and rules.

DRAFT

Section 20. SEXUAL HARASSMENT

20.1 Purpose. It is the City's policy that all employees are responsible for assuring that the workplace is free from sexual harassment. Because of the City's strong disapproval of offensive or inappropriate sexual behavior at work, all employees must avoid any action or conduct which could be viewed as sexual harassment.

Sexual harassment has been defined by Federal and State regulations as a form of sex discrimination. It can consist of unwelcome sexual advances, requests for sexual acts or favors, or other physical and verbal conduct of a harassing nature by supervisors or others in the workplace.

Sexual harassment exists when:

a. Supervisors or managers make submission to such conduct either an explicit or implicit term or condition of employment (including hiring, compensation, promotion, or retention).

b. Submission to or rejection of such conduct is used by supervisors or managers as a basis for employment decisions.

Sexual harassment may also exist when conduct by supervisors, any other employee, or people who are not employees, unreasonably interferes with an employee's work performance or creates an intimidating work environment. Such conduct may take various forms, as for example:

a. Verbal -- sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, threats.

b. Nonverbal -- sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures.

c. Physical -- unwanted physical contact, including touching, pinching, brushing the body, coerced sexual intercourse, assault.

Sexual harassment of employees by non-employees in the workplace is not acceptable and should be reported to a supervisor, Department Head or City Manager.

DRAFT

20.2 Procedures.

a. Any employee who has a complaint of sexual harassment at work by anyone, including supervisors, co-workers, or visitors should immediately bring the problem to the attention of the supervisor, Department Head, City Manager, or City Attorney. All such reports of alleged sexual harassment shall be brought to the attention of the City Manager unless the alleged charge is against the City Manager and then the City Attorney shall be informed.

b. Inquiries and/or complaints will be investigated immediately by the City. All complaints will be handled in a timely and confidential manner. The purpose of this provision is to protect the confidentiality of the employee who files a complaint, to encourage the reporting of any incidents of sexual harassment, and to protect the reputation of any employee wrongfully charged with sexual harassment.

c. Investigation of a complaint will normally include conferring with the parties involved and any names or apparent witnesses. Employees shall be guaranteed an impartial and fair hearing. All employees shall be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in an investigation.

d. Any employee determined by impartial investigation to have harassed will be subject to appropriate disciplinary procedures, up to and including termination.

e. A non-employee who subjects an employee to sexual harassment in the workplace will be informed of the City's harassment policy by the employee's supervisor or manager; other action may be taken as appropriate.

DRAFT

Section 21. RESOLVING DISAGREEMENTS

In spite of an effort to understand and respect each individual's viewpoint and to keep lines of communication open, disagreements concerning wages, hours, and terms and conditions of employment occasionally arise.

For this reason, the City has established a procedure that assures each employee a fair opportunity to present information relative to the disagreement to higher levels of management. Use of this procedure will in no way jeopardize the employee's future with the City.

Full-time police officers should refer to their collective bargaining agreement under grievances.

The first step in the procedure requires the employee to present the disagreement to his/her immediate supervisor within five (5) days of the incident giving rise to the dispute. The supervisor will provide the employee with a response within five (5) days. The disagreement may be presented either verbally or in writing and the supervisor may respond either verbally or in written form if it was presented verbally by the employee. However, if the matter is presented in writing it must be answered in writing.

If the disagreement is not resolved with the supervisor, the employee shall present his/her disagreement to the Department Head in written form specifying the regulations violated and their proposed resolution of the disagreement within five (5) days of receipt of the answer from the supervisor. The Department Head will have five (5) days in which to provide a written response.

If the disagreement has not been resolved satisfactorily, the written statement specifying the regulations violated and their proposed resolution of the disagreement should be presented to the City Manager within five (5) days of receipt of the answer from the Department Head. The City Manager will have fifteen (15) days in which to provide a final and binding decision regarding the issue.

Limitations: If the employee files any claim or complaint in any forum other than under this procedure, then the City will not be required to process the same claim or set of facts through this procedure. The procedure for resolving a grievance by a full-time police officer is included in their collective bargaining agreement.

