



CITY OF CANEY

Employee Handbook

ADOPTED OCTOBER 17TH, 2022

**PERSONNEL POLICIES AND GUIDELINES,
CITY OF CANEY, KANSAS**

ARTICLE A. GENERAL

A-1. Policies Established. The following policies, guidelines, and other provisions for Personnel Administration in the City of Caney, hereinafter referred to as City, are established to:

- (a) Promote and increase the efficiency and effectiveness of City service.
- (b) Develop a program of recruitment, advancement, and tenure that will make City service attractive as a career.
- (c) Establish and maintain a uniform plan of performance evaluation and compensation based upon the relative duties and responsibilities of each position to assure a fair and equitable wage or salary to all employees.
- (d) Establish and promote high morale among City employees by providing good working relationships, uniform personnel policies, and an opportunity for advancement without regard to race, color, sex, disability, religion, age, national origin, ancestry, genetic information, or sexual orientation.
- (e) Establish City employment and personnel policies. These policies and guidelines do not create contractual employment rights. All employees are considered to be at-will employees for the purposes of City employment.

A-2. Application of Policies. These policies and guidelines shall apply to all employees in the service of the City except elected officials.

A-3. Departmental Guidelines. The head of any City department may formulate in writing reasonable guidelines for the conduct of the operations of his or her department, such as those relating to safety or operational procedures, which shall be available to all departmental employees. Such department guidelines shall not be less stringent than, in violation of, or in conflict with any personnel guidelines adopted by the Governing Body.

A-4. Personnel Records. The City shall keep adequate records of all persons employed. The records shall include all employees': pay scale; time worked; accrued vacation and sick leave; all absences for vacation, sick, or other leave; accrued overtime; and all other records directed to be made and maintained under these policies and guidelines or under applicable state or federal law. All original records will be filed and maintained at the office of the City Clerk. An employee's personnel file shall be available during office hours for inspection by that employee.

Personnel records shall be closed to the general public, except for name, position, salary and length of service of the employee. Department heads or assigned agents shall keep adequate records of all persons employed in their department.

A-5. Amendment of Policies. These policies may be amended from time-to-time in the same manner as they were adopted.

A-6. Definitions. Unless specifically provided elsewhere or unless the context clearly indicates otherwise, the words and terms as used in this personnel policy and guideline shall be as follows:

- (a) ***Accident Leave*** is leave following an injury incurred on the job. The injury must be of this nature to BE ALLOWABLE for payment under workers compensation.
- (b) ***Anniversary Date***. The calendar date upon which full-time employment started with the City by a specific employee.
- (c) ***Break*** is an authorized break from work consisting of no more than fifteen (15) minutes in duration.
- (d) ***Business Day***. A day Monday through Friday from 8:00 am – 5:00 pm.
- (e) ***Cause*** shall mean cause for termination of employment, and shall include, but not be limited to:
 - (1) neglect of duty;
 - (2) negligence;
 - (3) incompetence;
 - (4) inefficiency;
 - (5) abuse of sick leave, excessive absenteeism, or tardiness;
 - (6) dishonesty;
 - (7) intoxication;
 - (8) disobedience to the employer's rules, instructions or orders;
 - (9) disrespectful conduct toward the employee's supervisors, the Mayor or fellow employees;
 - (10) insubordination;
 - (11) conduct which jeopardizes the safety of co-employees, citizens or other persons;
 - (12) conduct which creates a substantial risk of loss of City property or funds;
 - (13) conduct which subjects the City to civil or criminal liability; or
 - (14) any other act or failure or refusal to act which indicates unfitness for the service for which the employee was engaged, or which is contrary to the faithful and diligent performance thereof.
- (f) ***City***, as previously defined in A-1, is the City of Caney, Kansas, and all departments and subdivisions thereof.
- (g) ***Compensatory Time*** is time off from work instead of monetary payment after approval by department head. Employees are offered the opportunity to take compensatory time off from work for work performed in excess of the normal workweek. Compensatory time will be awarded at the same rate as overtime pay or one and one-half the normal rate of pay. 80 hours maximum per year.
- (h) ***Continuous*** employment is the time from original employment to the current date of employment with no break in service.
- (i) ***Department*** is an identifiable functional unit of the city.
- (j) ***Department Head*** shall mean, in the case of the police and ambulance departments, the Chief of Police; in the case of the City Clerk's office, the City Clerk; and in the case of the water, street, sewer and solid waste departments, the Public Works Director; in the case of the Volunteer Fire Department, the Fire Chief.

- (k) **Discharge** is the separation of an employee from employment with the city pursuant to disciplinary action.
- (l) **Disciplinary Action** is an official reprimand, reassignment, intensive evaluation, suspension, demotion or discharge based on the conduct of the employee.
- (m) **Employee** shall mean any non-elected officer or employee of the City.
- (n) **Employee Evaluation** is a written appraisal of the performance of an employee in meeting standards of performance established by the department.
- (o) **Exempt Employee** is an individual employed by an employer that is defined as exempt by The Fair Labor Standards Act (29.U.S.C.201 et seq.)
- (p) **Full-Time Employee** is one employed to work a normal week of at least 40 hours on a regular and continuing basis. The work week shall begin on Sunday and end on Saturday except as otherwise provided in Section E-1.
- (q) **Immediate Family** shall include and be limited to:
 - (1) Mother and/or father of the employee
 - (2) Sister and/or brother of the employee
 - (3) Spouse
 - (4) Children, step-children of the employee
 - (5) Employee's grandparents and grandchildren
 - (6) Any other relative residing in the same household
 - (7) Spouse's immediate family, limited to the same as employee
 - (8) Significant other person residing in the same household
 - (9) For these purposes' child, brother, sister, parent, grandchild, grandparent, shall be considered to include stepson, stepdaughter, stepfather, stepsister, and step-grandchildren.
- (r) **Leave of absence (unpaid)** shall mean unpaid leaves of absence not to exceed twenty (20) days per calendar year granted by the city administrator with prior approval of the department head. Prior to requesting unpaid leaves of absence all vacation must already have been utilized.
- (s) **New Employee** means any person who is not already currently employed by the city at the time a job vacancy or job position becomes available.
- (t) **Non-Exempt Employee** is an individual employed by an employer that is defined as non-exempt by The Fair Labor Standards Act (29.U.S.C.201 et seq.)
- (u) **Official Reprimand** shall mean a form of disciplinary action, in writing, designed to not only admonish or warn an employee, but also to lead, guide, direct and instruct the employee in how to correct and avoid repeating a mistake, infraction, deficiency or problem.
- (v) **Overtime** is time worked by a non-police employee in excess of forty (40) hours per designated work week. Full-time police officers shall be eligible to receive overtime compensation only for work hours in a work period which exceeds 86 hours per 14-day work period. Pay for such overtime shall be computed as proved in Article D-7. All overtime must be approved in advance. Failure to

receive approval for overtime can result in disciplinary action being taken against the employee or termination if determined.

- (w) **Part-Time Employee** is one employed to work less than 33 hours per week on a regular and continuing basis.
- (x) **Pay Period** is a bi-weekly period beginning on Sunday at Midnight and ending 14 days later on Saturday at 11:59 p.m. There shall be a total of twenty-six (26) paydays per year.
- (y) **Probationary Employee** means: any full-time employee of the City who has not completed six (6) consecutive months of employment with the City.
- (z) **Seasonal Employee** is one employed to work on a regular and/or recurring basis during a specific season or portion of a year.
- (aa) **Separation** is the termination of employment, in writing, by reasons of disqualification, end of temporary assignment, layoff, resignation, retirement, discharge, or death.
- (bb) **Standard workweek** for general employees, which includes all employees other than police officers, shall be 40 hours, consisting of five eight-hour days. For full-time personnel employed in departments operating on a 24-hour basis, other than police officers, it shall not be fewer than eight hours per day, five days per week, on a schedule to be assigned by the department head.
- (cc) **Supervisory Employee** (supervisor) is any individual having authority and responsibility in the interest of the employer to assign and direct other employees, address their complaints/concerns, recommend to management regarding hiring, transfer, suspension, demotion, promotion, discipline and discharge of subordinates
- (dd) **Suspension** is a form of discipline, in writing, consisting of relieving an employee from work with or without pay for a specific period of time.
- (ee) **Temporary Employee** is one who may work a normal workweek, or less than a normal workweek, for a specified time period or portion of the year.
- (ff) **Termination** is the discharge or separation of an employee from the service of the city.
- (gg) **Volunteer** is a non-paid individual in the position he or she holds. When acting as a volunteer, an individual is not an employee regardless of other City employment.
- (hh) **Workers Compensation** is a benefit received by an employee who is injured while carrying out his or her assignment, as determined by the applicable state laws

ARTICLE B. POSITION CLASSIFICATIONS

B-1. Objectives and Purpose. Position classification is a system of identifying and describing different kinds of work in the organization in order to permit equal treatment in employment practices and compensation. Each City position shall, on the basis of the duties, responsibilities, skills, experience, education, and training required of the position, be allocated to an appropriate class, which may include either a single position or two or more positions.

B-2. Job Descriptions. Each position shall have a concise descriptive title, a description of the essential and marginal functions and tasks of the position, and a statement of the qualifications for filling such positions. Department heads shall be responsible for developing such job descriptions. The Governing Body shall approve the descriptions and the City shall keep the descriptions on file in the office of the City Clerk to be available for inspection by any interested party during regular office hours. Job descriptions along with all other requirements shall be listed with the job openings.

B-3. Pay Range Plan. Each job classification shall be assigned appropriate pay by Employee Pay Scale Resolution. An employee's continued employment in the classification assigned to the employee shall be contingent upon the provisions outlined in job descriptions.

