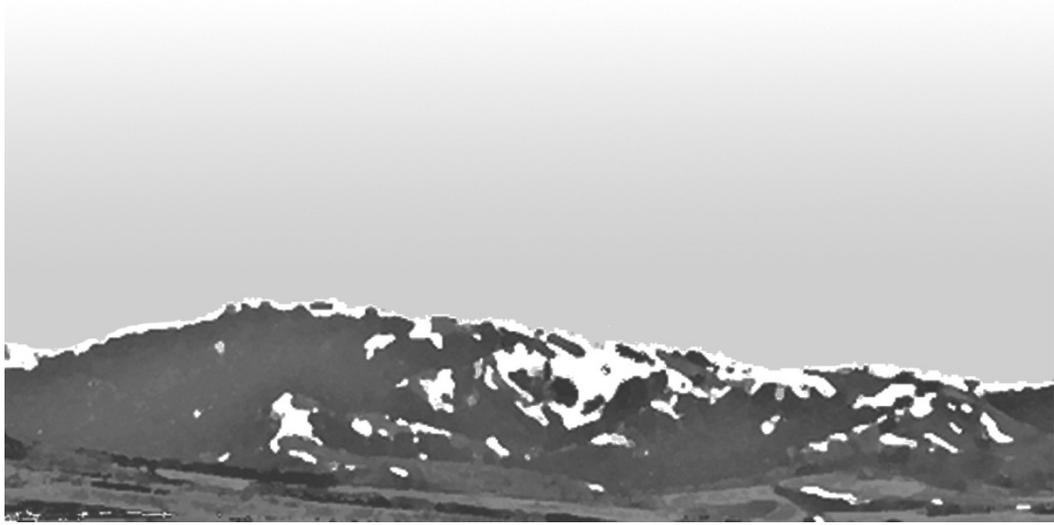




PERSONNEL
POLICY
MANUAL



AMMON PERSONNEL POLICY MANUAL

THIS PERSONNEL POLICY IS NOT A CONTRACT. NO CONTRACT OF EMPLOYMENT, WITH THE CITY OF AMMON, SHALL BE VALID UNLESS IT IS SIGNED IN ACCORDANCE WITH PROPER PROCEDURES BY A SPECIFICALLY AUTHORIZED REPRESENTATIVE OF THE CITY COUNCIL AND UNLESS IT IS SIGNED BY AND CONTAINS THE NAME OF THE EMPLOYEE WHO WOULD BE BENEFITED BY THE CONTRACT.

CHANGES TO THE POLICIES AND BENEFIT OFFERINGS OUTLINED IN THIS HANDBOOK ARE SUBJECT TO CHANGE AT ANY TIME, WITHOUT PRIOR NOTICE. CHANGES MAY BE MADE AT THE SOLE DISCRETION OF THE CITY COUNCIL.

THIS POLICY AND ALL APPENDIXES THAT MAY BE ADOPTED BY THE CITY COUNCIL RELATING TO PERSONNEL MATTERS SHALL BE CONSIDERED THE AMMON PERSONNEL POLICY MANUAL.

ELECTED OFFICIALS AND LEGAL COUNSEL ARE NOT COVERED BY THE PROVISIONS OF THIS POLICY.

Updated Policy Date

February 2, 2012

Resolution 2012-002

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GENERAL POLICIES

A. INTRODUCTION TO PUBLIC EMPLOYMENT

Working for the City of Ammon, hereafter referred to as 'the City', may be somewhat different from any employer for which you may have worked in the past. The City is a political subdivision of the State of Idaho, though it is not a part of state government. The City Council, hereafter referred to as 'the Council', serves as the governing entity for the City, carrying out local legislative duties and fulfilling other obligations. Only the Council has authority to establish general policy for employees, including terms and conditions of employment. The Council also appoints personnel to help carry out its administrative responsibilities.

Each employee should recognize that although he/she may serve as an employee in the office of an elected or appointed official, he/she remains an employee of the City, not of the official who supervises his/her work. The terms and conditions set forth in this policy, and in the resolutions and policy statements which support it, cannot be superseded by any other official's commitment, without the express written agreement of the Council or Mayor. That is particularly true for terms or conditions which would establish a financial obligation for the City, now or in the future. It is important that all employees understand the relationship between policy adopted by the Council and department policy implemented by other officials.

The terms set forth in this booklet reflect City policy at the time of its printing, and are subject to change at any time, without prior notice, and at the sole discretion of the Council.

As with all elected public officials, the Council is ultimately responsible to the voters of the City.

B. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT

All selection of City employees and all employment decisions, including classification, transfer, discipline, and discharge, shall be made without regard to race, religion, gender, age, national origin, or non-job related disability. No job or class of jobs will be closed to any individual except where a mental or physical attribute, gender, or age is a bona fide occupational qualification. It is the policy of the City to comply in all respects with the Americans with Disabilities Act. All objections to application of the City's policy, in this regard, shall be brought to the attention of the Mayor, or in the case of objection to actions undertaken by the Mayor, to legal counsel for the City.

C. VETERAN'S PREFERENCE

The City will accord a preference to employment of veterans of the U.S. Armed Services in accord with provisions of Idaho Code § 65-502 or its successor. In the event of equal

qualifications for an available position, a veteran who qualifies for preference pursuant to Idaho Code § 65-502 or its successor will be employed.

D. CONFLICT OF INTEREST

No person shall be employed by the City when said employment would result in a violation of the anti-nepotism provisions found in Idaho Code § 59-701, §18-1359 or their successors. Any such appointment shall be void. No person related to a mayor or member of a city council within the second degree by blood or marriage may be hired or appointed if the pay is from public funds. No person related to a manager may report directly to them.

E. PREFERENCE FOR PROMOTION FROM WITHIN

Qualified individuals who are already employees of the City may be given preference over outside applicants to fill vacancies in the work force.

EMPLOYMENT START-UP

A. EMPLOYMENT FORMS TO BE COMPLETED

The following pre-employment forms must be completed before the employee may begin work for the City:

1. Employment application form.
2. Employee's withholding allowance (W-4).
3. Immigration form (I-9), with accompanying identification.
4. Criminal background check for full-time regular employees with financial access.
5. Benefit forms.

B. PAYROLL REPORTING SYSTEMS

Reports of hours worked and time on and off the job must be completed in a timely manner in accord with procedures established by this policy and the treasurer's office. Employee time reports shall contain a certification that it is a true and correct record of the employee's time and benefit usage for the time period covered and must be signed by both the department head and by the employee. For further information see section 4.B.7 of this policy.

C. DISTRIBUTION OF POLICY

At time of employment, each employee should receive a copy of the personnel policy. It is the responsibility of the employee to familiarize himself/herself with the contents of the personnel policy and to acknowledge its receipt. Voluntary acceptance of this policy and addendums are required for all City employees and officials, unless otherwise noted or rendered invalid by law. Periodic updates or changes shall be distributed and acknowledged.

D. INTRODUCTORY PERIOD

Employees of the City are subject to a three month introductory period where employees must demonstrate their abilities to handle the responsibilities of their new position. The City uses this three month period to determine if the employee meets the job requirements for which the employee was hired. During this three month introductory period either the employee or the City may end the employment relationship at will, with or without cause or advance notice. Employees who transfer or promote to another position within the City shall be subject to the same three month introductory period. If the employee is terminated during this introductory period they may be returned to their previous position or transferred to another position they are fully qualified for if such a vacancy exists with the City. Department heads or Council may extend the introductory period.

