PERSONNEL POLICY MANUAL

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Policy Adoption and Authorization

This Personnel Policy was adopted by the governing body of the City of Girard on _____, By Resolution #_____. This policy shall apply to all city employees except for elected officials, and shall continue in effect until amended or repealed. All previously adopted personnel rules and regulations as identified in Resolution #2011-4 are repealed effective _____.

CHAPTER 1: INTRODUCTION

I. Purpose

The following policies, guidelines, procedures and other provisions for personnel administration in the City of Girard are established to:

a) Promote and increase efficiency and effectiveness of city services,
b) Develop a program of recruitment and advancement which will make city employment 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 ensure a fair and equitable wage or salary to all employees,
d) Establish a good working atmosphere and high morale among city employees,
e) Outline parameters to consider employee advancement opportunities without regard to race, religion, color, gender, sexual orientation, age, disability, national origin or ancestry, and
f) Promote transparency by providing guidelines to reference regarding personnel issues.

These rules, policies, guidelines and regulations do not create contractual employment rights and all employees are employees at will.

This manual is not a contract for employment. All employees except elected or appointed officials are "employees at will" and may be terminated with or without cause. "Employee at will" status cannot be altered except by formal action taken by the governing body of the City of Girard.

II. Scope

a) These rules and regulations shall apply to all employees in the service of the city except elected officials.
b) The scope of this manual is not intended to expand any legal requirement, statute or regulation that applies to the City or its employees.
c) This manual may be amended at any time.
d) Violation of the policies and procedures herein may be cause for disciplinary action, up to and including termination of employment.
e) If any portion of this manual is held to be invalid, the remaining provisions shall remain in full force and effect.

III. Administrative Responsibility

a) The policies, guidelines, procedures and other provisions contained in this manual shall be administered and enforced by Department Directors and supervisors, working together with the City Administrator.
b) The director of any city department may formulate in writing reasonable regulations 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 department employees. Such department regulations shall not be less stringent than, in violation of, or in conflict with, any personnel policies, guidelines, rules, procedures or regulations adopted by the governing body. Departmental regulations must be approved by City Administrator.

c) The City Clerk shall be responsible for maintaining this manual including periodic updates, amendments and revisions and ensuring that all employees are furnished with a copy of the manual including subsequent amendments and updates.
d) Personnel Records. The City Clerk shall keep adequate records of all persons employed, their pay scale, time worked, accrued vacation and sick leave, all absences for vacation, sick or other leave, overtime, disciplinary and exemplary behavior, and all other records directed to be made or maintained under these rules and regulations or under the applicable state or federal law.
e) Amendments. This manual may be amended from time to time. Proposed amendments must be presented to the governing body for approval.

IV. Review

a) The City Administrator and Department Directors shall review this document on an annual basis and present their findings to the Governing Body. The first review shall take place in December of 2018.
b) The City Council shall approve all changes to this Policy.

CHAPTER 2: DEFINITIONS

The following definitions are utilized for clarifying the terminology within the Personnel Manual and are not intended for any other purpose.

'Business Day' means Monday and Wednesday from 7:30 a.m. to 4:30 p.m., Tuesday and Thursday 7:30 a.m. to 6:00 p.m. and Friday 7:30 a.m. to 12:30 p.m., excluding holidays observed by the City.

'Child' means an employee's biological, adopted or foster child, step child, legal ward or any person under eighteen years of age for whom the employee has legal and monetary responsibility per Internal Revenue Code.

'City' means the City of Girard, Kansas.

'Compensation' means pay and other benefits derived for an employee's performance of assigned duties for the City.

'Computer Equipment' means computers, City issued cellular devices or computer output devices to include printers, plotters, communication devices, display terminals, personal computers, servers, switches.

'Computer Technology' means all electronic media and services, including computers, City issued cellular devices, software, e-mail, telephones, voicemail, facsimile machines, online services, internet and the worldwide web, provided to employees by the City.

'Department Director' means the City Clerk, Fire Chief, Police Chief, Director of Parks and Recreation, and the Director of Utilities.

'Download' means the transfer of a copy of machine-readable data from one originating electronic device to another.

'Emergency' means a sudden and unforeseen circumstance that requires the unscheduled services of an employee to protect the health, welfare and safety of the community in carrying out the duties and responsibilities of the City.