B-4. Maintenance of the Classification Plan. It shall be the duty of each department head to report to the *City Administrator* any and all organization changes that will significantly alter or affect changes in existing positions or proposed positions. The Governing Body shall approve all new or revised job descriptions and pay ranges for such positions.

ARTICLE C. RECRUITMENT AND PROMOTION

C-1. Recruitment. It shall be the policy of the City to provide fair and equal opportunity to all qualified persons to enter City employment on the basis of demonstrated merit and fitness determined by fair and practical methods of selection, without regard to race, color, sex, disability, religion, age, national origin, ancestry, genetic information, or sexual orientation.

- (a) As a condition of employment, the City Administrator and all emergency-type personnel are required to reside in within the boundaries of the City. All other key personnel shall reside within 30 miles of the City of Caney.
- (b) In hiring new employees, the following general factors, together with any other appropriate factors not listed, should be considered:
 - (1) Work experience of applicant
 - (2) Education and training of applicant
 - (3) Physical ability to perform job functions
 - (4) Residence of applicant (preference may be given to City residents of equal qualifications)

It is at the discretion of the Department Head on who they hire for open positions. Once position is filled, they must advise the City Council of new employees.

C-2. Qualifications for Employment. All applicants for any position with the City shall meet the minimum qualifications established for that position. Each applicant shall complete a job application form. A medical examination or other testing, including drug testing, may be required only after an offer of employment has been made, provided that, such exams or testing are required of all such applicants who are offered employment in similar positions or position classifications. Where required, the offer of employment is contingent upon applicant passing required tests.

C-3. Promotion. Vacant positions will be filled on ability and competency. City employees are encouraged to apply for openings in their own or other departments. Every effort should be made to fill vacancies from within the pool of City employees. A medical examination or other testing, including drug testing, may be required only after an offer of promotion has been made, provided that, such exams or testing are required of all such employees who are offered promotions in similar positions or position classifications. The offer of promotion is contingent upon applicant passing required tests, when deemed necessary by the *City Administrator*.

C-4. Employment-Eligibility Verification. All employees hired for any position with the City, shall complete an employment-eligibility verification statement in compliance with the federal Immigration Reform and Control Act of 1986.

C-5. Advertisement of Job Openings. When a job position is to be filled, the position may be advertised to the general public and, if deemed necessary, shall be advertised for a minimum of two weeks. In an emergency situation, the *City Administrator* may hire someone on a temporary basis during the advertising period.

- (a) The City Administrator, Mayor or Department Head, as appropriate, may place advertisements for job applications in four (4) area newspapers or radio: Caney, Coffeyville, Independence, Kansas, and Bartlesville, Oklahoma. Newspaper advertisements for job applications shall include the following:
 - (1) Description of the job available;
 - (2) List of required qualifications for any employment position;
 - (3) Deadline for application – two (2) weeks from date first advertisement is published
- (b) The City Administrator, Mayor or Department Head, as appropriate, shall contact the unemployment offices in the four (4) City area.

If the position is not an at-will position, or if the City creates a property interest through personnel policies or union contracts, the City shall give a veteran preference for initial employment and first promotion if the veteran is competent to perform such services. If the veteran is not hired, the City, with 30 days of filing the position, shall send a notification of the rejection by certified mail or person service. This notice shall inform the veteran of any administrative appeals available.

C-6. Equal Employment Opportunity. In accordance with equal employment opportunity law, executive orders, and/or rules and the regulations of the local, state and federal levels, it is the policy of the City to provide equal employment opportunity to all. This policy prohibits illegal discrimination because of race, sex, religion, color, national origin, age, ancestry, disability, or sexual orientation. This applies to, but is not limited to, hiring, placement, promotion, demotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training. Failure of any employee to cooperate or perform in a manner consistent with the law and policy may constitute grounds for disciplinary action.

ARTICLE D. COMPENSATION

D-1. Pay Periods.

- (a) Employees are paid bi-weekly with a total of twenty-six pay days per year.
- (b) Time sheets must be turned into the City Clerk by 9:00 a.m. Monday morning following the completion of the last working day in the pay period. All department heads/supervisors are required to review and sign all time sheets/records for accuracy prior to submitting to the City Clerk. Employees are required to attest to the fact that each timesheet is an accurate reflection of hours actually worked by the employee.
- (c) Payroll will be electronically paid to the employees. All employees are required to maintain the necessary banking information to facilitate the electronic transfers.
- (d) Volunteer Fire Fighters are paid quarterly with a total of 4 pay days per year.

D-2. Payroll Deductions.

- (a) The City will deduct all required state and federal law deductions from each employee's wages.
- (b) Voluntary deductions may be requested for health insurance program, life insurance, deferred compensation, savings accounts and other approved programs. The employee must notify the City Clerk, in writing, of any changes and is wholly responsible for maintaining accuracy of the voluntary deduction.
- (c) Upon termination, the City may withhold, deduct or divert any portion of an employee's final wages for the following purposes:
 - (1) To recover the City's property provided to the employee in the course of the City's business including, but not limited to, tools of the trade or profession, personal safety equipment, computers, electronic devices, mobile phones, proprietary information such as client or customer lists and intellectual property, security information, keys or access cards or materials until such time as such property is returned by the employee to the employer. Upon return of the City's property, the City shall relinquish the wages withheld to the employee;
 - (2) to allow an employee to repay a loan or advance which the city made to the employee during the course of and within the scope of employment;
 - (3) to allow for the recovery of payroll overpayment; or
 - (4) to compensate the City for the replacement cost or unpaid balance of the cost of the City's merchandise, uniforms, company property, equipment, tools of the trade or other materials intentionally purchased by the employee.

D-3. Pay Plan.

- (a) The salary of each City employee, except those appointed officers whose salary is specifically set by ordinance, shall, at least annually, be set at an amount within the pay range of the position class in which the employee is assigned. An employee's continued employment at the salary rate within his or her class assignment shall be contingent upon the provisions outlined in Section D-5.
- (b) Employees working on a part-time basis shall receive that portion of the salary assigned to their position to be determined by the actual time worked. The hourly wage for persons employed on a monthly salary basis is computed as follows: $(\text{Monthly wage} \times 12) / (\text{hours worked per week} \times 52) = \text{wage per hour for full-time employees}$.

D-4. Pay Increase.

- (a) Pay increases shall not be routine or automatic and are subject to approval by the Department Head.
- (b) Annual cost-of-living pay increases may be given as approved by the Governing Body.
- (c) Subject to the approval of the Governing Body, the *City Administrator*, may award a pay increase to an employee based on an annual performance evaluation submitted by the employee's immediate supervisor.
- (d) Annual longevity pay may be given at the discretion of the Governing Body.
- (e) The Governing Body shall establish all employee positions for the City. When the Governing Body establishes a new position, they shall set a base salary for that position. The *City Administrator* shall write a job description for each such position established by the Governing Body.

D-5. Performance Evaluation.

- (a) Employee performance evaluations will be considered in determining the following employment matters: salary increases and decreases within the limits established in the pay plan, promotions, demotions, order of layoffs, transfers, and termination.
- (b) An evaluation of the performance of each Full-time and Part-time employee based on his or her duties and responsibilities shall be prepared by the employee's immediate supervisor annually (Hire Date Anniversary) and turned into Human Resources. The evaluation shall be in writing on forms approved by the *Human Resources*. The supervisor shall evaluate at least quarterly, any employee who has received a poor performance rating. A sample employee evaluation is available in Appendix A.
- (c) Evaluations, upon review by the supervisor and after the employee has had an opportunity to respond, shall be included in the employee's personnel file.

D-6. Pay on Separation of Employment.

- (a) Employees are required to give the City two (2) weeks prior written notice of intention to terminate employment. If the employee fails to give 2 weeks' notice, the employee is not entitled to payment of accrued vacation leave. The employee shall receive all accumulated compensatory time due, if any. All payments due the employee shall be made on the first regularly scheduled payday following the separation of employment.
- (b) Health care program and life insurance connected with the health care program will remain in effect until the last day of the month of separation.

D-7. Overtime.

- (a) It is the policy of the City to keep overtime to a minimum. All employees shall execute an overtime approval form signed by their respective Department Head/Supervisor and submit it along with their time sheet records. Work schedules shall be modified to maintain minimal overtime hours. All over time calculations shall conform to the Fair Labor Standards Act.
- (b) Compensation for authorized overtime work shall be at the rate of one and one-half times the employee's regular rate of pay.
- (c) In computing eligibility for overtime pay, all sick leave, accident disability or Holiday benefits payable to a City employee shall be excluded from computation of eligibility for overtime pay.
- (d) If an employee is "called in" to work on an approved Holiday they shall be paid at a rate that equals one and one-half (1 ½) times their regular rate of pay for the time worked on the Holiday. The remainder of the work week will be calculated on hours worked and subject to Section D-7(b).
- (e) If an employee is "called in" to work on a scheduled vacation day the employee will be paid a rate that equals one and one-half (1 ½) times their regular rate of pay for the time worked on the scheduled vacation day.
- (f) No person employed in an Administrative, Executive or Professional Position, as defined by the federal Fair Labor Standards Act and who meet the salary threshold test of the FLSA, shall be eligible for overtime pay. Those positions are defined as FLSA exempt.

- (g) "FLSA" non-exempt employees shall be eligible to receive overtime compensation for all hours worked in excess of the required 40 hours per week except for full-time police officers. Full-time police officers shall be eligible to receive overtime compensation only for work hours in a work period which exceeds 86 hours per 14-day work period (or for any proportionate number of hours worked in a work period from 7 to 28 days at the City's option).