E. POSITION REQUIREMENTS

Positions requiring specific qualifications, such as certifications or licenses shall detail the requirement(s) in their respective job description. This includes positions that require a valid Commercial Driver's License. In no case shall the City bear the costs associated with the acquisition of a qualification which is a stated condition for hiring.

RULES OF EMPLOYEE CONDUCT

A. PERSONAL PERFORMANCE AND BEHAVIOR

Each employee of the City is expected to conduct himself/herself as a professional in harmony with the high standards of the City as established by its mission statement, policies and other stated goals. Each employee must recognize that public employees are subject to additional public scrutiny in their public and personal lives because the public's business requires the utmost integrity and care. In order to accomplish the goals of the City as a public institution, each employee is expected to avoid personal behaviors which would bring unfavorable public impressions of the City and its officials. In order to accomplish this, each employee:

1. SHALL be prompt and regular in attendance at work or other required job functions. Reports of chronic lateness shall be investigated by the managing official and appropriate disciplinary action, including dismissal, will be taken if the tardiness continues. Individual department rules may apply.
2. SHALL comply with dress standards established in the department for which the employee works. Dress, grooming, and personal cleanliness of employees affects the morale and productivity of other employees in the workplace and the image which the City presents to the public. All employees are expected to maintain dress, grooming, and personal hygiene standards which are appropriate for their work assignment. Radical departures from conventional dress or personal grooming and hygiene standards are prohibited in the workplace or when representing the City except when specifically authorized by management. Dress standards shall be set by the managing official, but in the absence of any departmental dress standards, clothing shall be appropriate for the functions performed and shall present a professional appearance to the public.
 - a. Staff in the areas of reception, clerical, administrative and professional who regularly come in contact with constituents, should dress appropriate for their positions. Collared shirts are preferred for men and dress slacks or dresses for women. Dress shorts in the summer are permitted, as long as they are not more than two inches above the knee. Jeans are allowed only if they are in good condition. In the event management determines your choice of jeans is not within the intent of the dress code, you will be required to change. Jeans containing holes, T-shirts, hoodies, spaghetti straps, tank tops or similar are not allowed. In the case of known meetings with customers and fellow business people, the dress should be appropriate for the meeting. If you are in doubt about what is appropriate in these cases, it is your responsibility to contact your managing official for direction in this matter.
 - b. Public Works and the Parks Departments and others in the field follow a

slightly more casual dress code. All garments must be neat in appearance and without holes, stains, obscene or offensive language. All attire should be neat, presentable, and conservative in nature. Shoes must provide safe, secure footing, and offer protection against hazards. Mustaches and beards should be clean and well-trimmed. It is not in the interest of management to dictate the private rights of its employees in regards to body piercing, but because of the safety factors in working machinery and the overall image we want to present to our constituents, pierced jewelry will be limited to small tasteful earrings.

Employees who do not meet established personal appearance, dress, or cleanliness standards may be required to leave work, if necessary, until the problem is corrected. Employees generally will not be compensated for time lost when they are required to leave work to comply with established personal appearance requirements. Repeated violations may result in disciplinary action up to and including termination of employment.

3. SHALL dedicate primary efforts to City employment. Individual departments have the right to establish unacceptable secondary employment for department personnel.
4. SHALL avoid conflicts in appointments and working relationships with other employees in the City and related agencies. No employee shall engage in conduct which violates Idaho Code § 18-1356 conflict of interest laws.
5. SHALL work cooperatively and constructively with fellow workers and members of the public to provide public service of the highest quality and quantity.
6. SHALL show a sincere regard for the feelings and self-respect of others. Courtesy is more than surface politeness; genuine regard for others is recognized in the way you treat constituents and staff or answer the telephone. Tolerance for other people's shortcomings, as well as awareness of your own, should be the standard by which employees interact with each other and the public. Positive and productive interactions should be the goal of every employee.
7. SHALL be professional and on task when performing job functions. Unprofessional behavior, such as "horseplay" detracts from quality of work, poses a safety risk and will not be tolerated.
8. SHALL not accept gifts or gratuities in excess of \$50.00 in any professional capacity which could create partiality or the impression of partiality.
9. SHALL not serve on any board or commission which regulates or otherwise affects the official duties or personal interests of said official or employee in a way that could create disadvantage for other members of the public or advantage for the employee.
10. SHALL not release personnel information or any other public record without the express authority of the public official responsible for custody of the record, without an order from a court of competent jurisdiction, or an approved request for public information form.

11. SHALL not use substances, unlawful or otherwise, which will impair the employee's ability to function as a valued and competent part of the City work force.
12. SHALL not engage in workplace or public conduct otherwise detrimental to the accomplishment of the goals established by the Council or the official or department for whom he/she works.
13. SHALL respect the workplace and your co-workers that may be sensitive to fragrances and cologne by limiting the use of these products in the workplace.

B. WORKPLACE CONDUCT

Each employee shall be expected to conduct him/herself in the workplace in accordance with the following rules. These rules are not to be considered an all-inclusive list of required conduct for City employees. Rather the following rules are provided to establish fundamental policy guidelines which help define what is expected and required of all employees.

Each employee:

1. SHALL give his/her best efforts to accomplish the work of the City for public benefit in accordance with policies and procedures adopted by the elected officials. Each employee shall be subject to the administrative authority of the official who supervises the department where the employee works.
2. SHALL adhere to any code of ethics in his/her profession and avoid conflicts of interest or using his/her public position for personal gain.
3. SHALL follow all rules for care and use of public property to assure that the public investment in equipment is protected and that the safety of the public and other workers is maintained.
4. SHALL abide by all departmental rules whether they be written or issued verbally by the managing official. No employee shall be required to follow the directive of a managing official which violates laws of any local jurisdiction, the state, or nation.
5. SHALL abide by pertinent State and Federal Statute, and City rules concerning the dissemination of information to the public from public records or about public matters. The decision to release information from the public records or to disclose writings or other information in the hands of a public official belongs with the responsible official who has official custody of that record. Each employee shall maintain the confidential nature of records which are not open to public scrutiny in accordance with the direction of the responsible official.
6. SHALL follow rules regarding the reporting of work hours. Failure to follow such rules may be grounds for delayed payment of wages, salaries, or reimbursements. Repeated or deliberate violations of time reporting policy shall result in disciplinary action.
7. SHALL follow department rules regarding breaks and lunch periods.

8. SHALL follow all rules for reporting on the job accidents. Each employee shall cooperate in the reporting and reconstruction of any job-related accident in order that workplace hazards can be eliminated and that proper consideration can be accorded to injured workers and the public.
9. SHALL report any accident(s) observed to have happened on City property or involving City property. Each employee shall provide as much information as he/she can from the observations made in the course of activities associated with one's work. Such information should be reported to the employee's managing official as soon as physically possible and reasonable efforts should be made to assist those in need.
10. SHALL follow all rules regarding safety in the workplace whether established formally by the department or by outside agencies. Employees are encouraged to suggest ways to make the workplace or work procedures safer.
11. SHALL maintain a current driver's license when necessary in the conduct of work for the City. Each employee must report any state-imposed driving restrictions to his/her managing official. Each employee is also obligated to notify his/her managing official in the event that his/her driving abilities are impaired by anything other than state restrictions.
12. SHALL perform such obligations as are necessary to carry out the work of the City in an efficient and effective manner at minimal costs and with limited risk to the public and fellow workers.