'Extended Immediate Family' means an employee's mother-in-law, father-in-law, sister/brother-in-law, grandparent-in-law, son/daughter-in-law, aunt/uncle and first cousin.

'Full-Time' means an employee who works a normal week of at least 36 hours per week on a regular and continuing basis. The work week is any consecutive seven-day period except as otherwise noted in Section E-1.

'Hire Date' means the first day that an employee begins employment with the City.

'Immediate Family' means an employee's parent, spouse, domestic partner, significant other, child or step-child, sister, brother grandparent, grandchild, and stepparent.

'Job Class' means jobs within the same department that has a natural progression or linkage for promotional purposes. A list of current job classes and classifications is included in Appendix D of this Manual.

'Licensing' means a requirement that computer software or other programs be used only with the permission of and subject to the restrictions, including restrictions on the number of users, imposed by the owner of the software or program.

'Merit Pay' means an increase in compensation granted based on job performance, as determined in the performance review process.

'Part-Time' means an employee who works less than a normal week of fewer than 30 hours per week on a regular and continuing basis.

'Password' means a secure combination of characters entered by a person and used by the computer to verify authorized access to computer functions.

'Personnel File' means the official file for each employee maintained by the City and kept in the City Clerk's office.

'Public Safety Employee' means a firefighter or police officer.

'Seasonal' means an employee who works on a regular and/or recurring basis during a specific season or portion for a year.

'Social media' means all types of social networking sites, including, but not limited to, Facebook©, Myspace©, X© formerly Twitter©, LinkedIn©; blogs and other on-line journals and diaries; bulletin boards and chat rooms; microblogging, video on YouTube© and similar media.

'Software' means a stored sequence of machine-readable instructions that cause a machine to perform calculations or functions. Software may be purchased or created in-house.

'Spouse' means a person construed as such under Kansas Statute, but does not include a common-law spouse.

'Temporary' means an employee who works on an irregular and/or non-permanent basis.

'Transportation Safety Sensitive Position' means a position requiring a valid commercial driver license under Kansas Statute.

'Volunteer' means a non-paid individual in the position he/she holds. When acting as a volunteer an individual is not an employee regardless of their city employment.

'Volunteer Fireman' means a partial paid position that is covered under the City's Workers Compensation Insurance Policy

CHAPTER 3: EQUAL EMPLOYMENT OPPORTUNITY PRACTICES & PROCEDURES

I. Nature of Employment

It is the sincere desire of the City that each employee is successful in their position. However, all employees who do not have individual, written contracts for specific, fixed terms are employees "at will". At will means that either the City, or the employee, may terminate the employment relationship at any time, with or without cause or reason and without notice.

The policies set forth in this manual are not intended to create a contract of employment, either expressed or implied, between the City and its employees.

II. Equal Employment Opportunity

Equal employment opportunity has and will continue to be a fundamental principle of the City. Employment with the City is based on personal capabilities and qualifications without discrimination based on race, color, religion, gender, age, national origin, ethnicity, sexual orientation, marital status or any other protected characteristic as established by law.

This policy of equal employment opportunity applies to all policies and procedures relating to recruiting, hiring, compensation, benefits, termination and all other terms and conditions of employment.

III. Immigration Law Compliance

All employees initially hired after November 7, 1986 for any position within the City shall complete an employment eligibility verification statement in compliance with the Federal Immigration Reform and Control Act of 1986.

IV. Classifications

a) Employment Classifications

Position classification is a system of identifying and describing various kinds of work in the organization and grouping them under common job titles to permit equal treatment in employment practices and compensation. Each position shall, based on assigned 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) All employees are classified as one of the following:
   i. Elected Officials. Elected officials are NOT employees of the City. The provisions contained in this Manual do not apply to elected officials unless specifically stated otherwise.
   ii. Full-Time. Employees who work on a regular and continuing basis and who work thirty-six (36) or more hours per work week for a period of twelve months.

iii. Part-Time. Employees who work less than a regular full-time work week on a regular and continuing basis. Part-time employees may not work more than 999 hours in a calendar year.

iv. Temporary/Seasonal. Employees who work on a temporary or recurring basis for a specific purpose and whose employment shall not exceed 120 calendar days in any calendar year. These employees are not eligible for any benefits except those required by law.