D-8. Time Sheet Signature/Time clock Utilization.

- (a) The use of time clocks for the purpose of recording hours of work is mandatory. Time Clock cards shall balance with paper time sheets. All employees are required to sign their respective time cards and sheets to verify accuracy of time worked.
- (b) Time cards are the responsibility of the individual employee. Employees that process other employees' time cards are subject to disciplinary action.
- (c) Employees will clock in to begin their scheduled shift no earlier than 5 minutes to the scheduled start of their shift and will clock out at the end of their shift unless written approval is granted by the Supervisor. Modifications/corrections to the time cards are to be initialed by the employee and his or her Department Head.

D-9. Call-Out Policy. Any Non-Emergency employee who is "called-out" is awarded 1 hour minimum of compensated time plus time worked beyond that hour on that same call. This call-out policy applies to all City departments. Any Emergency employee (Police/EMS) who is "called-out" is awarded 2 hours minimum of compensated time plus time worked beyond that hour on that same call.

ARTICLE E. ATTENDANCE AND LEAVE

E-1. Hours of Work.

- (a) *General Employees.* The normal work week for general employees, which includes all employees other than police officers, shall be 40 hours, consisting of five eight-hour days. Full-time personnel employed in departments operating on a 24-hour basis, other than police officers, shall work not fewer than eight hours per day, five days per week. Work schedules shall be assigned and maintained by the department head/supervisors. Schedules shall be provided to the City Administrator's office in advance of the next pay period.
- (b) *Normal Work hours.* No employee shall be permitted to work in excess of their normal work week except when so directed by the employee's department head/supervisor, or *City Administrator*.

E-2. Breaks.

- (a) Employees are entitled to a rest break of 15 minutes for every four hours of work. The time of the rest break, usually mid-morning and mid-afternoon, shall be determined by the employee's immediate supervisor.
- (b) Time for lunch will be taken as an unpaid period of time unless otherwise scheduled.

E-3. Breast Feeding. For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby. The city has designated the room located at City Hall for this purpose. A small refrigerator reserved for the specific storage of breast milk is available. Any breast milk stored in the refrigerator must be labeled with the name of the employee and the date of expressing the breast milk. Any nonconforming products stored in the refrigerator may be disposed of.

Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage, refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting the City Clerk at 620-879-2772. Additional rules for use of the room and refrigerator storage are posted in the room. Employees who work offsite or in other locations, will be accommodated with a private area as necessary. Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record.

E-4. Holidays.

- (a) The Governing Body shall declare which days shall be paid holidays for City employees. From time-to-time, and for certain special occasions, the Governing Body may by motion designate other days as special holidays on a one-time basis.
- (b) When a paid holiday falls on a Saturday or Sunday, the preceding Friday or following Monday may be declared a holiday by the *City Administrator*.
- (c) Employees required to work on a City-observed holiday shall be granted an alternative day off, or shall be compensated at one and one-half times their regular salary for the day.
- (d) Part-time employees shall be paid only for City-observed holidays falling on days in which they would otherwise have been scheduled to work. The amount of such pay shall be equal to the wages they would have earned for the number of hours they would have been scheduled to work on that day. Seasonal and temporary employees shall not receive paid holidays.
- (e) To be eligible to receive pay for a city holiday, an employee must not have been absent without leave either on the workday before or the workday after the holiday.
- (f) Subject to the following provisions, the following days shall be paid holidays for full time City employees to be taken off without loss of regular pay.
 - New Year's Day
 - Martin Luther King, Jr. Day
 - Good Friday
 - Memorial Day
 - Independence Day
 - Labor Day
 - Columbus
 - Veteran's Day
 - Thanksgiving Day
 - Day after Thanksgiving Day
 - Christmas Eve
 - Christmas Day
 - Personal Day -- each full-time employee shall be entitled to one personal holiday to be designated by the employee with the approval of the employee's department head. The personal day may be used at any time during the calendar year. The personal day shall not be carried over or accumulated to the following calendar year.

From time-to-time, and for certain special occasions, the Governing Body may by motion designate other days as special holidays on a one-time basis

E-5. Vacation Leave.

- (a) Vacation is an accrued benefit. Accrual is based on continuous employment and the employee's hire date. Accrued vacation benefits must be used within the employee's annual period (hire date to hire date). An Employee can carryover 3 days of vacation per year. The accrual schedule is as follows:

Years	1 to 5	6 to 10	11 PLUS
Hours Earned Per Month	6.66	10	13.33
Equivalent Work Days	10	15	20

- (b) During the first thirty days of employment, vacation will accrue to a new employee; however, said accrued vacation cannot be used until the full thirty days has been completed.
- (c) Any and all vacation taken by full time employees of the City shall be taken at a time to be fixed by the Department Head in which employee is working or by the City Administrator in the event that the employee is a department head.
- (d) Time off work due to sickness or accident for which any employee is entitled to disability benefits shall not be considered as an interruption in the work of such employee for the purpose of determining any vacation privilege schedule.
- (e) Holiday during vacation. City Holidays that occur during the taking of an employee's authorized vacation leave will not be counted as a day of vacation.
- (f) Vacation leave will normally be granted in one day or one full shift increments. Department heads may approve exceptions of no less than one half day or one-half shift increments.
- (g) Allotment of vacation time is reserved exclusively by the city to insure the orderly operation of its service. Department Heads shall establish length of notification prior to taking vacation.

E-6. Sick Leave. Full-time employees shall be entitled to sick leave with pay for absences resulting from illness, injuries, accidents, or other physical incapacity, occurring either on or off the job. No employee shall be permitted to use sick leave for any period spent on unauthorized leave. The usage and accumulation of sick leave shall be subject to the following:

- (a) *Amount of Sick Leave.* Full-time employees shall earn eight hours of sick leave for each month of continuous employment, commencing the first day of the month following the date of initial employment.
- (b) *Accumulation of Sick Leave.* Unused sick leave may be accumulated. No employee may accrue more than 480 hours of sick leave.
- (c) *Computing Sick Leave.* Each day an employee is away from work on sick leave, time shall be deducted from such employee's accumulated sick leave. Any absence for a fraction or part of a day that is chargeable to leave shall be charged in increments of not less than 15 minutes.

- (d) *Doctor's Certificate.* Sick leave exceedingly more than three (3) days shall not be allowed to any employee unless such employee shall furnish to the department head a certificate signed by a licensed, practicing, medical professional to the effect that the employee's sickness is of such a nature and extent as to prevent the employee from performing the duties of his employment. The medical certificate must be filed within six (6) days of the commencement of sickness; provided that the Governing Body may, for good cause in any particular case, waive the filing of the medical certificate or extend the time of its filing. The medical statement shall be filed with the City Clerk.
- (e) *Notification.* To be eligible for paid sick leave an employee, or his or her representative, shall notify his or her immediate supervisor and give the reason for the absence no later than 30 minutes prior to the beginning of the first workday in which sick leave is taken.
- (f) *Abuse of Sick Leave.* An employee who improperly claims sick leave shall be subject to disciplinary action, including loss of pay or dismissal. Sick leave hours may not be used for purposes other than the purposes outlined in this section. Sick leave is intended for use by the employee in cases of illness, injury, accidents, physical incapacity, or doctor appointments for the employee, employee's spouse or other dependents. In any case where it appears to the department head that the sickness or injury was improperly claimed, the department head shall report the facts known to the City Administrator. The City Administrator shall investigate the cause of such sickness or injury and report to the governing body for their consideration and determination as to the consideration of the misconduct on the part of the employee. The determination of the governing body shall be final.
- (h) *Fitness for Duty.* Before an employee that has experienced a loss of work time for sickness or injury can return to work a statement from a physician or licensed medical professional verifying the employee is fit to return to his or her assigned duties must be furnished to the department head/supervisor.
- (i) *Unused Sick Leave at Termination.* Employees, upon their retirement, discharge, or other circumstances of separation from their employment with the City, shall not be entitled to payment for unused accumulated sick leave.

E-7. Maternity Leave. An employee who becomes pregnant may claim and receive maternity leave in the same manner as provided for sick leave; provided, however, that the employee may elect to use any accrued vacation leave if, and to the extent, such leave is available. An employee may also take leave without pay in the same manner as any other employee on leave without pay. If medical complications related to the pregnancy exist, the employee may, with the approval of the department head or City Administrator, remain on maternity leave until released by the employee's physician. City employees are not covered by the provisions of the Family and Medical Leave Act

E-8. Funeral Leave. In the case of death of a member of an employee's immediate family (to include only the spouse, children, mother, father, brother, sister, grandparents or close-relatives by marriage of the employee or employee's spouse), full-time employees shall be granted paid funeral leave not to exceed three consecutive working days.

E-9. Injury Leave.

- (a) All injuries occurring on the job shall be reported as soon as possible to the employee's immediate supervisor. The supervisor will ensure that all required documentation is completed.
- (b) Any employee injured on the job shall be eligible to receive injury leave with pay during the seven-day waiting period for workers' compensation claims.
- (c) When an employee receives compensation under the workers' compensation act, the pay he or she receives from the City, while an employee of the City, shall be the difference between his or her regular rate of pay and the amount he or she receives from workers' compensation.

E-10. Military Leave. The city recognizes and adheres to all applicable state and federal laws regarding leaves for uniformed service to the State of Kansas as well as the United States. Any employee who needs time off for uniformed service is to immediately notify his or her supervisor and the City Administrator, both of whom will provide a detailed explanation to the employee of his or her reemployment rights under K.S.A. 48-517 (governing members of the Kansas national guard, Kansas air national guard, and the Kansas state guard that are 'called or ordered to duty') and the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. 4301 *et seq.*, covering persons performing duty, voluntarily and/or involuntarily in the U.S. Army, Navy, Marine Corps, Air Force, Coast Guard, Army National Guard, Air National Guard, and Public Health Service commissioned corps.