C. PROHIBITED WORKPLACE CONDUCT

These rules are not to be considered an all-inclusive list of inappropriate conduct for City employees. Rather these rules establish fundamental policy guidelines which provide a basis to define inappropriate workplace conduct for all employees.

Each employee:

1. SHALL NOT be present in the workplace under the influence of drugs, alcohol, illegal substances or other substances which would impair the ability of the employee to perform his/her work competently or which would threaten the safety or well-being of other workers or the public. No employee should be absent from work as a result of the conditions described above, even though the conduct resulting in the condition actually occurs outside regular working hours. For further information please see the City of Ammon Drug Free Work Place Policy, Appendix A.
2. SHALL NOT engage in abusive conduct to fellow employees or to the public, or use abusive language in the presence of fellow employees or the public. Abusive language shall include profanity and loud or harassing speech.
3. SHALL NOT sleep or be absent from the employee's work station when on duty.
Exception: 24 hour shift employees.
4. SHALL NOT engage in malicious gossip and/or spreading rumors; engaging in behavior

designed to create discord and lack of harmony; willfully interfering with another employees work output, horseplay or encouraging others to do the same.

5. SHALL NOT use work time for personal business including selling of goods or services to the general public or preaching religious or political views to members of the public during the work day. Employees should minimize the amount of work time spent on similar activities engaged with fellow employees.
6. SHALL NOT engage in political activities while on duty in public service. This rule shall not apply to elected officials or chief deputies to an elected official. Employees shall enjoy full political rights when not carrying out their work obligations.
7. SHALL NOT provide false or misleading information on employment applications, job performance reports, payroll records or any other related personnel documents or papers.
8. SHALL NOT willfully give false statements to the public, managing officials, the Council or Mayor.
9. SHALL NOT discriminate in the treatment of co-workers or members of the public on the basis of race, religion, gender, age, disability or national origin.
10. SHALL NOT smoke within any City vehicle, City building or any other public building. Cigarette butts shall be properly disposed of by depositing in approved waste containers. Employees shall smoke only in designated areas.
11. SHALL NOT allow unlawful substances or alcoholic beverages either opened or unopened in any City building or vehicle at any time.
12. SHALL NOT violate state statutes or local rules regarding the inappropriate use, alteration, destruction, or removal of records kept by the City or by other public officials, particularly when required by law.
13. SHALL NOT abuse employee benefit offerings by taking unjustified sick leave, unearned paid vacation, or otherwise participate in a scheme or deception designed to create incorrect personnel records or to claim benefits which are not deserved in accordance with the City policy.
14. SHALL NOT violate rules concerning absence from the workplace. (Employees must obtain prior permission as required by City policy for use of paid/unpaid vacation, sick, bereavement, or other types of leave granted by this personnel policy.)
15. SHALL NOT engage in prolonged visits with co-workers, children, friends, or family members that will interfere with the course of work in the office or department in which the employee serves.
16. SHALL NOT use telephones or computers in the office or workplace in a manner that violates policy. All employees are responsible to review, understand, accept and adhere to the City of Ammon Technology Use Policy, Appendix B.
17. SHALL NOT engage in criminal conduct of any kind while on duty or off. Employees are

expected to behave in a lawful and socially acceptable manner. Failure to do so is a violation of the trust placed in such employees by the public and the managing officials.

18. SHALL NOT violate any lawful rule established by managing officials to maintain order and productivity in the workplace.
19. SHALL NOT duplicate or misuse City key(s).

D. PROHIBITED DISCRIMINATORY HARASSMENT POLICY

The City is committed to providing all of its employees with a work place free of discriminatory harassment. The City maintains a strict policy prohibiting sexual harassment and harassment on the basis of race, color, national origin, religion, sex, physical or mental disability, age, veteran status or any other characteristic protected by applicable law.

This prohibition applies to all employees, vendors, associates, or representatives of the City.

No employee shall tolerate any conduct prohibited by this policy from anyone while at work or engaged in City business. The employee shall report any such prohibited behavior to the appropriate managing official.

This policy is not intended to protect anyone who makes a false allegation of discriminatory harassment. The City reserves the right to take appropriate disciplinary action against any employee who makes a false allegation of harassment.

1. SEXUAL HARASSMENT DEFINED:

Sexual harassment prohibited by this policy includes conduct of a sexual nature when:

- a. Submission to such conduct is made a term or condition of employment; or
- b. Submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or
- c. Such conduct has the purpose or effect of unreasonably interfering with an employee's work or creating an intimidating, hostile or offensive working environment.

Whenever one or more of the conditions above exist, the following shall be considered sexual harassment:

- a. Unwanted sexual advances.
- b. Offering employment benefits in exchange for sexual favors.
- c. Making or threatening retaliation after a negative response to sexual advances.
- d. Visual conduct such as leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, calendars or posters.
- e. Verbal conduct such as making derogatory comments, epithets, slurs, jokes or

comments of a sexual nature about an employee's body or dress.

- f. Written communications of a sexual nature distributed in hard copy or via a computer network.
- g. Verbal sexual advances or propositions.
- h. Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, suggestive or obscene letters, notes or invitations.
- i. Inappropriate physical conduct such as touching, assault, impeding or blocking movements.
- j. Retaliation for making harassment reports or threatening to report harassment.

This list is not provided as a complete list, but rather to provide direction in defining sexual harassment.

Sexual harassment can occur between employees of the same sex. It is unlawful for males to sexually harass females or other males, and for females to sexually harass males or other females.

2. OTHER TYPES OF UNLAWFUL HARASSMENT

The City also prohibits harassment on the basis of race, color, national origin, religion, gender, physical or mental disability, age, veteran status or any other characteristic protected by applicable law. Such prohibited harassment includes but is not limited to the following examples of offensive conduct:

- a. Verbal conduct such as threats, epithets, derogatory comments or slurs;
- b. Visual conduct such as derogatory posters, photographs, cartoons, drawings or gestures.
- c. Written communications containing statements, which may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes or caricatures.
- d. Physical conduct such as assault, unwanted touching or blocking normal movement.
- e. Retaliation for making or threatening to make harassment reports to the City.

E. THE CITY OF AMMON COMPLAINT PROCEDURE

Any employee who believes he/she has been subjected to unlawful harassment, prohibited by this policy, should tell the harasser to stop his/her unwanted behavior and immediately report the behavior, preferably in writing, to their department head and/or the City Administrator.