v. Volunteer. Non-paid individuals performing work-related service for or on behalf of the City. Volunteers are NOT employees of the City except for purposes of worker's compensation and Liability Insurance Coverage.

vi. Non-Career Public Safety Employees. Individuals performing work as a Police Officer, Firefighter, EMT, or a Paramedic on behalf of the City on less than a full- or part-time basis. Non-Career Public Safety employees may receive compensation as defined in the City's official pay scale.

vii. Appointed Legal Employees. The Municipal Judge and City Attorney shall have their terms of employment and compensation set by ordinance.

c) In addition, employees are classified in one of two classifications for wage and hour purposes under state and federal law:

i. Non-Exempt Employees: Non-exempt employees are those who are eligible to receive overtime or compensatory time as required by the Fair Labor Standards Act (FLSA).

ii. Exempt Employees: Exempt employees are those employees who are not eligible to receive overtime compensation for hours worked in excess of thirty-six (36) hours in a work week. All exempt employees shall be notified at the time of hire or change in status of their exempt classification. Exempt employees with an annual pay of less than the FLSA threshold may be eligible for overtime.

d) Probationary Period. The probationary period is an integral part of the selection and screening process and shall be used for close observation of the work of the employee and for termination or reassignment of an employee whose work does not meet the standards for his or her position, as determined by the supervisor or Department Director. All new employees and promoted or demoted employees shall serve a probationary period.

i. 'Initial Probationary Period' means six (6) consecutive months of employment by the City, commencing on the employee's initial hiring date or from the rehire date for employees rehired after a break in employment of more than forty-five (45) days. Any probationary period may be extended at the request of the Department Director and upon approval by the City Administrator. Employees who have not successfully completed the probationary period are not eligible for raises.

V. Performance Review

Employee performance evaluations will be considered in determining salary increases and decreases, as a factor in promotions, determining classification changes and as a means of

identifying employees who should be promoted or who, because of their low performance should be subject to disciplinary action, up to and including termination.

a) Performance Reviews. An evaluation of the performance of each full-time employee and part-time employee with supervisory responsibilities based on his or her duties and responsibilities shall be prepared on an annual basis within the last quarter of the calendar year. The reviews may be used to consider compensation and/or classification adjustments, merit raises and disciplinary actions. The reviews will be conducted in writing on a form approved by the City Administrator.

VI. Personnel Records and Rules

a) Records. The City is required to keep accurate, up-to-date employment records on all employees to ensure compliance with state and federal regulations, to keep benefit information up-to-date, and to make certain that important mailings reach all employees. In addition to a general personnel file, the City maintains a separate payroll file, medical file, and restricted access file for each employee. Access to an employee's medical file and restricted access file is highly restricted and based on a need-to-know basis only. The City considers the information in employment records to be confidential.

b) Updates. Employees must inform the City of any necessary updates to their personnel information such as a change of address, change of telephone number, emergency contact, marital status, number of dependents, or military status. Employees shall provide documentation to their supervisor and the City Clerk's office of any outside training, professional certifications, education, or any other change in status.

c) Employment Verifications and References. All employment verifications and reference requests must be submitted to the City Clerk's Office. The City Clerk's Office will only verify dates of employment, rates of pay, and job titles. Except when required by law, additional information will only be provided with written authorization from the employee.

d) Access. Personnel files are the City's property, and access to them is restricted. Generally, only the Human Resources Director, City Administrator, City Attorney, the employee's supervisor, the employee's Department Director or City Clerk who have a legitimate reason to review information in an employee's file are permitted to do so. All personnel files shall be viewed only on the City's property and in the presence of the Department Director, Human Resources Director, City Administrator or City Clerk. Under no circumstances may an employee remove his or her personnel file, or any part of it, from the City's property.

VII. Reinstatement

a) On occasion, former employees are rehired by the City. In those situations, the City may adjust the employee's service date and give him or her credit for previous service. In general, when an employee has been paid for unused leave, the employee's service dates will not be adjusted to give credit for previous service. Previous employees who apply for

positions with the City are not guaranteed reinstatement. Reinstatement and adjustment of service dates is solely at the City's discretion.

b) The employee's previous length of service may be used to determine a returning employee's eligibility for vacation leave and longevity pay. In general, when an employee has been paid for unused leave, the employee's previous length of service will not be used to determine eligibility for vacation and longevity pay. About eligibility for all other benefits, the plan documents for each benefit will govern whether previous service can be used to establish eligibility.
c) Unused vacation and sick leave prior to the leave may be restored unless the employee had been paid for unused leave. Restoration of unused vacation and sick leave are solely at the City's discretion.
d) If extenuating circumstances are determined to exist, the City Administrator may make exceptions to the reinstatement policy.