All employees, including full- and part-time, who notify the City that he or she intends to return to employment once military service is completed shall be eligible for military-leave benefits including:

- (a) Reinstatement of the veteran to the position he or she would have held if his or her employment had not been interrupted by military service provided one of the exceptions in 38 U.S.C. §4312(d)(1) have not been triggered;
- (b) Retention and accrual of benefits tied to seniority;
- (c) Continued health care coverage at the employee's expense; and
- (d) Continued participation in insurance and other benefits not determined by seniority to the same extent as employees granted other types of leave.

E-11. Civil Leave.

- (a) *Civil Leave with Pay.* An employee shall be given necessary time off with pay (1) when performing jury duty, (2) when appearing in court as a witness in answer to a subpoena or as an expert witness when acting in an official capacity in connection with the City, (3) when performing emergency civilian duty in connection with national defense, or (4) for the purpose of voting when the polls are not open at least two hours before or after the employee's scheduled hours of work.
- (b) *Civil Leave Without Pay.* If an employee is involved in a personal lawsuit either as a plaintiff or as a defendant in an action not related to his or her duties with the city, the employee may take leave without pay unless he or she elects to utilize any accumulated vacation leave.

E-12. Other Leave.

- (a) *Educational Leave.* An employee, upon written request, may be granted leave without pay for a period up to one year to further his or her education or seek specialized training, upon recommendation of the employee's department head and approval by the City Council.
- (b) *Meetings, Seminars.* Any employee may be granted leave with pay to attend, meetings, seminars and conventions related to the employees work for the city if such attendance is authorized, in advance, by the *City Administrator*.
- (c) *Unpaid Leave of Absence.* Unpaid leaves of absence not to exceed 20 days per calendar year may be granted by the City Administrator with prior approval of the Department Head. Prior to requesting unpaid leaves of absence all vacation must already have been utilized. Department Heads will determine the length of absence. No leave of absence will result in overtime.

E-13. Domestic Violence and Sexual Assault Leave. The city will not discharge, or in any manner discriminate against, an employee who is a victim of domestic violence or sexual assault and who takes time off from work to obtain relief, including restraining orders and other injunctive relief. The employee must be permitted time off to seek medical attention, obtain services from domestic violence programs, or make court appearances related to domestic violence. The employee must give advance notice when feasible. Employee must also provide to the city certain documentation such as a copy of the police report or restraining order within 48 hours of returning from requested time off. The employee may use accrued paid leave or, if paid leave is unavailable to the employee, up to 8 days per calendar year of unpaid leave from these purposes.

E-14. Request for Leave. Except as provided in Section E-6(e) as to sick leave all leave must be authorized in writing by the employee's department head or City Administrator prior to leave time being taken. A copy of each leave record, including records of sick leave taken, signed by the employee and department head, shall be maintained in the employee's personnel file.

E-15. Credits for Paid Leave. Any employee while on paid sick leave, vacation leave, or other leave with pay shall continue to earn credit for sick leave and vacation leave, but no leave credit shall be earned by any employee while on leave without pay.

ARTICLE F. OTHER EMPLOYEE BENEFITS

F-1. Retirement—OASDI Benefits. All eligible employees of the City are under the federal OASDI social security system, and receive the benefits thereof in accordance with federal laws and guidelines. The cost of this benefit is paid equally by the city and the employee, with the employee contribution subject to payroll deduction.

F-2. Retirement—KPERs Benefits. All eligible employees of the City are members of the Kansas Public Employees Retirement System (KPERs) and receive the benefits thereof in accordance with state laws and guidelines.

F-3. Retirement Date. The federal Age Discrimination in Employment Act shall be the policy for City retirement.

F-4. Workers' Compensation Benefits. All employees of the City receive the benefits of the Kansas Workers' Compensation Act, in accordance with such law and guidelines. The cost of this benefit is paid entirely by the employer.

F-5. KPERS Death and Disability Benefits. All employees who are contributing members of KPERS are eligible for the insured death and disability benefits provided by KPERS, which is supplemental to the regular KPERS benefits. The cost of this benefit is paid entirely by the employer. This insured death and disability benefit begins on the first day of employment.

F-6. Unemployment Compensation. All employees receive the benefits of the Kansas Employment Security (unemployment compensation) Act, in accordance with such law and guidelines. The cost of this benefit is paid entirely by the employer.

F-7. Life Insurance. Employees are covered by group life insurance. The effective date of coverage is the first day of the month following thirty (30) days of employment. In addition to the death benefits provided under OASDI and KPERS, the City makes available to each employee the option of purchasing group life insurance, administered by KPERS, on a payroll deduction basis. The cost of this additional life insurance is paid by the employee and varies with the options selected by the employee.

F-8. Deferred Compensation. Any City employee that is a member of the Kansas Public Employees Retirement System may participate in the deferred compensation plan offered by the city. The amount of compensation deferred shall be determined by the employee, in writing, and shall be submitted to the City clerk by the employee. Withholding will take effect the first pay date of the month following application. The amount selected is invested through the KPERS deferred compensation plan and is not subject to federal income tax until withdrawn.

F-9. Health Care Program.

- (a) Full time employees are provided a health care program. The effective date of coverage is the first day of the month following thirty (30) days of employment.
- (b) A temporary or seasonal time employee who becomes a full-time employee shall be eligible for the health care program effective the first day of the month following the change in employment status.
- (c) No employee shall be entitled to payment of any kind in lieu of the health care program.
- (d)
 - (1) If a covered employee separates from the City's employment or if work hours are reduced, and if this event makes the employee or dependents no longer eligible to participate in the City's group health care plan, the employee and eligible dependents have the right to continue to participate for up to eighteen (18) months at his/her expense. Eligible dependents may also extend coverage, at their expense, for up to thirty-six (36) months in the group health care plan in the event of the death, divorce, legal separation, or entitlement to Medicare benefits, or when a child ceases to be eligible for coverage as a dependent under the terms of the plan.
 - (2) Continuation coverage for the employee and/or eligible dependents may end, however, if any of the following events occur:
 - i. Failure to make timely payments of all premiums;
 - ii. Termination of the City's group health plan;
 - iii. Employee becomes eligible of Medicare;
 - iv. Divorce from a covered employee and subsequently remarry and are covered under a new spouse's group health plan; or

- v. Become an employee covered under another group health plan under which the participants are not subject to limitations or elimination of coverage due to pre-existing conditions.
- (e) If the employee's work hours are reduced or employment terminates, the City Clerk's office will contact the employee concerning these options. In the event the employee becomes divorced or legally separated, or one of the dependents ceases to be eligible for coverage under the group health insurance plan, the employee and/or dependents are responsible for contacting the City Clerk's office to discuss continuation/conversion rights.

F-10. Safety Equipment.

- (a) Each new full-time member of the City public works crew shall be provided a \$150.00 credit for safety boots/shoes the first year of employment and a \$75.00 credit every year thereafter.
- (b) Each City employee is provided a pair of safety eyeglasses every two (2) years.
- (c) All employees provided safety boots/shoes, safety glasses, safety clothes, such as safety vests, hard hats, etc., are required to wear the items while on duty. Failure to wear safety gear could result in disciplinary action.

ARTICLE G. VOLUNTARY SEPARATION

G-1. Resignation. An employee who terminates his or her employment voluntarily shall be terminated in good standing, provided the employee gives a minimum of two weeks written notice to his or her immediate supervisor or department head. Under appropriate circumstances, a shorter period of notice may be approved by the Administrator.

G-2. Reinstatement. An employee who was terminated in good standing and who is re-employed in the same job classification within a period of 120 calendar days following separation may be reinstated at not more than the salary he or she was receiving at the time of his or her termination. Upon reinstatement within 120 calendar days following separation, an employee shall receive credit for all unused sick leave he or she had accrued as of the time of separation.

ARTICLE H. SEXUAL HARASSMENT AND WORKPLACE BULLYING POLICY

H-1. Definitions and Examples.

(a) Definitions:

- (1) **Sexual harassment** is defined as the threat, either explicitly or implicitly, that an employee's or job applicant's refusal to submit to sexual advances will adversely affect his/her employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development (quid pro quo); or the subjecting of an employee(s) or job applicant(s) to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical, so as to create an intimidating, hostile, or offensive working environment.
- (2) **Workplace bullying** is repeated inappropriate behavior, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work. An isolated instance of behavior described in this definition may be an affront to dignity at work but, as a one-off incident, is not considered to be bullying.
- (3) The term **harassment**, as used in this Article, may mean either sexual harassment or workplace bullying, or both, as the case may require.

(b) Examples of sexual harassment as defined includes but is not limited to:

- (1) Unwelcome touching, propositions, or advances.
- (2) Abusive or vulgar language of a sexual nature.
- (3) Suggestive jokes or comments about an employee's body or clothing.
- (4) Displaying of sexually graphic or suggestive pictures, photographs, cartoons, etc.