Any employee who becomes aware of unlawful harassing conduct, prohibited by this policy, either engaged in or suffered by a City employee, regardless of whether or not such harassment directly affects that employee, the employee shall immediately report the incident, preferably in writing, to their department head and/or the City Administrator. Any employee reporting an incident shall do so either preferably in writing or verbally to at least one of the following; the department head, the City Clerk and/or the City Administrator. Upon receipt of a complaint, the department head, City Clerk and City Administrator shall all be made aware of the complaint. The City Administrator will then be responsible to administer an immediate, thorough and objective investigation on behalf of the City. The City Clerk will be responsible for the creation and maintenance of any and all record keeping necessary for the proper execution and enforcement of this policy. Therefore, all written correspondence relative to the incident, including written electronic communications shall be forwarded to the City Clerk upon receipt. In addition, any relative verbal communication shall be summarized by the recipient in writing and forwarded to the City Clerk. If it is determined and substantiated that prohibited harassment has occurred, appropriate action will be taken to ensure that the conduct will not reoccur. A determination regarding the alleged harassment shall be made and communicated to the person claiming harassment, as soon as practical. Employees violating this policy are subject to the employee discipline procedure outlined in this policy.

The City strictly prohibits retaliation against any person by another employee or by the City for using this complaint procedure, reporting harassment, or for filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by the City or a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions or otherwise denying any employment benefit.

The City does not consider conduct in violation of this policy to be within the course and scope of employment and does not sanction such conduct on the part of any employee, including elected officials or management employees.

EMPLOYEE CLASSIFICATION, COMPENSATION, AND BENEFITS

A. CLASSIFYING EMPLOYEES FOR POLICY PURPOSES

1. EMPLOYMENT STATUS

Except as otherwise provided in this paragraph, employees of the City shall not be suspended without pay, demoted with an accompanying change in pay, or discharged from their positions except for cause related to performance of their job duties or other violations of this policy. Cause shall be determined by the employee's managing official and shall be communicated in writing to the employee when employee status is changed.

The City retains full authority, without prior notice, to modify the general terms and conditions of employment.

2. EMPLOYEE CLASSIFICATION

The classification of the position you hold with the City may affect the status of obligations or benefits associated with your employment. The primary classes of employees and their respective status is outlined as follows:

a. Full-Time Regular Employees:

Typical work schedule calls for at least 30 or more hours of scheduled work during each seven (7) calendar-day payroll period. Full-time regular employees shall receive all employee benefits provided by the City; as such benefits now exist or may be subsequently changed. Nepotism laws apply to all full-time employees.

b. Part-Time Regular Employees:

Typical work schedule calls for 29 or less hours of scheduled work during each seven (7) calendar-day payroll period. Part-time regular employees shall receive reduced employee benefits in accordance with policies adopted by the Council and required by PERSI. The scope of benefits received may vary proportionately with the number of hours typically scheduled for a part-time regular employee. The number of hours scheduled may also affect the employee's obligation to participate in certain mandatory state benefit programs. Certain benefits may not be available. Nepotism may be allowed for the paid call employees of the Fire Department upon approval of the City Administrator.

c. Seasonal Employees:

Provide services for the City on an irregular or temporary basis and whose time of employment is less than 8 consecutive months annually. Seasonal employees shall receive no benefits provided to regular employees, except those required by law or those provided by express written authorization of the Council. The City Treasurer will file required reports regarding seasonal employees with PERSI. Nepotism may be allowed for part-time seasonal employees. Nepotism will not be allowed for full-

time seasonal employees.

B. COMPENSATION POLICIES

1. ESTABLISHMENT OF PAY SYSTEM

The City compensates employees in accord with decisions by the Council as budgets are set and tax levies are authorized. Pay for any given position is subject to the annual budgetary process and as such may be subject to increase, reduction, or status quo maintenance for any time period. The managing official may make suggestions about salary compensation and other pay system concerns but the final decision regarding compensation levels rests with the Council's budgetary rulings and final direction from the City Administrator.

2. COMPLIANCE WITH STATE AND FEDERAL PAY ACTS

The City shall comply with all State and Federal pay acts respecting the compensation of employees for services performed in the public service.

3. RIGHT TO CHANGE COMPENSATION AND BENEFITS

The Council reserves the right to make budget adjustments, and consequently pay adjustments, during the course of the budget year in order to manage cash flow or to deal with other circumstances which justify changes in City expenditures. Compensation may also be adjusted based upon job performance and the availability of funds to maintain a solvent City budget.

4. OVERTIME COMPENSATION - COMPLIANCE WITH FAIR LABOR STANDARDS ACT

In addition to the employee classifications set forth elsewhere in this policy, all employees are classified as either exempt or hourly for purposes of complying with the Federal Fair Labor Standards Act (FLSA). The FLSA is the Federal wage and hour law which governs the obligation of employers to pay overtime compensation. Exempt employees are not required to receive overtime pay for hours worked beyond the limits provided by the statute. Employees who serve as sworn law enforcement officers and/or fire fighters shall be subject to special exceptions found in the FLSA (See 207K). Please contact your department head or the office of the Administrator for further clarification of your FLSA status. Sick leave, vacation, and holidays will be excluded from hours worked for overtime purposes. All hours worked in excess of 40 hours in a 7 day work period shall be compensated at the rate of 1 ½ times the regular hourly rate. Overtime shall be worked only when necessary.

5. COMPENSATORY TIME POLICY

The City allows for accumulation of compensatory time for all full time hourly employees, up to a maximum of twenty-four (24) hours upon approval of the Department Head, with the exception of the Public Works Department which is allowed to accumulate forty (40) hours. Any allowed compensatory time shall be shown on the employee's check as accumulated compensatory time, and shall be scheduled in the same manner as vacation time. Compensatory time shall be calculated in the same manner as overtime pay. When requesting compensatory time in lieu of overtime, the employee shall be required to submit along with their time sheet, a document stating they wish to accumulate compensatory time in lieu of overtime pay.

The City of Ammon will pay full-time employees the Friday after Thanksgiving in compensation for the employee working the annual Ammon Days Celebration (see holiday schedule for explanation).

6. REPORTING AND VERIFYING TIME RECORDS

It is the responsibility of each employee to properly record the time that he/she has worked during a payroll period. Each time sheet shall bear the signature of the employee with a statement verifying its accuracy and a counter signature by the department head indicating that the hours claimed were actually worked. These records shall be retained according to the City of Ammon Records Retention Schedule.

7. WORK PERIODS

Employment with the City is subject to the Federal Fair Labor Standards Act as previously described. Each employee is responsible for monitoring the status of hours worked in each work period. Overtime shall be allowed only when preapproved by the managing official or when absolutely necessary in an emergency. The work week for all regular employees who are subject to the FLSA shall begin at 12:00 a.m. (midnight) on Sunday of each week and concludes at 11:59 p.m. of the succeeding Saturday. Regular employees will record actual hours worked. The payroll department shall compute the overtime earned at 1 ½ times the hourly amount based on a 40 hour workweek. All hours worked, including overtime, shall be paid in their paycheck for the pay period in which it was earned.

The maximum allowed break time is 15 minutes for every 4 hours of contiguous work. The staff on duty is responsible to coordinate breaks which maintain appropriate staffing levels and efficient operation. Breaks shall not be accumulated or combined. Lunch break policy is established by department requirements therefore, employees are to follow the directives of their managing official.

Exempt employees shall not receive overtime pay for hours worked beyond 40 hours per week or reductions in pay for pay periods with less than 40 hours worked. Exempt

employees have control over their work schedule and hours as long as the job requirements are met.