VIII. Reclassification

Reclassification means the re-evaluation and reassignment of a position to assure that the pay plan accurately reflects the worth of the position.

a) A position may be reclassified up or down in the pay scale as determined by the reclassification process.
b) Reclassification is an action taken to recognize the following conditions:
    i. The duties, responsibilities and qualifications of an existing position have changed over time to such an extent that the position no longer resembles others in its class,
    ii. Labor/market conditions, as demonstrated by recruitment and retention experience and verified by salary data, indicate a need to reevaluate the classification of a position,
    iii. Budgetary constraints warrant such changes to ensure the City is utilizing customer and taxpayer dollars responsibly and is providing the best possible quality of services.

IX. Job Descriptions

Each position shall have a descriptive title, a description of the duties and responsibilities and a statement of the qualifications for filling the position. Such descriptions shall be approved by the governing body and shall be kept on file in the office of the City Clerk and shall be open to inspection by any interested party during regular office hours. The job description is not intended to be all inclusive. It represents the typical work elements and criteria necessary to successfully perform the job. Department Directors are given the option to create additional duty guidelines within their department.

X. Pay Range Plan

The governing body shall adopt a pay plan with respect to minimum and maximum amounts of pay for each class of positions. The pay ranges assigned to each class of positions shall be periodically reviewed and revised by the governing body. See Appendix D.

XI. Maintenance of the Classification Plan

It shall be the duty of each Department Director to report to the governing body all organizational changes which will significantly alter or affect existing positions or proposed positions. The governing body may approve all new or revised class descriptions and pay ranges for such positions as deemed necessary.

XII. Recruitment and Promotion

a) Qualification for employment. All new applicants for any position with the City shall meet minimum qualifications established for that position. Each applicant shall complete a job application form. The applicant shall take a medical examination and other tests as dictated by departmental policy such as Police, Fire, Electric and Power Plant to determine the applicant's qualifications for the position.
b) Each employee, following initial employment, shall satisfactorily complete a six-month probationary period to achieve full or part-time employment status.
    i. The Public Works Department requires that all employees obtain CDL within probationary period.
c) Each employee promoted to a classification with higher pay shall satisfactorily complete a six-month probationary period. Any employee who fails to satisfactorily complete such probationary period shall be returned to the pay and classification he or she held immediately prior to the promotion or to a classification with equal pay and responsibility if a position is available.
    i. Employees are not eligible for pay increases until the probationary period has been satisfactorily completed.
d) Any employee moving from one classification to another shall have their pay readjusted if the pay they received in their former classification does not fall within the minimum and maximum range for their new position.
e) It is the policy of the City to apply a hiring process that utilizes merit-based selection criteria to guide the filling of vacancies. City employees seeking to be considered for vacancies will be considered based upon the same merit criteria and will be required to complete the same processes as all other candidates. Vacancies in key leadership roles may be filled according to a succession plan.
f) Succession planning. The purpose of a succession plan is to fill vacancies in key leadership roles with qualified and trained individuals in a timely fashion. Benefits of succession planning include minimizing disruptions in service provision to customers, fostering cross-functional development, increasing internal promotion opportunities, and minimizing dysfunction during transition. At the recommendation of the City Administrator, when the promotion of certain employees is a component of a succession plan the governing body may elect to forego the hiring process in favor of internal promotion. All employees seeking promotion are expected to meet the minimum

qualifications for the class to which they seek to be promoted. In addition, drug testing, medical examinations and any other testing deemed necessary by the Department Director will be required.

g) All final hiring decisions are made by the governing body.

h) The City may employ members of the same family except under the following conditions or as approved by the governing body:
   i. When one member of a family is directly responsible for making decisions in personnel matters such as hiring, promotion, retention, or determining salary of another member of the same family,
   ii. When one family member is directly responsible for supervising, directing, evaluating or influencing the work performance of another member of the same family,
   iii. In other situations which place members of the same family in circumstances of actual or reasonably foreseeable conflict between the interests of the City and the interest of the family members.

i) Americans with Disabilities. The City is committed to the recruitment, employment and promotion of the most qualified individuals. It is our policy to provide equal employment opportunity for persons with disabilities in full compliance with federal, state and local laws and statutes, such as the Americans With Disabilities Act (ADA). The City does not discriminate against qualified job applicants and employees with known physical or mental disabilities in any employment practice.
   i. Pursuant to the ADA and the Kansas Act Against Discrimination, the City will provide qualified individuals with known disabilities reasonable accommodations to assist them in performing the essential functions of their job.