(c) Examples of workplace bullying can include group bullying, peer to peer bullying, supervisor to subordinate bullying, and situations where a subordinate employee subjects a supervisory-level employee to bullying. These can include, but are not necessarily limited to:

- (1) Slandering, ridiculing, or maligning a person or his or her family; persistent name calling that is hurtful, insulting or humiliating; using the person as a butt of jokes; abusive and offensive remarks.
- (2) Nonverbal threatening gestures; glances that can convey threatening messages.
- (3) Socially or physically excluding or disregarding a person in work-related activities.
- (4) Persistent or constant criticism in front of other persons (including co-workers, vendors, contractors or members of the public) for the purposes of humiliating another employee.
- (5) Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- (6) Tampering with an employee's personal belongings or work equipment.
- (7) Invasion of privacy, such as spying, stalking, rummaging through personal belongings (including unauthorized access of personal email and contents of personal cell phones and employee-owned personal digital assistants). NOTE: an employee has no expectation of privacy in any items of personal equipment attached to the League's network devices.
- (8) Making up arbitrary rules that only apply to the targeted employee.
- (9) Assigning undesirable work as punishment.
- (10) Managing by threat and intimidation.
- (11) Being given tasks with unreasonable, impossible or constantly changing objectives and or deadlines.
- (12) Removing key areas of responsibility and or replacing them with more trivial or unpleasant tasks for no business-related reason.

- (13) Taking credit for another employee's work.
- (14) Falsely accusing an employee of making errors.
- (15) Undermining or deliberately impeding an employee's work.

H-2. General Policy.

- (a) It is the policy of the City to maintain a work environment free of intimidation, insult, and harassment based upon race, religion, sex, age, national origin, ancestry, disability, sexual orientation or genetic information. To ensure that this policy is strictly adhered to, the City will not tolerate the sexual harassment or workplace bullying of any of its employees or job applicants and will take immediate disciplinary action if such behavior should occur.
- (b) The city will not condone sexual harassment or workplace bullying by any employee or non-employee. Non-employees include, but are not limited to: Governing Body members, vendors, volunteers, and members of the general public.
- (c) Any employee or job applicant who believes that they are the victim of unwelcome behavior that would constitute sexual harassment or workplace bullying shall immediately report the incident(s) to any level of supervision.
- (d) All complaints involving claims of sexual harassment or workplace bullying shall be promptly and confidentially (as practical) investigated. The employee or job applicant filing the complaint shall be advised of the results of the investigation.
- (e) Any employee, supervisory or non-supervisory, found to have engaged in sexual harassment or workplace bullying of another employee or job applicant will be disciplined, up to and including discharge. The filing of a complaint by the employee or job applicant will not preclude the filing of a criminal complaint by the employee or job applicant, if they so choose.

H-3. Complaint Procedure. Any employee or job applicant who feels he/she is being subjected to sexual harassment or workplace bullying should immediately contact one of the persons listed below with whom the employee or job applicant feels the most comfortable. Complaints may be made orally or in writing to:

- (a) The employee's immediate supervisor;
- (b) The employee's department head;
- (c) Other supervisory personnel;
- (d) The *City Administrator/Clerk, or Mayor.*

The employee should be prepared to provide the following information:

- (a) Employee's name, department, and position title;
- (b) The name of the person or persons committing the sexual harassment or workplace bullying;
- (c) The date(s) and approximate time(s) of the sexual harassment or workplace bullying;
- (d) The specific nature of the sexual harassment or workplace bullying, how long it has gone on, and any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against him/her as a result of the sexual harassment or bullying;
- (e) Witness to the sexual harassment or bullying, if any;
- (f) Whether he/she has previously reported such sexual harassment or bullying and if so, when and to whom.

After receiving a complaint, the recipient of the complaint shall assist the employee filing the complaint with documenting the incident in writing and the employee shall affix their signature attesting to the accuracy and truthfulness of the complaint. All information disclosed in the complaint procedure will be held in strictest confidence and will be disclosed only on a need-to-know basis in order to investigate and resolve the matter.

H-4. Review of a Sexual Harassment or Workplace Bullying Complaint.

- (a) It shall be the responsibility of the *City Administrator* to coordinate the investigation and review of all complaints. The *City Administrator* may delegate the investigation to the appropriate individual. If the *City Administrator* is the subject of the complaint, an independent individual shall coordinate the investigation of the complaint. The following procedures shall apply to the receipt, review, and handling of such complaints:
 - (1) The person to whom the complaint is made shall immediately present it to the *City Administrator*;
 - (2) An investigation into the alleged incident shall be promptly started;
 - (3) The investigator shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by the person complaining of sexual harassment or workplace bullying, witnesses interviewed during the investigation, the person against whom the complaint of sexual harassment was made, and any other person contacted by the investigator in connection with the investigation;
 - (4) The investigator shall notify the individual accused of the sexual harassment as promptly as possible of the complaint and the severity of the allegations (immediate notification is not necessary if such notification would jeopardize the investigation);
 - (5) The individual accused of the sexual harassment shall be given appropriate opportunity to refute the allegation and present information and/or witnesses on his/her behalf.
- (b) Based upon the investigation report, the *City Administrator* shall determine if the conduct of the person against whom a complaint of sexual harassment has been made constitutes sexual harassment. In making that determination, the *City Administrator* shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct in question, the context in which the conduct, if any, occurred. The determination of whether sexual harassment occurred will be made on a case-by-case basis.

- (c) If the *City Administrator* determines that the complaints of sexual harassment are founded, he/she shall take immediate and appropriate disciplinary action against the employee guilty of sexual harassment.
- (d) The disciplinary action shall be consistent with the nature and severity of the offense, whether a supervisory relationship exists, and any other factors the *City Administrator* believes relate to the fair and effective administration of the City, including the effect of the offense on employee morale, public perception of the offense, and the light in which it casts the City. The disciplinary action may include demotion or suspension, dismissal, warning, or reprimand. A determination of the level of disciplinary action shall also be made on a case-by-case basis.
- (e) If the *City Administrator* determines that the complaint of sexual harassment or workplace harassment is unfounded, he/she shall notify the employee accused of the determination. Action shall also be made on a case-by-case basis.
- (f) The employee or job applicant making the complaint shall be notified of the results of the investigation and the discipline, if any, to be administered.
- (g) If the *City Administrator* determines after reviewing the investigation report that the complaint was intentionally falsified by the employee filing the complaint, the *City Administrator* shall take immediate and appropriate disciplinary action against the complaining employee.

H-5. Appeal of the Decision. Within 10 working days of the postmark of the written notification to the employee by the *City Administrator* decision, the complainant or respondent may make a written request for a final review of the record by the governing body.

The Governing Body members, in response to a timely appeal, will either:

- (a) Review the record and provide a final decision within five working days of the receipt of the appeal;
or
- (b) Schedule an executive session with the appealing party to hear his/her appeal, within ten days following the receipt of the appeal.

The meeting date can be scheduled on any date, convenient to all parties, with mutual consent (including beyond the 10-day period).

A final decision will be made by the Governing Body.

Copies of the decision shall be sent to the complainant and respondent by certified mail, return receipt requested, and a copy will be given to *City Administrator*.

H-6. Record of a Sexual Harassment Complaint. All records, except those affected by the Kansas Open Records Act, concerning a sexual harassment or workplace bullying complaint shall be confidential and kept in a separate locked file. Access shall be granted only with the *City Administrator's* approval and to parties who have a direct and relevant need to know.

H-7. Non-Retaliation. This policy prohibits retaliation against employees who report potential sexual harassment or workplace bullying or participate in the investigation of the complaint. Any employee bringing a complaint under this policy, or assisting in the investigation of the complaint, will not be adversely affected

in terms and conditions of employment, nor discharged because of the complaint. Anyone who engages in retaliatory action will be subject to discipline, up to and including dismissal. Retaliation is defined as activity that may dissuade a reasonable person from exercising his or her rights under this policy.

ARTICLE I. POLITICAL ACTIVITY

I-1. Political Activity. It is the right of every employee to register and vote on all political issues. Employees are permitted to join political organizations, civic associations or groups, and to become involved in political activities subject to the restrictions of this article.

- (a) As private citizens, employees may participate in all political activities, including holding public office, except where holding an appointive or elective office is incompatible with the employee's City employment.
- (b) Political activity must not interfere with job attendance or performance. Employees are not permitted to solicit or handle political contributions in City elections. They are not permitted to wear or display political badges, buttons or signs on their person or on City property during on-duty hours.
- (c) No supervisor or other person in authority shall solicit any City employee for contributions of money or labor for any candidate for elective office, or otherwise compel, or attempt to compel, any employee to support a candidate for elective office or to engage in any political activity.
- (d) The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any City employee. City employees are neither appointed to, nor retained in, the City's service on the basis of their political affiliations or activities.

ARTICLE J. OUTSIDE EMPLOYMENT

J-1. Outside Employment. Outside employment constitutes a city employee holding a second job with another employer. Outside employment by a full-time employee is permitted only when such outside employment: (1) is considered secondary to service with the City; (2) does not interfere with the performance of duties for the City; and (3) no legal, financial, or ethical conflict of interest results from such dual employment.

ARTICLE K. WORKPLACE SAFETY

K-1. General Safety. All employees are required to wear appropriate safety equipment and follow appropriate safety precautions according to City or departmental policy at all times. Failure to comply with safety policies may result in disciplinary action.

K-2. Workplace Violence. The City has a policy of zero tolerance for violence. If an employee engages in any violence in the workplace, or threatens violence in the workplace, the employee shall be terminated immediately for cause. No talk of violence or joking about violence will be tolerated.

"Violence" includes physically harming another, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or talking of engaging in those activities. It is the intent of this policy to

ensure that everyone associated with the City, including employees and citizens, never feel threatened by any employee's actions or conduct.

K-3. Substance Abuse Policy. The city has a responsibility to its employees and citizens to take reasonable steps to assure safety in the workplace and in the services it provides. To this end, the City reaffirms its policy that the following are strictly prohibited:

- (a) Reporting for work under the influence of intoxicants, including alcohol, illegal drugs, or controlled substances; and
- (b) The use, possession, sale, or distribution of such intoxicants, illegal drugs, controlled substances, or related paraphernalia, in any manner during work hours, or while engaged in City business, on City property, or in City vehicles. Employees are further prohibited from using such drugs or alcohol on their personal time to the extent that such use negatively impacts work performance.