DRAFT

Section 22. DRUG FREE WORKPLACE

The policy of this City is to maintain a drug-free workplace. In carrying out this policy of a drug-free workplace, the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in this workplace, or any premise where City business is carried out, is strictly prohibited. A "controlled substance" within the meaning of this policy means any controlled substance in Schedules I through V of Section 812 of the Controlled Substances Act (21 U.S.C. 812) and as further defined in regulation 21 C.F.R. 1308.11-1308.15,~~Section 202 of the Controlled Substances Act (21 U.S.C. 81 and as further defined in regulation 21 C.F.R. 1308.11-1308.15)~~, as well as any applicable Iowa statutes regulating alcohol and controlled substances, generally 730.5 and 125.1. Any violation of this prohibition will result in discipline up to and including discharge.

The Drug Free Workplace Act of 1988 requires employees to report any conviction under a criminal drug statute for violations occurring on the City's premises, or off the City's premises while conducting official business. A report of a conviction must be made to your Department Head within five (5) working days after the conviction. Failure to do so will result in immediate dismissal from employment with the City.

The State of Iowa has a strong public policy favoring the treatment and rehabilitation of substance abusers which is outlined below:

a. That substance abusers and others suffering from chemical dependency be afforded the opportunity to receive quality treatment and directed into rehabilitation services which will help them resume a socially acceptable and productive role in society.

b. To encourage substance abuse education and prevention efforts and to ensure that such efforts are coordinated to provide a high quality of services without unnecessary duplication.

c. To insure that substance abuse programs are being operated by individuals who are qualified in their field whether through form education or practical experience.

Iowa Code, Section 730.5, sets forth rigorous requirements on the part of the City in regard to drug testing, exemptions, prohibitions, search and seizure and related enforcement procedures. It is the policy of the City to follow both the spirit and intent of this statute. For further information on the City's drug testing policy, please refer to Policy 0907 – Substance Abuse Prevention Program for Drugs & Alcohol. Any questions in this regard should be directed to the Department Heads or the City Manager.

DRAFT

Section 23. DISCIPLINARY PROCEDURES

The many years that the average employee has worked for the City indicates that good working relationships do exist. However, work rules have been established to deal with the occasional instances of unsatisfactory conduct.

In the event of such unsatisfactory conduct by an employee, the supervisor will normally first try to correct the situation through discussion with the employee. The employee or the supervisor may call upon the City for help in resolving the problem, or if this fails, in deciding upon what remedial action is warranted. In all cases, the City reserves the right to adjust its action to suit the circumstances.

The following steps will only be taken in an attempt to resolve problems of unsatisfactory conduct which are not of a serious nature:

a. The supervisor or Department Head will normally give the employee a verbal warning, acknowledged in writing by the employee, which will be placed in the employee's personnel file.

b. If unsatisfactory conduct continues, a written warning will normally be issued by the supervisor or Department Head. This copy will be placed in the employee's personnel file.

c. If such conduct persists, the employee may be suspended.

d. If such conduct is repeated, the City will terminate employment of the employee. A written report of this action and the reasons for it will be placed in the employee's file.

e. Employees are allowed the opportunity to appeal the termination to the City Council.

In cases of serious misconduct, the City shall have the right to suspend or discharge immediately.

Disciplinary procedures for Police employees are contained in Chapter 400 of the Code of Iowa.

23.1 Demotion. The City Manager may peremptorily demote any subordinate for neglect of duty, disobedience of orders, misconduct, violation of work rules or failure to properly perform his/her duties. Upon request of the Department Head and approval of the City Manager, demotion may be made to a vacant position. No person shall be demoted to a position for which he/she does not possess the minimum qualifications. Written notice of the demotion shall be given to the employee prior to the effective date of the demotion. Pursuant to Iowa Code Section 22.15, if you are demoted that fact is a public record, as well as supporting documents showing the rationale for the action.

23.2 Suspension. The City Manager may suspend an employee from his/her position with or without pay at any time for neglect of duties, disobedience of orders, misconduct, violation of work rules or failure to properly perform his/her duties. Suspension without pay shall not exceed thirty (30) calendar days.

DRAFT

Section 24. SAFETY, HEALTH AND WELFARE

The City shall make reasonable provisions for the safety and health of employees during the hours of their employment, and shall provide protective devices and other equipment necessary to protect the employees from injury or illness in conformance with statutory requirements.

An employee who is physically able must report an injury within twenty-four (24) hours of the injury, however minor, to Company Nurse by calling 1-888-770-0928 and providing the employer name: City of Carroll, search code: IA072. Company Nurse is a 24/7 service, including all holidays. In all life- or limb-threatening situations, call 911 or transport directly to the ER immediately and call Company Nurse with any information that you have once the situation has stabilized.