CHAPTER 4. GENERAL EMPLOYMENT PRACTICES

I. Appearance

The appearance of employees at work influences the public's perception of the City's competence and professionalism. Employees shall maintain a neat, well-groomed personal appearance consistent with their positions and responsibilities.

a) The following are unacceptable for all City staff:
    i. Strapless, spaghetti straps, tube tops, halter tops, midriff tops.
    ii. Spandex, lycra, or transparent clothing.
        a. Tights with tunic length tops are permissible.
    iii. Cut-offs or ragged clothing.
    iv. Clothing with inappropriate words and pictures.
    v. Any clothing which does not comply with departmental safety standards as per the department directors and city administrator.

II. Tobacco Use

In the interest of providing a safe and healthy environment for employees and the public, use of tobacco products (including chewing tobacco) or electronic smoking devices in any City building, shop, vehicle, equipment or any indoor or enclosed area is prohibited. Usage of any tobacco product by a City employee is restricted to regularly scheduled breaks and off duty (lunch) time. Employees will be solely responsible for any damage caused by tobacco products. Smoking is allowed in designated outdoor areas only; however, not within twenty (20) feet of any entrances, exits, ventilation system air-intake mechanisms, or on private property. Employees are also responsible for keeping break areas clean and must not leave any tobacco debris on the ground. Employees who fail to follow the tobacco-free workplace policy of the City will be subject to disciplinary action.

III. Public Relations

City employees shall strive to promote good public relations for the department and the entire municipal organization. Virtually everything City employees do has an effect, direct or indirect, on the City's image.

a) Public. Visitors at any municipal building or area of work shall be treated in a friendly and courteous manner. In order to promote safety, and where the safety of the public is of concern, the public will not be allowed to access certain work areas. All inquiries, complaints or requests for assistance shall be given prompt attention.
b) Release of Information. Public statements or the release of information on all matters related to municipal policy, administration and personnel, unless otherwise directed, will be made only by the City Administrator, or other personnel specifically authorized by the City Administrator.

IV. Punctuality and Absenteeism

Except for breaks and other authorized absences, non-exempt employees should be at their assigned work areas during their regularly scheduled hours. Exempt employees must maintain regular office/work hours. Work schedules are established by the Department Director with the

approval of the City Administrator. The City will try to accommodate employees whenever illness or personal emergencies cause absences or lateness. The City's success depends on each employee being at work each time he or she is scheduled to work. Absenteeism or tardiness places an extra burden on other employees and causes a general interruption in City services. It is every employee's responsibility to be at work on time unless prior arrangements have been made to cover the employee's scheduled shift. If an employee is unable to work a scheduled shift, he or she is required to notify his or her supervisor at least twenty-four hours in advance except when leave is necessitated by an emergency or sudden illness. If unable to contact supervisor, send an email and/or leave a voicemail and contact the City Clerk or City Administrator. Failure to notify the supervisor of leave in advance will be considered an unexcused absence and the employee may be subject to disciplinary action up to and including termination of employment.

a) Insufficient Notes on Time Card. Employees must input notes on their individual time card when they work hours outside of regularly scheduled hours. Notes must include: (1) Address, (2) reason for call-out, (3) specification of whether it was scheduled overtime or an emergency call-out, (4) specification of who ordered the call-out or scheduled overtime, (5) if unable to clock-in as soon as call-out occurs, employee must include in notes the time that call-out was received, (6) officers and employees of the Police and Fire Departments, are required to add the associating case or call card number (***202x-0000xxxx***) related to the reason for hours worked outside of the regularly scheduled hours to the notes section.