K-4. Smoke Free Workplace. Smoking and the use of tobacco products in any form, as well as the use of stimulated tobacco products or e-cigarettes, is prohibited in all City buildings and City owned vehicles and equipment. Smoking outside any City building is also prohibited within a ten-foot radius of any doorway, open window or building air intake.

K-5. Weapons. For all employees other than police officers and those authorized by the *City Administrator*, the carrying or use of a firearm shall be considered outside the scope of the employee's duties. Employees may not openly carry a firearm at the workplace unless authorized by the *City Administrator*. If an employee chooses to exercise his or her statutory right to concealed carry, the City will not be responsible for any attorney fees resulting from the employee's use of his weapon. If the employee chooses to conceal carry, the firearm must remain on his person at all times. Any interpretation in the employee's work due to his or her decision to conceal carry may result in discipline or even termination. Any injury resulting from the concealed carrying of a firearm is considered outside the employee's course and scope of employment and will not be covered by workers compensation.

ARTICLE L. TELECOMMUNICATIONS

L-1. Telecommunications Policy. The City's e-mail, computer, Internet, and voice mail systems are City property. These systems are in place to facilitate the employee's ability to do their jobs efficiently and productively. To that end, these systems are solely for City purposes, and abuse of these systems for personal use is prohibited. The city may intercept, monitor, copy, review, and download any communications or files employees create or maintain on their systems. When using the Internet, exercise discretion. Sending materials of a sensitive nature or materials that constitute "confidential information" is prohibited unless the information is properly encrypted to prevent interception by third parties. Employees have no expectation of privacy while accessing social media at work or on company-owned equipment.

Employee communications and use of City e-mail, computer, Internet, and voice mail systems will be held to the same standard as all other business communications, including compliance with anti-discrimination and anti-harassment policies. It is expected that employees will use good judgment in the use of the City's system. Management should be notified of unsolicited, offensive materials received by any employee on any of these systems.

Any City business performed on an employee's personal device is subject to the Kansas Open Records Act. If the information requested is on an employee's personal device, the employee agrees to participate in fulfilling the

records request. If the employee refuses to provide the requested data, the employee may be subject to discipline up to and including termination.

Employee consent and compliance with e-mail, computer, Internet, and voice mail policies is a term and condition of employment. Failure to abide by these rules or to consent to any interception, monitoring, copying, reviewing, and downloading of any communications or files is grounds for discipline, up to and including termination.

L-2. Social Media Policy. The city understands that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

- (a) Guidelines. In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the city, as well as any other form of electronic communication.

The same principles and guidelines found in the City's policies apply to your activities online. The City respects your 1st Amendment rights; ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members of the public, customers, suppliers, people who work on behalf of City may result in disciplinary action up to and including termination.

Know and follow the rules. Carefully read these guidelines, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Be respectful. Always be fair and courteous to fellow employees. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages members of the public or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

Be honest and accurate. Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the city.

Express only your personal opinions. Never represent yourself as a spokesperson for the city. If the City is a subject of the content you are creating, be clear and open about the fact that you are an

employee and make it clear that your views do not represent those of the City, fellow employees, members, customers, suppliers or people working on behalf of the City. If you do publish a blog or post online related to the work you do or subjects associated with the city, make it clear that you are not speaking on behalf of the city. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the city."

- (b) Using social media at work. Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager or consistent with the City's Equipment Policy. Do not use your city email addresses to register on social networks, blogs or other online tools utilized for personal use.
- (c) Retaliation is prohibited. The City prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.
- (d) Media contacts. Employees should not speak to the media on the City's behalf. All media inquiries should be directed to City Administrator or City Clerk.

ARTICLE M. TRAVEL

M-1. Travel Policy. In an effort to provide a fair and equitable policy pertaining to travel by employees necessary for the conduct of their particular assignments, the City establishes the following policy and procedure for work-related travel by employees.

The City shall allow employees to utilize City vehicles for work-related travel. Travel shall be defined for the purposes of this policy as any out-of-town trip(s). An employee shall receive permission from the appropriate department head for any travel. Any overnight travel shall be approved in advance by the appropriate department head and *City Administrator/Clerk, or Mayor*.

City vehicles shall be used for travel whenever possible. Scheduling of vehicles shall be performed by the appropriate department head. Scheduling the use of a City vehicle shall be done with the City Clerk. When a city-owned vehicle is unavailable for travel, the employee's personal vehicle may be used with approval of the *City Administrator*. Reimbursement for use of the employee's private vehicle shall be at the standard mileage rate set annually by the Internal Revenue Service.

No City employee shall operate a motor vehicle upon a public highway while using a mobile telephone to engage in a call or text messaging while the employee's vehicle is in motion, unless the employee is using a hands-free device while the phone is in use.

M-2. Meal Reimbursement while Traveling.

- (a) One Day Travel: If travel does not require overnight stay, the employee shall pay for expenses and submit the expense receipts for reimbursement by the city.
- (b) Overnight Travel: If the travel involves an overnight stay, the City Credit Card may be used. The employee shall check out the City credit card from the City Clerk at the time of departure.

- (c) Non-Allowable Expenses. Any non-allowable purchases should be made on a separate receipt whenever possible. The following are non-allowable expenses:
 - (1) Incidental snacks and drinks
 - (2) Alcohol
 - (3) When registration for a conference includes meals, the reimbursement for those same meals is a non-allowable expense regardless if the employee ate the provided meal.
- (d) Maximum Allowable Meal Reimbursement with receipts (tip not included), when traveling is as follows:
 - (1) Breakfast: \$20 (allowable only if travel results in an overnight stay)
 - (2) Lunch: \$20
 - (3) Dinner \$35 (allowable only if travel results in an overnight stay)
- (e) Receipts. Itemized Receipts are required for reimbursement and must be submitted to the City Clerk no later than 5 days after the date of return.

ARTICLE N. DISCIPLINE

N-1. Authority to Discipline. Department heads are responsible for the conduct and effective performance of all employees under their jurisdiction and shall have the authority and the responsibility to discipline employees for violations of the City's personnel policies and any departmental guidelines.

N-2. General Policy. The purpose of discipline is to ensure high standards of performance and efficiency, to maintain good working relationships among employees, and to provide the citizens of the city with the highest possible level of courteous and professional public service. Discipline in the City organization is for the most part "self" discipline. It is the duty of employees to make a conscientious effort to work and behave in accordance with the values, service standards, policies, and guidelines of the City and the department in which they work. Each employee is expected to be self-disciplined and to work hard at being the best at what he or she does and to help the city provide a high level of public service. When an employee does not exercise adequate self-discipline or is not successful in meeting the requirements of their job, it may be necessary for his or her department head or supervisor to consider disciplinary actions to correct the problem. An employee is subject to disciplinary action if:

- (a) The employee violates these personnel policies and guidelines, or any other written guidelines or procedures applicable to the department in which the employee works;
- (b) The employee's conduct discredits the city or hinders the effectiveness or efficiency of City operations;
- (c) The employee has performed an act of misconduct, or has failed to perform an act that results in misconduct.

N-3. Disciplinary Actions. The following types of disciplinary actions are officially recognized by Human Resources:

- (a) *Verbal Warning.* A verbal warning is an oral reprimand given to an employee by his or her supervisor or department head. A record of the warning shall be recorded in the employee's file.
- (b) *Reprimand.* A reprimand is a written censure to an employee by his or her supervisor or department head, a copy of which shall be recorded in the employee's file.
- (c) *Probation.* Probation is a trial period of a specific length of time during which an employee is required to fulfill a set of conditions, or to improve work performance, or to improve on the job behavior. Failure to meet the probationary requirements may result in additional disciplinary actions.
- (d) *Salary Reduction.* A salary reduction is the lowering of an employee's rate of pay within the pay range in which the employee's position is assigned.
- (e) *Demotion.* A demotion is the placement of an employee into a position of a lower pay range.
- (f) *Suspension.* A suspension is the removal of an employee from service, with or without pay, for a specific period of time.
- (g) *Termination.* Termination is the removal of an employee from City employment.

N-4. Procedure for Disciplinary Action. Whenever the misconduct of an employee occurs, that in the judgment of the employee's supervisor or department head justifies the application of disciplinary actions other than a verbal warning, the supervisor or department head shall:

- (a) Document the misconduct in writing.
- (b) Determine the appropriate disciplinary action to correct the problem.
- (c) Meet with the employee to review the problem and the proposed disciplinary action. The meeting should be private and include only the employee, supervisor, department head or other persons requested to be present by the department head.
- (d) Give the employee an opportunity to refute the facts or argue against the proposed disciplinary action. The employee may submit comments in writing to be attached to the record of the disciplinary action.
- (e) Make a final decision as to the disciplinary action.
- (f) Notify the employee of the action in writing, except for verbal warnings. A copy of the documentation of misconduct and a note as to the form of disciplinary action taken shall be provided to Human Resources (City Clerk) for insertion in the employee's personnel file.
- (g) At the time a disciplinary action commences, the employee's supervisor or department head shall notify the employee in writing of his or her right to file a grievance under the City's grievance procedure.
- (h) All disciplinary action in writing must be signed by the department head and employee.