8. PROMOTIONS AND COMPENSATION

Compensation for all employees is established by action of the Council. The annual budget of the City sets the funding available for compensation of employees in various departments. Promotions and changes in status may be recommended and made by officials in each of the operating departments but final authority regarding compensation rests with the City Council and Mayor through the budgeting process with final action on promotions and compensation approval by the Department Head and City Administrator. Any promotion or compensation not budgeted for in the current budget must be approved by the City Council prior to said promotion or compensation. Employees shall participate in a performance evaluation system approved by the Council. Such evaluation systems shall be one basis for allocating changes in compensation in each budget year. Records of all such evaluations shall be kept in the personnel file of each employee.

The City of Ammon has adopted a pay/grade scale, with a merit for performance philosophy.

9. PAYROLL PROCEDURES AND PAYDAYS

Employees are paid every two weeks throughout the year. Time sheets are to be turned in by 12:00 p.m. on the bi-weekly Monday that immediately follows the conclusion of the two week work period. Paychecks will then be issued by the office of the City Treasurer on the bi-weekly Tuesday that immediately follows time sheet submittal. Paychecks compensate employees for work performed in the two week work period immediately prior to paycheck issuance. Paychecks are to be distributed by the Department Head or their designee, at the employee's normal workplace prior to 5:00 p.m. on payday in a manner approved by the department head, payroll checks will be available to Department Heads by 3:00 p.m. on payday. NO advances will be allowed. It is the responsibility of each employee to monitor the accuracy of each paycheck received. Information shown on the employee's paycheck stub is provided for information only. The paycheck is generated by a computer program that does not have the capacity to think or to understand individual circumstances. Actual practices respecting the issuance of paychecks and allocation of employee benefits must be consistent with official City policy. In the event of disagreement between the computer-generated paycheck stub and official policy as interpreted by the Council with the assistance of the City Treasurer, the policy shall prevail.

At time of hire all employees will fill out and sign a 'New Employee Packet' which sets forth his/her requested benefits and deductions. The City Treasurer or an authorized staff member will subsequently input this information into the payroll system. Any

discrepancies or problems in adhering to the items outlined on the form will be clearly resolved and indicated on the form. Necessary changes to the inputs from the originally submitted form will be accepted and initialed by the requesting employee. Upon completion, the form will be signed and dated by the City Treasurer or the authorized staff member and then placed in the employee's permanent file. Any future requests to adjust benefits or deductions on the part of employees must be submitted in writing through submittal of a new benefit form. The method for instituting these changes will conform to the same procedure as described above.

10. COMPENSATION WHILE SERVING ON JURY DUTY

Employees called to jury duty, which necessitates an absence from their regularly scheduled duties, shall be granted leave with no reduction in salary or benefits. Notice of the receipt of a summons for jury duty should be given to the employee's immediate supervisor as soon as possible.

11. MILITARY LEAVE

- a. Any regular employee who is inducted into the Armed Forces of the United States and the Military Selective Service Act shall be granted a leave of absence without pay and shall be entitled to return to his/her former position or to an equivalent position, providing:
 - i. He/she makes application for re-employment within ninety (90) days after such person is relieved from training and service or from hospitalization continuing after discharge for a period of not more than one year, provided he/she is still qualified to perform the duties of such position with reasonable efforts by the City.
 - ii. Seniority and service credit shall continue during military leave, but a returning veteran will not displace another employee with greater service.
 - iii. All provisions of this section shall be interpreted in a manner consistent with the Soldiers and Sailors Civil Relief Act.
- b. Any regular employee who is a member of an organized Reserve or National Guard Unit who is ordered to participate in field training shall receive, for a period of no greater than 15 working days, that portion of his/her regular salary which will, together with his/her lesser military pay (including pay received for weekends that fall within or at the end of the leave period), equal his/her regular salary. For this purpose, military pay does not include allowances received for rent, subsistence, travel, and uniforms.
- c. Regular, full-time employees who are members of the National Guard and who are called for emergency duty in their state will be granted up to 160 hours of paid Military Leave per calendar year.

12. PAYROLL DEDUCTIONS

In accord with Idaho Code § 45-609 or its successor, no payroll deduction(s) shall be made from an employees paycheck unless authorized by the employee or required by law.

13. TRAVEL EXPENSE REIMBURSEMENT

An employee on City business shall be reimbursed for expenses incurred in completing his/her work-related assignment in accord with the policies established by the Council. Travel expenses must be authorized by their managing official. Each employee is responsible for providing verified receipts for any expenses for which reimbursement is requested in accord with Idaho Code § 31-1506 or its successor.

Employee meal expenses, shall be paid up to a maximum of \$45 per day. When separate meal expenses are incurred due to partial travel days or for meals necessary due to City business functions the rate per person are as follows: Breakfast \$10, Lunch \$15 and Dinner \$20. If a meal is included and paid for in a meeting or conference registration, the meal rate above shall be deducted from the maximum rate to determine what would be allowed for a given day. The City requires employees to make use of available complimentary meals, whenever possible. If the employee is allergic to the food provided at a meeting/conference, a meal per diem may be allowed to get them food they can eat.

Authorized related lodging expenses shall be reimbursed at actual cost. Employees should always request tax exempt government rates and negotiate the best available rate. Each employee is allowed their own room.

Travel time from the employee's home to work will not be compensated. Allowable time will start from departure from the employee's City's work location.

When traveling on City business, a City vehicle should be taken, if available. A personal vehicle may be taken and mileage reimbursed at the standard business mileage rate published by the Internal Revenue Service, when approved by the Department Head and City Administrator.

Non-City employees may ride in a City vehicle, for business purposes, but must dress and act appropriately when doing so. In addition to the employee assigned or permitted to drive a City of Ammon vehicle, he or she may allow others, as necessary, to operate the vehicle if they have a valid driver's license and are 25 years of age or older. It shall be the responsibility of the Department Head to monitor additional drivers. Drivers (including volunteers) that regularly are allowed to drive a City vehicle or equipment shall follow and be provided with a copy of the City of Ammon Vehicle and Equipment Policy (Appendix C).

If a City vehicle is taken home, mileage must be kept track of. It is the intention of the City to comply with all IRS rules regarding use of public vehicles for personal use. In some cases the use of a City vehicle can result in a taxable benefit to the employee. Said benefit shall be recorded on the employees W-2 form for the year. All employees shall review and comply with the requirements of the vehicle use policy adopted by the City.

14. ON-THE-JOB INJURIES

All on-the-job injuries shall be reported to your department head, who in turn shall report to the City Clerk, as soon as practicable, to allow the filing of worker's compensation claims in the proper manner. If an employee is disabled temporarily by an on-the-job accident, he/she shall be eligible for worker's compensation benefits. Return to employment shall be authorized on a case-by-case basis upon consultation with the supervising official and the State Insurance Fund. Concerns associated with injured worker status may be brought before the City Clerk for review.

Drug and/or alcohol testing, ordered by your department head, is mandatory for any workman's compensation or property damage claim and must occur within 2 hours of the accident. For further information please see the City of Ammon Drug Free Work Place Policy (Appendix A).

15. DRUG-ALCOHOL TESTING

The City has an adopted a Drug Free Work Place Policy (Appendix A). For any questions relating to the City policies regarding drugs or alcohol please refer to Appendix A.