b) . Once a year has passed since an insufficient notes on time card incident has occurred, it shall no longer be utilized in the disciplinary calculation for this subsection. When progressive discipline is utilized, insufficient notes may result in the following disciplinary action:
   i. 1st occurrence: Verbal Warning
   ii. 2nd occurrence: Written Reprimand
   iii. 3rd occurrence: One-day suspension without pay
   iv. 4th occurrence: Termination of employment

c) Unexcused Tardiness. Unexcused tardiness is defined as late arrival to work of less than one hour, which has not been reported to the employee's supervisor or has not been excused by the supervisor. Progressive discipline may be implemented depending on the specific circumstances of the tardiness. In the event progressive discipline is utilized, a rolling timeline of instances within a one-year period will be considered. Once a year has passed since a late arrival occurred, it shall no longer be utilized in the disciplinary calculation for this subsection. When progressive discipline is utilized, unexcused tardiness may result in the following disciplinary action:
   i. 1st occurrence: Verbal Warning
   ii. 2nd occurrence: Written Reprimand
   iii. 3rd occurrence: One-day suspension without pay
   iv. 4th occurrence: Termination of employment

d) Unexcused Absences. Unexcused absence is defined as an absence from work of one hour or greater, that has not been reported to the employee's supervisor, or a leave for

which there is no paid leave available and an unpaid leave of absence has not been approved. If a department director chooses to utilize progressive discipline, the reckoning period for unexcused absences shall be two (2) years from the last unexcused absence. Unexcused absences will result in the following disciplinary action:

i. 1st occurrence: Written Reprimand
ii. 2nd occurrence: One-day suspension without pay
iii. 3rd occurrence: Termination of employment

e) Failure to Report. Failure to report occurs when an employee fails to respond and/or report to duty. If a department director chooses to utilize progressive discipline, the reckoning period for unexcused absences shall be two (2) years from the failure to report. Failure to report will result in the following disciplinary action:

i. 1st occurrence: Written Reprimand
ii. 2nd occurrence: One-day suspension without pay
iii. 3rd occurrence: Termination of employment

f) Job Abandonment. Any unexcused absence of three consecutive days or more shall be deemed to constitute abandonment of employment and voluntary resignation. Any employee deemed to have abandoned his or her employment may not be eligible for reemployment by the City.

V. Knowledge of the City Organization

Every City employee works for the same public. All City employees should constantly strive to develop a better municipal operation. To that end, all employees shall develop a thorough knowledge of their own jobs and of the organization.

Supervisors and Department Directors shall encourage all personnel to become more knowledgeable, develop their talents and capitalize on their abilities to advance in their present positions and take advantage of future opportunities. Supervisors shall also continuously evaluate the abilities and performance of their employees to promote efficiency, the welfare of every employee and to assess eligibility for merit increases and promotions.

VI. Qualifications of Employment

All new applicants for any position with the City shall meet the minimum qualifications established for that position. The selected applicant must successfully complete a post-offer, pre-employment drug screen and background check. Selected applicants may be asked to complete a physical in order to document the applicant's ability at the time of hire to successfully complete all required job functions.

VII. Nepotism

No person shall be or remain employed in a department if any employee's immediate supervisor is a member of such person's immediate family; and no person shall be considered for full-time employment in any department if a member of such person's immediate family is employed within such department on a full-time basis. Exemptions may be made for seasonal, part-time

employees at the discretion of the Governing Body and may only be considered after the immediate supervisor has been employed with the City for at least 90 days.

If two employees within the same department become members of each other's immediate families while employed by the City, an attempt will be made to transfer one such employee to another department. If no opening exists or neither employee is qualified for available openings, the employment of one of the employees will be terminated upon 180-days notice. Determination of which employee will be terminated is based on the business needs of the City at the discretion of the City Administrator's recommendation and Governing Body's approval.

VIII. Fraternization

While the City of Girard encourages amicable relationships between members of management and their subordinates, it recognizes that involvement in a romantic relationship may compromise or create a perception that compromises a supervisory employee's ability to perform his or her job. Any involvement of a romantic nature between employees within the same supervisory chain is prohibited. Violation of this policy is cause for disciplinary action, up to and including termination of the supervisor's employment.