N-5. Misconduct Subject to Disciplinary Action. The following is a list of misconduct that may subject an employee to disciplinary action. *This list is not exclusive; it is only representative of the types of misconduct that subject an employee to disciplinary action. Nothing in this list is intended to, or should be construed to, limit an employee's right to engage in protected free speech or freedom of association under the 1st Amendment or to exercise his or her rights under the Americans with Disabilities Act.*

- (a) Commission of a violation of any state or federal criminal law.
- (b) Commission of a violation of any City law.
- (c) Failure to follow prescribed safety procedures including failure to notify his or her supervisor of unsafe working conditions.
- (d) Violation of personnel policies and guidelines or departmental policies and guidelines.
- (e) Inattention to duty, carelessness, breakage, or loss of public property or funds.
- (f) Incompetence or inefficiency in the performance of the duties of his or her position.
- (g) Insubordination or other breach of discipline.
- (h) Discourteous or disruptive conduct or other offensive behavior in public, to other employees of the city, or to any member of the public while in the course and scope of City business.

- (i) Abuse of leave, excessive absenteeism, or tardiness.
- (j) Walking off shift, failing to report for a scheduled shift and leaving early without supervisor permission.
- (k) Failure to give proper notice of absence.
- (l) Sleeping on the job.
- (m) Use of alcohol or drugs, off the job, to the extent that the employee's job performance or effectiveness as a city employee is impaired. Possession or use of alcohol or drugs, except where prescribed by a physician, after being afforded the opportunity to seek professional attention, or use of alcohol or drugs, except where prescribed by a physician, while on duty. Sale of or offering for sale or giving away alcohol or drugs while on duty or at the workplace
- (n) Inducing or attempting to induce any officer or employee of the City to commit an unlawful act or to act in violation of any lawful or official order or regulation.
- (o) Open carrying of a firearm, if not authorized by the city.
- (p) Subjecting the City to civil or criminal liability if such employment is continued.
- (q) Making false statement(s) on employment applications (or employment records, time sheets or other reports).
- (r) Harassment of employees.
- (s) Wantonly and willfully endangering life or property.
- (t) Use of City property or equipment for personal gain or benefit.
- (u) Revocation or suspension of a certification or license, including a driver's license, when such is required as a condition of City employment.
- (v) Giving, offering, or promising, directly or indirectly, anything of value from any person for the employee's personal use, any fee, gift, or other thing or service of value, in the course of his or her work or in connection with it, when such gift, valuable thing, or service is given in the hope or expectation of receiving a favor or better treatment than that accorded any other person. This includes accepting a bribe, gift, money, or other thing of service or value intended to perform or refrain from performing any official act; engaging in any act of extortion or other means of obtaining money, items, or service of value through his or her position in the service of the city.
- (w) Discharge of duties in a manner that results in discrimination to any person on the basis of race, creed, color, sex, physical or mental disability, national origin, or genetic information.

In the case of acts of violence or other flagrant misconduct, serious safety violations, or criminal offense, any employee may be suspended immediately, with or without pay, pending an investigation and review of the matter. An employee may be suspended with or without pay or terminated when he or she has been arrested for a crime and is awaiting legal adjudication. An employee may be suspended with pay when he or she has been charged with misconduct while on the job and an internal investigation is being conducted.

N-6. Investigatory Suspension. An employee's Department Head, City Administrator, or Mayor, as appropriate, shall have authority to suspend an employee who engages in an act which, if provable, would result in the immediate termination of employment of the employee under Section N-7. An employee who is subject to immediate termination of employment but is placed on investigatory suspension is not entitled to the stages of progressive discipline hereafter set forth.

- (a) The Department Head, City Administrator, or Mayor as appropriate, shall:
 - (1) Inform the employee, in the presence of a witness, that he or she is being placed on suspension without pay pending a full investigation of the incident;
 - (2) Place a memorandum of the conference in the employee's personnel file;
 - (3) Inform the employee as to the date he or she is expected to report back to work;
 - (4) Give the employee an opportunity during the course of the conference or subsequent investigation to present his or her side of the story;
 - (5) Make notes of the investigation, and either (1) terminate the employee, (2) discipline the employee if the investigation establishes that the facts do not warrant termination of employment; or (3) inform the employee when he or she should return to work, if the investigation does not warrant either termination or discipline of the employee. In the latter event, the employee shall be entitled to all accrued back pay and benefits.

N-7. Immediate Discharge.

- (a) Exception to progressive discipline policy- immediate discharge. Employees of the City may be subject to immediate discharge from employment for those causes which are of such severity that they tend to:
 - (1) Jeopardize the safety of co-employees, citizens or other persons;
 - (2) Create a substantial risk of loss of City property or funds; or
 - (3) Subject the City to civil or criminal liability if such employment is continued.
- (b) Such causes shall include, but not be limited to the following:
 - (1) Use of illegal drugs at any time by employees or intoxication of employees while engaged in performance of their employment duties;
 - (2) Theft or embezzlement of City property or funds;
 - (3) False statements of employees on employment applications;
 - (4) Fighting while on duty with co-employees or other persons not within the scope of the employee's job duties;
 - (5) Such causes as may be specified in any duly adopted personnel Manual or policy book governing the conduct of employees of the City, or any of them.

N-8. Administrative Discipline. Except in the case of conduct which justifies immediate termination or investigatory suspension, the following procedure shall be implemented in administering discipline or in the termination of non-probationary employees of the City.

- (a) Upon the occurrence of any act or failure or refusal to act which is not the basis for immediate termination or investigatory suspension, and upon the occurrence of each such subsequent act or failure or refusal to act, the employee's Department Head, City Administrator, or Mayor, as appropriate shall follow the progressive steps of discipline hereafter set forth.
 - (1) *First incident* – the Department Head or Mayor, as appropriate, shall issue an oral warning, and file a memo of such warning in the employee's personnel file;
 - (2) *Second incident* – the employee Department Head, City Administrator or Mayor, as appropriate, shall issue a written warning, signed by the Department Head, City Administrator or Mayor, which written warning the appropriate supervisor shall request be signed by the employee. The written warning shall specifically advise the employee that his

or her job is in jeopardy. Either the Mayor or the Council President, acting in a non-supervisory capacity, shall be present at the time of delivery of the written warning to the employee, at which time the employee's supervisor should conduct a counseling session with the employee. The employee is to be notified at the time of delivery of the first written warning that he or she may request a hearing before the City Council, at his or her option, as authorized below.

- (3) *Third incident* – the employee's Department Head, City Administrator or Mayor, as appropriate, may discharge the employee. The following action shall be taken at the time of discharge and termination of employment:
 - i. A termination conference will be conducted by the supervisor with the employee in the presence of the Mayor or City Council President, either of whom shall be acting in non-supervisory capacity;
 - ii. The Department Head, City Administrator or Mayor, as appropriate, will complete the warning notice form and file it in the employees' personnel file;
 - iii. The warning notice form, containing a statement of the cause of termination of employment shall be delivered to the employee; and
 - iv. If possible, the terminated employees' paycheck should be presented to the employee during the termination conference.
- (4) *Third incident – alternate procedure*: the employee's Department Head, City Administrator or Mayor, as appropriate, may as an alternative to termination of employment, suspend the employee with or without pay, demote such employee to a lower rank or grade, or take a combination of the above actions. In taking such disciplinary action, a conference shall be held, in which the following events shall occur:
 - i. A warning notice form shall be completed, signed by the Department Head, City Administrator, or Mayor, as appropriate, and witnessed by the Mayor or president of the City Council, acting in a non-supervisory capacity;
 - ii. The cause for which the employee is being disciplined shall be furnished to the employee in writing;
 - iii. The day and time the employee is expected to report back to work shall be given to the employee; if suspended;
 - iv. If suspended without pay, the employee shall be advised that if he or she fails to report back to work on the day specified, he or she shall be considered to have voluntarily resigned and quit his or her employment.

As used herein, the term incident refers to any act or failure to act which may subject the employee to discipline hereunder, and a second or subsequent incident need not be of the same nature or character as any prior incident or incidents. Only those incidents occurring within a consecutive one-year period of employment shall be considered in determining whether a first, second or third incident has occurred.

N-9. Right To Hearing. Any employee of the City who has received a written warning, notice of suspension without pay, loss of accumulated vacation or personal leave, demotion in rank or grade, investigatory suspension or termination of employment shall be entitled to a hearing before the City Council within a reasonable time after such notice of suspension, demotion, discharge, or other disciplinary action. The following procedure with regard to such hearing shall be followed:

- (a) The employee receiving a written warning, notice of suspension or termination shall submit a written request to the City Council for a hearing, within a reasonable time, not to exceed thirty (30) days.
- (b) Upon receipt of such request, a hearing will be scheduled by the City Clerk or Assistant City Clerk.

- (c) The City Clerk or Assistant City Clerk shall cause written notice of the time, date and place of such hearing to be mailed to the employee requesting a hearing by certified mail, return receipt requested.
- (d) At such hearing, the employee shall be entitled to be present in person and with counsel, to present witnesses on his or her behalf, and to confront witnesses against him or her.
- (e) At the conclusion of such hearing, which may be adjourned or continued, if necessary, the Governing Body shall vote to either:
 - (1) Ratify and confirm the termination and discharge, other disciplinary action imposed, or written warning issued regarding such employee;
 - (2) Suspend and set aside the termination of employment of such employee, loss of accumulated action or personal leave, restore such employee to the grade or rank held by the employee immediately prior to the disciplinary action, reinstate such employee, either with or without any back pay or accrued benefits, or set aside the written warning notice and delete the same from the employees personnel file, as appropriate.
- (f) At the request of either the City or the employee, such hearing, whether conducted in full in open session or in part in executive session, shall be audiotaped or transcribed.

ARTICLE O. GRIEVANCES AND HEARINGS

O-1. Employee Grievance Policy.