16. ON CALL

'On call' will be determined by the department head as needed. While on 'on call' duty employees shall be available for immediate response to emergency and/or service calls. Actual hours worked while on standby duty shall be compensated at the employee's normal pay rate including overtime rates, if applicable. In addition, employees who are required to perform 'on call' shall receive one additional hour per day, except on Saturday, Sunday and holidays when 'on call' duty shall add an additional two hours per day.

Travel time from the employee's home to work will not be compensated. Allowable time will start from departure from the employee's City's work location.

C. EMPLOYEE BENEFITS

The City offers a number of employee benefits for full-time regular employees. These benefit offerings are subject to change or termination at the sole discretion of the Council. Each is subject to the specific terms of its respective insurance policy and/or official resolution of the Council.

1. PAID VACATION LEAVE

Paid vacation leave is available to full-time regular employees who have completed the equivalent of 12 months of full-time regular employment. Paid vacation accrues from the start of employment in the following manner, unless otherwise negotiated at the time of full-time regular employment:

Length of Service	Paid Vacation Accrual
1 through 4 years	80 hours per year
5 through 14 years	120 hours per year
15 years and higher	160 hours per year

The accrued paid vacation is deposited into the employee's vacation account on his/her employment anniversary date. There shall be an accrual limit for carryover of vacation from one year to another of a maximum of two year's total accrued days of vacation. The accrual total shall be calculated on the employee's date of employment. Employees that have accrued vacation days in excess of the allowed amount shall be paid out on the first payday after their anniversary date each year.

All employees must take at least one annual vacation of at least five (5) consecutive days, unless approved by the City Administrator. Paid vacation leave is to be scheduled with consent of the managing official. Efforts shall be made to accommodate the preference of the employee in paid vacation scheduling, but first priority shall be the orderly functioning of affected departments. A maximum of two (2) weeks paid/unpaid vacation may be taken at any one time, unless approved by the City Administrator. Vacation leave in excess of 8 hours must be scheduled one week in advance, unless approved by the City Administrator.

Unused accrued vacation is to be paid out at the employee's current pay rate upon separation from employment with the City.

Employees may fill out a "Vacation Pay Out Request Form" to be paid out for accumulated vacation. To qualify, the employee must maintain or have taken the minimum required annual vacation.

2. SICK LEAVE

Sick leave is a benefit to provide relief to the employee in the event of illness to the employee or his/her immediate family living in their household or whom the employee

is directly responsible for. It is to be used only in the event of an illness or injury that prevents the employee from working productively or safely or if an immediate family illness presents no practical alternative for necessary care. Surgeries, elective or otherwise, along with the necessary recovery time qualify for sick leave, if covered by insurance or preapproved by the managing official. When three (3) or more concurrent days of sick leave are requested, the managing official may require a physician's notification in writing prior to approving the sick leave. Additionally, a physician's written notification may also be required when there is evidence of sick leave abuse, such as requesting more days than the annual accrual rate within a one year period. Abuse of sick leave benefits shall result in disciplinary action.

All full-time regular employees will be granted paid sick leave after one month of service at the rate of 2.77 hours per pay period, for a total of seventy two (72) sick hours per year. There is no accrual limit.

Surgeries, the postponement of which will not further impair the individual, and related absences should be scheduled during periods of non-work whenever possible.

In the event that an employee depletes their accrued sick leave benefits, due to a major illness or injury, employees may voluntarily donate hours from their accrued sick leave benefits with the approval of the City Administrator.

Unused accrued sick leave shall not be paid out upon separation from employment with the City.

3. HOLIDAYS

Official paid holidays are provided for full-time regular employees. Employees, who have regular, full-time active status, on the date of any holiday, shall receive compensation for that day even though they do not work. Holidays which fall on Saturdays shall be observed on the preceding Friday. Those which fall on Sunday shall be observed on the succeeding Monday. The Mayor has the authority to temporarily adjust the operating hours of City offices on days immediately preceding or following scheduled holidays based on work load and employee morale.

A holiday is a day of exemption from work granted to employees, during which said employees shall be compensated, as if they actually worked. Employees who work on holidays shall be scheduled to receive a substitute holiday with pay within sixty days of the date of the holiday they worked. Unscheduled emergency work on holidays shall be compensated at a rate of one and a half times the employee's regular rate of pay even though the work does not constitute overtime (two times the regular rate if the work does constitute overtime).

It shall be the policy of the City, that each Friday following Thanksgiving be taken as a day off by all eligible employees. This day off shall be in exchange by each eligible employee of the City working at the Ammon Days Celebration, traditionally held the first Saturday of August of each year. Employees shall be scheduled to work on that Saturday in exchange for the Friday after Thanksgiving off. Department Heads should

consider this day of exchange prior to granting vacation days for employees.

RECOGNIZED HOLIDAYS:	
New Year's Day	Labor Day
Martin Luther King, Jr./Human Rights Day	Columbus Day
Presidents' Day	Veterans Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day ; 2 PM dismissal on Christmas Eve with no lunch

4. DISABILITY LEAVE

The City shall allow any employee who is disabled, in such a manner that his/her return to work is anticipated, a maximum of 120 days unpaid leave for purposes of recovering from said disability. The employee may, at his/her option, choose to use paid vacation and/or sick leave to receive pay as long as such benefits are available in accordance with the Family and Medical Leave Act of 1993.

5. BEREAVEMENT LEAVE

Up to five days of paid leave of absence for a death in the immediate family (spouse, parents, grandparents, children, grandchildren, brothers, sisters, aunts and uncles, including those related by law). Additional leave may be granted from accrued paid vacation leave or unpaid leave of absence.

6. LEAVES OF ABSENCE

Up to thirty days unpaid leave can be granted by the City Administrator for any justifiable purpose. Any unpaid leave request in excess of five (5) days must include an explanation of the reason for the unpaid leave and a statement from the Department Head stating how the employee's position will be covered in the employee's absence. Paid leave in any amount or unpaid leave in excess of thirty days shall require written approval of the Council.

7. FAMILY AND MEDICAL LEAVE ACT

Employees of the City may have rights for up to 12 weeks of unpaid, job-protected leave under the provisions of the Family and Medical Leave Act of 1993, including any revisions that may be enacted to the Act, if they meet the following eligibility requirements, from the Code of Federal Regulations (CFR) section 825.110. "An eligible employee" is an employee of a covered employer who:

- a. Has been employed by the employer for at least 12 months, and
- b. Has been employed for at least 1,250 hours of service during the 12 month

period immediately preceding the commencement of the leave, and

- c. Is employed at a work site where 50 or more employees are employed by the employer within 75 miles of that work site.

An employee that has used this benefit, shall be eligible for an additional 12 weeks of this qualifying benefit only after the accumulation of an additional 1,250 hours of service from the date of returning to work as an eligible employee as described in CFR section 825-110.

Employees who work for an employer who employs less than 50 employees within 75 miles of that work site are not eligible for FMLA leave.

If an employee meets these eligibility requirements he/she may request up to 12 weeks of leave where the City shall continue the employee's benefits (employer portion only) during the leave period.

It is the employee's responsibility to contact the designated Human Resource person to discuss your rights and obligations for continuation of any current benefits you are receiving. Employees must make arrangements for payment of their portion of the benefit costs or discontinuation of those benefits shall occur.