Authorization from Company Nurse is required for all outside treatment, except in the event of an emergency. The use of unauthorized medical, prescription and hospital services are not recoverable from the City.

DRAFT

Section 25. EMPLOYEE DEVELOPMENT

25.1 **Employee Training**: The purpose of this section is to establish a policy ~~a~~ for employee~~s~~ training, for sending City employees to special training and for sending employees to special outside courses of instruction relating to their employment with the City which does not accrue credit toward a high school diploma or high school equivalency certificate, college degree, law degree, CPA recognition or related educational certification.

a. The City will, at its discretion, provide orientation and on-the-job training for each employee. Upon the recommendation of the Department Head and approval of the City Manager, a City employee may be sent to outside instructional courses as means of upgrading his/her capabilities as a City employee.

b. The criteria for evaluating a request to attend outside instructional course shall be that the estimated value to the City from the course is commensurate with the total cost including tuition, transportation, meals, lodging pay and other expenses; that consideration be given to the quality of both the curriculum and the instructors involved so as to be reasonably certain that the course will be practical and usable in City operation; and that in the case of a prolonged course of instruction, there will be adequate coverage of the employee's normal duties during his/her absence.

c. Employee training to improve work performance of the employee in his/her present position, both by means of in-service instruction and outside instructional courses, may be conducted during or after the employee's working hours.

   Training to prepare the employee for promotion shall be on the employee's own time unless, because of shortage of manpower or other circumstances, it is in the City's interest to use work time.

25.2 **National Incident Management System (NIMS) Training**

The federal government is currently requiring jurisdictions to implement an incident command system called NIMS. NIMS covers areas such as: incident command structure, common terminology, mutual aid agreements, and resource typing. All local government entities, including schools, are supposed to be NIMS-compliant. The majority of NIMS implementation time is devoted to training. Below is a list of the classes currently required for NIMS training compliance:

IS-100 (Introduction to Incident Command) and IS-700 (Introduction to NIMS): Required of all employees and officials who will be responding during a disaster.

IS-200 (Supervisory Incident Command): Required of all first-line supervisory responders and above; those who oversee others during any response. NOTE: Those who may have taken *IS-195 (Incident Command)* in the past are not required to take *IS-200* as long as they have a record (e.g. certificate) of taking the training.

There are various ways that these classes can be taken. Please see City Clerk for training material.

All new employees or officials who are required to take this training (per the guidelines above) must complete the training within 120 days of hire.

DRAFT

Section 26. DECLARED EMERGENCIES

During such times that the City is operating under an emergency proclamation signed by the Mayor of the City of Carroll, the Carroll City Manager, as authorized and empowered by the Mayor shall make any and all changes to the City Personnel Policy as he/she sees fit in order to protect staffing and in order to protect the delivery of essential services during the time of the emergency. All changes made under this section shall expire upon expiration of the emergency proclamation.

Section 27. CONCLUSION

All City employees help provide the services that the citizens of the City desire, pay for, and expect. Good streets, excellent water systems, enjoyable parks, good community planning, police and fire protection do not just happen. We know that you, too, will give your best effort to provide the people of this community with the service that they can expect. It is not an easy task, but it is worthwhile.

Everyone with the City organization wishes you well on your job. We hope that your working relationship with the City is long, pleasant, and rewarding.

DRAFT

RESOLUTION NO. _____

A RESOLUTION APPROVING REVISED POLICY 0400 – PERSONNEL POLICIES

WHEREAS, Policy 0400 – Personnel Policies has been revised; and

WHEREAS, the Personnel Policies are attached hereto as Exhibit "A"; and

WHEREAS, it is determined that the approval of the attached Personnel Policies is in the best interest of the City of Carroll, Iowa;

NOW, THEREFORE, BE IT RESOLVED that the Revised Policy 0400 - Personnel Policies, attached as Exhibit "A", be authorized and approved.

PASSED AND APPROVED by the Carroll City Council of the City of Carroll, Iowa this 13th day of September, 2021.

CITY COUNCIL OF THE
CITY OF CARROLL, IOWA

BY:_____
Eric P. Jensen, Mayor

ATTEST:

By:_____
Laura A. Schaefer, City Clerk