- (a) It is hereby declared to be the policy of the City to afford its employees with a means to air grievances relating to the terms or conditions of employment with the City. To affect such policy, there is hereby established an employee grievance committee in the City.
- (b) The employee grievance committee shall consist of five (5) members, each of whom shall be appointed by the Mayor, by and with the consent of the Governing Body, one of whom shall be appointed as chairman, and each of whom shall serve a term of one (1) year and until their successors are duly appointed.
- (c) All members of the employee grievance committee shall be residents of the City, and shall hold no other position of office, either elective or appointive, with the City.
- (d) Any employee of the City who may have a grievance with the City, including but not limited to City personnel policies or practices, conduct of fellow employees, treatment by supervisors, or other terms and conditions of employment, may make application to the Chairman of the employee grievance committee, in writing, for a hearing before such committee, whose name and current mailing address shall be furnished to all City employees by the Mayor. The request for hearing need not state the nature of the grievance unless the employee making such request desires that the request state the nature thereof.
- (e) Upon receipt of written notice requesting a hearing of an employee, the chairman of the employee grievance committee shall cause a date to be fixed for the aggrieved employee to meet with the committee within a reasonable time, not to exceed ten (10) days from receipt of the notice.
- (f) It shall be the duty of the employee grievance committee to hear grievances of employees of the City, to investigate the same, call other employees or witnesses thereto, make written findings of fact if deemed appropriate relating to any such grievance, and make its recommendation to the City Council concerning any further action needed in response to such grievance. The employee grievance committee shall have no power or authority to discipline employees; change, review or abolish existing City policies relating to employees; or otherwise in any manner alter existing employee-employer relationships within the City's work force other than make recommendations thereon to the City Council.
- (g) If it appears to the employee grievance committee that any employee has filed a grievance, complaint, or request for hearing before the committee without first seeking appropriate resolution of the same within established departmental channels and without good cause for first seeking resolution thereof within existing departmental channels, the committee may decline to investigate such grievance or complaint or to conduct further hearings thereon until the employee seeks a resolution of such matter within his or her department.

The employee grievance committee shall consult with the City Attorney in the manner of its conduct of all meetings; and prior to making any findings of fact or recommendations to the City Council (or specially retained independent counsel if a grievance pertains to the City Attorney), and shall take no action in the absence of the City Attorney, without his or her advice and consent or approval as to the legality of any such action.

- (h) No disciplinary action shall be taken against, nor shall any discriminatory treatment be made toward any employee of the City based solely upon such employee filing a request for a hearing; appearing at a hearing or appearing as a witness or in any other manner participating in a hearing of the employee grievance committee. Provided, however, that the employee grievance committee may, if it deems appropriate, recommend to the City Council that disciplinary action be taken with respect to any employee who causes to be filed any spurious or unfounded complaint or otherwise in any other manner assists therein or misuses or abuses the employee grievance complaint procedure.
- (i) At all meetings of the employee grievance committee, a majority of the duly appointed members thereof shall constitute a quorum, and a majority of the quorum may act in voting on any findings to be entered or any recommendation to be made to the City Council.
- (j) The employee grievance committee is hereby delegated quasi-judicial authority while deliberating matters relating to any factual findings or recommendations to be made to the City Council. It shall conduct all of its meetings in compliance with K.S.A. 75-4317 et. seq., the Kansas Open Meetings Act, and any amendments thereto, including any executive sessions called for any purpose set forth in such Act.
- (k) Any recommendations of the employee grievance committee shall be made to the City Council without unreasonable delay, taking into consideration the nature of each grievance or complaint made to the committee, in order that the same may be promptly and efficiently dealt with. The committee may also request a joint meeting of the committee and City Council if such course of conduct is deemed appropriate in light of the nature of the complaint.
- (l) All requests for hearing, notice of hearing, correspondence, findings, recommendations or other written records of the employee grievance committee shall be maintained in a separate file by the City Clerk.
- (m) If any part or portion hereof is declared by a Court of competent jurisdiction to be unconstitutional, such part shall be deemed stricken here from, but shall not affect the remaining portions hereof which shall remain in full force and effect.

ARTICLE P. Nepotism and Fraternization Policy

The purpose of this policy is to establish the nepotism and fraternization policy for the City of Caney. This policy is intended to avoid conflicts of interest between work-related and personal/family obligations; reduce favoritism or even the appearance of favoritism; prevent personal/family conflicts from affecting the workplace; and decrease the likelihood of sexual harassment and/or gender discrimination in the workplace.

P-1. The following definitions apply to each section of this Policy:

A "romantic and/or sexual relationship" exists when two City employees become personally involved with each other to the point that there is dating, exchange of personal affection, sexual or physical intimacy and/or cohabitation.

The term "dating" includes but is not limited to one or more social meetings under circumstances that may lead to exchange of personal affection and sexual or physical intimacy.

"Cohabitation" applies to those employees who live together in a romantic relationship without being married to one another.

A "significant other" means a relationship between an employee of the City and another individual as defined herein in (a), (b), © and/or (d) and elsewhere in the policy.

Department(s) is defined as: Human Resources, Police, Public Works, Fire, City Hall, Finance, Office of the City Attorney, Office of the City Clerk, and Office of the City Manager.

Confidential Department(s) is defined as: Human Resources, City Manager and City Attorney department

P-2. Fraternization

(a) Romantic Relationships Between Supervisors and Subordinate Employees Are Prohibited.

Public trust, safety, and City morale require that employees avoid the appearance of a conflict between their professional responsibilities and any involvement that they may have in a romantic or sexual relationship with other City employees. In order to promote efficient operation of the City and to avoid misunderstandings, complaints of favoritism, other problems of supervision, security, morale, and possible claims of sexual harassment and/or gender-based discrimination, romantic and/or sexual relations between supervisors and subordinate employees are prohibited.

(b) Romantic Relationships Between Employees in the Confidential Departments

Public trust, safety, and City morale require that employees avoid relations that may negatively impact the efficient operation of the City. Some departments have access to confidential information or are involved in personnel decisions of other departments. Therefore, employees of Human Resources, , City Manager and City Attorney departments are prohibited from having romantic relationships with other employees in the city- regardless of the other employees' level, grade or department.

(c) Romantic Relationships Between Co-Employees in The Same Department

Public trust, safety, and City morale require that employees avoid relations that may negatively impact the efficient operation of the City Therefore, Romantic and/or sexual relationships between co-employees in the same Department are not allowed.

ARTICLE Q. Cell Phone

Q-1. Cell Phone Reimbursement.

- (a) Eligible employees will receive a monthly \$25.00 cell phone reimbursement through their Monthly payroll and in accordance with IRS tax rules. Such reimbursement shall be considered as nontaxable income to eligible staff. This allowance does not increase the staff professional's base salary and will not be included in the calculation of any university benefits, including annual cost-of-living or other annual salary increases, bonuses, or other compensation.

Q-2. Cell Phone Use Policy

- a) The purpose of this cell phone policy is to form a work environment that is productive and free of distractions.
- b) All employees must operate under this policy, regardless of position. It is the company's expectation that all cell phones will be off or on silent during normal business hours so normal workflow remains undisturbed. Unless the Employee receives a cell phone stipend.

- c) It is expected that employees will only use their personal cell phones for emergencies or while taking an unpaid break. If an employee is operating a motor vehicle or other heavy machinery for the company, the employee must refrain from using their cell phone until it becomes safe to do so.
- d) Failure to follow this cell phone policy will result in disciplinary action up to and including termination.

****** The Police/EMS Department is subject to additional Department Policies******

****** The Fire Department is subject to additional Department Policies******

PERFORMANCE REVIEW

EMPLOYEE NAME		DEPARTMENT	
EMPLOYEE ID		REVIEWER NAME	
POSITION HELD		REVIEWER TITLE	
LAST REVIEW DATE		TODAY'S DATE	
CHARACTERISTICS			
QUALITY	UNSATISFACTORY	SATISFACTORY	GOOD
EXCELLENT			
Works to Full Potential			
Quality of Work			
Work Consistency			
Communication			
Independent Work			
Takes Initiative			
Group Work			
Productivity			
Creativity			
Honesty			
Integrity			
Coworker Relations			
Client Relations			
Technical Skills			
Dependability			
Punctuality			
Attendance			
GOALS			
ACHIEVED GOALS SET IN PREVIOUS REVIEW?			

GOALS FOR NEXT REVIEW PERIOD			
Discuss the strengths you have demonstrated during the previous evaluation period			
Discuss areas in which you can improve your professional performance.			
COMMENTS AND APPROVAL			
COMMENTS			
EMPLOYEE SIGNATURE		REVIEWER SIGNATURE	

--

APPENDIX A – FORMS

Confirmation of At-Will Employment

I, _____, an employee of the City of Caney has read the City's personnel policies manual. I agree that I understand the policies and guidelines.

I also understand that my employment and compensation with the City of Caney are at-will and therefore can be terminated with or without cause, at any time without prior notice at my option or the City's option.

This document confirms that no one at the City of Caney has made any representation or promise that my job offers guaranteed employment or job security of any kind.

This at-will employment relationship will remain in effect throughout my employment with the City of Caney unless it is specifically modified by an express written employment agreement executed by an authorized representative of the City of Caney and me.

I also understand that this at-will employment relationship may not be modified by any oral or implied agreement, and that neither the City's personnel policies manual, nor any course of conduct, practice, policy, award, promotion, performance evaluation, transfer, or length of service can modify this at-will relationship.

I acknowledge that I have carefully read this manual and agreement, and that I understand its meaning. I further acknowledge that I have entered into this agreement voluntarily and am returning this document for my personnel file.

Agreed:

Date: _____

By: _____
Employee's Signature

Date: _____

By: _____
Supervisor's Signature