If the employee does not return to work for reasons other than their own continued serious health condition or that of an eligible family member, the City may recover from the employee the premiums that were paid for the employee's medical and life insurance benefits. HRA payments made during an employee's leave period would also be included in benefits to be recovered.

Employees are required to use any accrued paid vacation and sick leave before utilizing leave without pay under this FMLA policy. If paid leave accruals are less than 12 weeks, the employee may take the remainder of FMLA leave as unpaid leave. Employees shall continue to accrue leave while utilizing their paid sick and vacation leave. They shall cease to accrue paid vacation and sick leave during the unpaid portion of their leave.

Employees are required to give 30 days' advance notice or as much time as practical when the need for FMLA leave is foreseeable. The City reserves the right to request medical certification supporting any leave, and may require second or third opinions (at the City's expense). The City may also require a doctor's fitness for duty report prior to your returning to work. Leave may be denied if these requirements are not met. The decision to allow an employee to return to work shall be solely the City's, in compliance with the provisions of the Family and Medical Leave Act.

An eligible employee of the City who is the spouse, son, daughter, parent, or next of kin of an injured service member shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the service member. There is 12 weeks of unpaid leave for an employee if the spouse, son, daughter or parent has been called to active duty. An eligible employee may elect, or the City may require the employee, to substitute any of the accrued paid vacation leave, personal leave, family leave, or medical or sick leave of the employee for any part of the 26-week period.

FMLA leave may be taken intermittently or on a reduced leave schedule in the circumstance of birth or placement of a child for adoption or foster care, care for a sick family member, or for an employee's own serious health condition with prior written approval from the managing official, or when "medically necessary."

To request FMLA leave please write a brief letter or memo to your managing official indicating the reason for requesting FMLA leave and the expected duration of leave. Note: your managing official or administrator may request that you provide certification by your physician or medical practitioner indicating the diagnosis and probable duration of your medical condition, or the medical condition of your family member.

The City shall return the employee to the same or an equivalent position after returning from FMLA leave, subject to the terms of the Family and Medical Leave Act. The only exception may be for individuals who, under the provisions of the FMLA are considered to be a "key employee" whose extended absence would cause "substantial and grievous economic injury".

The City reserves the right to require periodic notices (determined by the City) of you or your family member's status and your intent to return to work.

The City reserves the right to designate any leave request as covered or not covered in compliance with the provisions of the Family and Medical Leave Act.

If you have any questions about your rights under FMLA, please contact your managing official.

8. REDUCTION IN BENEFITS

The City, through the Council, reserves the right to change, condition, or terminate any benefits set forth in this section. No employee shall acquire any rights in any current or future status of benefits except as the law otherwise requires.

9. BENEFITS FOR PART-TIME OR TEMPORARY EMPLOYEES

Unless negotiated with the Council, required by PERSI or law, there are no provisions for benefits for part-time, seasonal or temporary employees.

10. INSURANCE COVERAGE AVAILABLE TO EMPLOYEES

The City provides medical and life insurance benefits to full-time regular employees. The City provides payments to an HRA benefit package for qualifying employees for coverage of dental and vision benefits. Additionally, the City ~~also~~ offers family coverage at the employee's expense. For the costs of the family insurance charges consult with the City's designate Human Resource person.

Management or key employees are eligible for coverage the first of the month after hire; all other employees are eligible after 90 days of employment, coverage begins on the first of the month following eligibility. All coverage is subject to policy terms and may change at any time. Continued health coverage is available to former employees at their own cost pursuant to federal law (COBRA). Information may be obtained from the personnel office.

Worker's compensation insurance covering job-related injuries is provided for all employees. Questions about worker's compensation issues should be directed to the office of the City Clerk.

11. RETIREMENT

The retirement plan of the City combines benefits of the Public Employees Retirement System of Idaho (PERSI) with Social Security (FICA). PERSI charges a percentage of an employee's gross salary, which is presently exempt from Federal and State income taxes, and the City matches this with an additional larger contribution. Contact the office of the City Treasurer for further information.

12. MISCELLANEOUS BENEFITS

Discounted utility fees of 50% shall be provided for full time employees and elected officials residing within the City limits or City utility service areas.

- a. Utility discounts are limited to the primary residence of the employee or elected official.
- b. Utility account shall be in the employee or elected official's name.

Rental of shelters, and/or Council chambers discounts of 50% shall be provided for all full time employees and elected officials.

Full time employees and elected officials are eligible to receive a City swimming pool pass good for 25 free open swim sessions. Pool passes are non-transferable. Passes are to be used by employee or employee's immediate family members. Passes will be issued upon request only, and are valid for the current season. Individuals may begin requesting passes in May of each year; passes will be available for pick up five (5) days later, to allow for processing. Passes not used will expire on September 30 of the year issued.

13. TRANSFER OF BENEFITS WITH EMPLOYEE TRANSFER

Accrued benefits for each employee continue to the benefit of that employee if the employee transfers from one department to another within the City. Any such transfer shall not result in a reduction of benefit offerings separate and apart from those realized by employees similarly situated.

EMPLOYEE EVALUATION AND DISCIPLINE

A. EVALUATION PROCEDURES

1. STANDARD PROCEDURES

Each employee may be evaluated after 90 days of employment with the City and at least on an annual basis thereafter to assess the performance of the employee in the job being performed for the City. Each evaluation shall be given on the basis of the managing official's observations of the employee's performance, the accuracy of the employee's work in addition to the quantity, and additional efforts expended by the employee on behalf of the City. Each managing official is authorized to use necessary evaluation tools. A record of the evaluation shall be placed in the employee's permanent record file.

2. INTERVIEWS (EVALUATION)

Each evaluation shall be concluded with an interview between the evaluated employee and the managing official in which the employee will be told what the findings of the evaluation are. Each employee shall be given an opportunity to respond to the evaluation both verbally, in which case notes may be taken by the interviewer, or the employee may submit a written response to the employer's evaluation to be placed in the employee's personnel file, provided that it is filed with the employer within ten (10) days of the date of the evaluation.

B. EMPLOYEE PERSONNEL FILES

1. PERSONNEL RECORDS

The official City employee records, including medical records will be stored in a secure location, owned operated and maintained by the City. Within these personnel files will be kept all records of payroll, employee performance evaluation, employee status, and other relevant materials related to the employee's service with the City. Any managing official or the employee himself/herself may contribute materials to the personnel files deemed relevant to the employee's performance and tenure. Each employee shall have the right to review materials placed in his/her personnel file at any reasonable time. Copies of materials in a personnel file are available to each employee without charge. Personnel files shall not be removed from the premises.

2. ACCESS TO PERSONNEL FILES

It is the policy of the City to allow limited access to the personnel file under the supervision of the official responsible for the record for any employee when properly requested.

Those authorized to evaluate materials in a personnel file include the employee's managing official, City Treasurer, City Clerk, Deputy City Clerk, elected officials, City Attorney and the employee himself/herself.

Employee's medical and workman's comp history records shall be kept in a separate

employee file from the employee's personnel file and shall not be accessible to anyone other than the City Clerk, City Treasurer or Deputy City Clerk.

The City Attorney shall have access to all personnel files as needed.

Information regarding personnel matters will only be provided to outside parties with a release from the employee or in other circumstances where release is deemed appropriate or necessary with the concurrence of both the official supervising the records and the City Attorney.

Based upon the inherent confidentiality of personnel matters, access of others to personnel files shall be only with authorization of the managing official and the City Attorney.

3. MANAGEMENT OF INFORMATION IN PERSONNEL FILES

Each employee shall be provided an opportunity to contest the contents of a personnel file at any time. This is to be done by filing of a written objection and explanation which will be included in the file along with the objectionable material. In the sole judgment of the supervising official, with the concurrence of the Council, any offending material may be removed upon a showing by the employee that it is inaccurate or misleading.

C. EMPLOYEE DISCIPLINE PROCEDURES AND PRINCIPLES

1. PURPOSE OF DISCIPLINE POLICY

The purpose underlying the discipline policy of the City is to establish a consistent procedure for maintaining suitable behavior and a productive working environment in the workplace. These procedures are directory in nature and minor variations of the processes set forth herein shall not affect the validity of any actions taken pursuant to this policy.

2. DISCIPLINARY SYSTEM FRAMEWORK

The City adopts the following framework for actions to be taken in the event that City policies are violated by any employee. Progressive steps may be implemented in order to invoke disincentives to policy violations. The City reserves the right to take any of the prescribed steps in any order in the event that a managing official deems a policy violation or action of the employee to be serious enough to warrant a certain step. Such steps shall be documented in the record of the disciplinary action. Progressive discipline shall be applied only where the managing official believes that the potential for improvement and correcting the behavior is possible.

3. HIERARCHY OF DISCIPLINARY ACTIONS AVAILABLE

The following actions are among the progressive disciplinary steps which can be taken by the department head in response to personnel policy violations:

- a. Verbal warning
- b. Written warning or reprimand.
- c. Suspension with or without pay.

- d. Probation.
- e. Demotion.
- f. Dismissal.

Any step in the disciplinary process may be skipped or waived; at the discretion of the managing official, considering the severity of the offense.

4. APPEAL HEARING

The personnel policy of the City establishes the right to a hearing before the Council in the event of a discharge or demotion with attendant change in pay or suspension. The elements of procedure to be followed in any such hearing to be undertaken at the direction of the managing official, unless waived by the employee, are the following:

- a. The employee shall be provided notice of the charges against him/her and the time the hearing is to be conducted.
- b. The employee shall be heard before the managing official responsible for department management with the verbal hearing to last no longer than two hours, unless otherwise approved by the Council.
- c. There shall be a record maintained, including a taped recording of the hearing.
- d. The employee shall have a right to an explanation of the conduct complained of.
- e. The employee shall have an opportunity to be represented by legal counsel, at his/her own expense.
- f. The employee shall be provided an opportunity to present evidence and to rebut the information upon which his/her charged misconduct or inadequate performance is based.

Every such hearing shall take place as soon as it can be accommodated by the schedules of those involved. Additional time may be granted, at the request of the employee, upon a showing that additional time is needed to provide facts necessary to respond to the charge(s). Said decision shall set forth the reasons for the personnel action.

SEPARATION FROM EMPLOYMENT

A. REDUCTION IN FORCE

Employee assignments may be affected by reductions in force made due to economic conditions or to changes in staffing and workload. The Council reserves the right to make any changes in work force or assignment of resources that it deems to be in the City's best interest. The Council may also specify at the time reductions in force are made, what reinstatement preferences may accompany the reductions. Said reinstatement preferences may be tied to the classification of the employee or to specialized skills possessed by the employee.

Reorganization initiated to make more efficient use of resources or to accommodate budgetary needs shall not be subject to the appeal procedure established by the City.

B. REINSTATEMENT PREFERENCE

Employees who leave City employment, due to a reduction in force, shall retain a first right to return in the event of work force rebuilding for one year from the date of their separation. Employees shall retain a preference only for work for which they are fully qualified and for which available service requirements can be met.

C. RETIREMENT POLICY

The retirement policy of the City shall comply in all respects with Federal and State requirements respecting mandatory retirement and the obligations established by the Public Employees Retirement System of Idaho (PERSI). No employee shall be compelled to retire except in compliance with said acts.

D. COBRA BENEFITS

Employees of the City who currently receive medical benefits and separate from employment may be eligible to continue those medical benefits at the employees sole cost and expense for a limited time in accordance with the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). If you have any questions regarding your right to continue your health coverage after separating from the City, please contact the designated Human Resource person.

E. EXIT INTERVIEW

Each employee who terminates from employment with the City is encouraged to participate in an exit interview with the City Clerk. In such interview, the interviewer shall notify the employee when certain benefits shall terminate, when final pay shall be issued and review the process to receive Cobra. The employee shall inform the interviewer about his/her impressions of employment in such interview. A record of the exit interview shall be completed and retained in the employee's personnel file.

F. RESIGNATION POLICY

Voluntary resignation will only be accepted if made in writing. Any verbal resignation will be treated as leave without approval, unless authorized by the managing official. Under leave without approval an employee may be terminated for "job abandonment" after three (3) days of leave that has not received approval. If the employee wants his formal records to indicate "voluntary resignation", they must do so in writing to their managing official. No employee who voluntarily resigns should expect that their position will be available at the same pay rate and/or benefits, if they desire to apply for rehire.

G. ABANDONMENT

Employees who have an unexcused or unauthorized absence of three working days or more may be terminated for job abandonment.

EXAMPLE SIGNATURE PAGES OF RECEIPT AND UNDERSTANDING

**CITY OF AMMON POLICY AND PROCEDURE MANUAL
ACKNOWLEDGEMENT OF RECEIPT
SIGNATURE SHEET**

RECEIPT:

I, _____ acknowledge that I have received a copy of the **City of Ammon Personnel Policy Manual**. I understand that it is my responsibility to review this manual and it is a condition of my continued employment. My signature below affirms that I will read and understand the manual within fourteen (14) days of my hire date. If I have questions regarding any aspect of the policy and procedures of the City of Ammon, I will discuss these questions with my supervisor or the Designated Human Resource person as necessary until I fully understand the policies and procedures of the City of Ammon.

Additionally, my signature below affirms that:

I understand that this manual is not a contract and cannot create a contract. I understand that I am obligated to perform my duties of employment in conformance with the provisions of the **City of Ammon Personnel Policy Manual** and any additional rules, regulations, policies or procedures imposed by the department in which I work, whether or not I choose to read the Manual.

I understand that should this Policy be modified that I will be provided with a copy of the modification.

_____	_____
Employee Signature	Date
_____	_____
Human Resource (Witness to Employee Signature)	Date

**CITY OF AMMON POLICY AND PROCEDURE MANUAL
ACCEPTANCE AND UNDERSTANDING
SIGNATURE SHEET**

ACCEPTANCE:

My signature below affirms that I have read and understand the terms of the **City of Ammon Personnel Policy Manual** and that I have addressed any concerns or questions regarding the policies and procedure with my Department Head or the designated Human Resource person. I further understand that I am governed by the contents of the personnel manual and it is my responsibility to remain familiar with all of the information contained. Any violation of this personnel manual may be cause for termination.

_____	_____
Employee Signature	Date
_____	_____
Department Head (Witness to Employee Signature)	Date