IX. Outside Employment

Employees of the City may take outside employment if: (1) there is no conflict with assigned City work hours; (2) the employee's efficiency is not adversely affected; and (3) there is no conflict with the interests of the City.

a) In the event of a perceived conflict of interest, the City Administrator will have the final authority to determine if a conflict exists. Whenever extra duty or stand-by for City employment is necessary, such status shall take precedence over outside employment.
b) In the event a second job interferes with the employee's City job, the Department Director will request that the employee take whatever action is necessary to eliminate further interference. Recurrence of the problem is cause for disciplinary action.
c) Exceptions can only be granted by Council action at the City Administrator's recommendation.
d) Employees must formally report and seek approval for outside employment by completing the *Outside Employment Request* form. Form is available from the City Clerk.

X. Political Activity

The City recognizes and respects the rights of its employees to participate in the political process. Every employee has the right to register and vote in all elections. Employees are permitted to join political organizations, civil associations or groups and become involved in political activities subject to the restrictions of this policy.

By its very nature, however, government employment has important implications in this area and, in some circumstances, limits City employees' political activity. This section addresses those implications and limitations. Except for persons duly appointed to City boards or

commissions, or elected City officials, these provisions apply to all City employees, including full and part-time employees.

Notwithstanding any other provision of this Political Activity section, City employees and City appointees on reserve status, may become, or continue to be, members of political parties, clubs, organizations, and associations; attend political meetings; and vote in all elections. All such political activity by such persons shall be limited to their personal time. Such persons shall not use City equipment, supplies or resources in their political activity.

a) Voting. City employees are encouraged to register and vote in all elections and are permitted, with supervisory permission, to leave work to vote if the polls are not open for at least two hours before or after working hours.
b) Candidacy for City Office. In the event a City employee runs for and is successful in winning an election for the City of Girard Governing Body, their employment with the City shall terminate immediately.
c) Political Influence. City employees shall not use or promise to use, directly or indirectly, any official authority or influence to secure or attempt to secure an appointment, or advantage in obtaining an appointment, to a position in the City service, an increase in compensation, a promotion, or any other employment advantage, for influencing a vote or political or official action. They also shall not, while on duty, openly campaign for any political party or candidate or use the influence of their position with the City to promote the election thereof. All such political activity by such persons shall be limited to their personal time. Such persons shall not use City equipment, supplies or resources in their political activity.
d) Interest Groups. City employees may engage in activities of civic organizations and special interest groups unless such action would create a conflict of interest relating to the employee's job. If an employee has a question as to whether his or her participation in certain interest groups creates a conflict of interest, the employee should discuss this matter with the Department Director or City Administrator.

XI. Gratuities

a) No employee shall accept a gratuity or an offer of employment regarding any decision or recommendation concerning a proposed or actual purchase on behalf of the City of Girard; nor shall any employee permit any influence which could conflict with the best interest of the City, or prejudice the City's reputation. The responsibility for adherence to this policy is a joint one. Individuals who represent the City must be beyond reproach in every business transaction, and not allow themselves to be put in a position where their judgment can be influenced.
b) To avoid the appearance of favoritism or bribery, City employees are prohibited from accepting any gratuities, special discounts, favors, hospitalities or services having an aggregate value of $100 or more in any calendar year.

XII. Personal Property

Personal belongings brought onto the City's premises are the employee's responsibility, and must be appropriate and must not be obscene or offensive to other employees or to the public we serve. While the City does all it can to protect the property of employees, it cannot be held responsible for the loss or theft of personal belongings. Employees who find property missing or damaged are encouraged to report it to their supervisor immediately and to law enforcement if appropriate. Employees may only utilize personal property in their duties as approved by their Department Director.

XIII. Use of City Vehicles

a) City Vehicle Business-Only Usage. Certain job positions provide for a vehicle to be assigned to an employee for City business only. Under no circumstances will a City vehicle be used for non-business purposes without prior authorization from the Department Director. Authorization will only be given on unusual and very rare occasions. Usage can never exceed the 'de minimus' definition as described in IRS Publication 15-b. If a vehicle is assigned to a Department Director, authorization from the City Administrator is required.

b) City Vehicle Take-Home Usage. Personal use of City vehicles is prohibited. At the discretion of the Department Director and City Administrator, certain job positions allow for the individual assignment of a City vehicle, which can be driven home by the employee ONLY when the vehicle meets the definition of 'qualified nonpersonal use vehicle' as defined by IRS Publication 15-b. As a rule, individually assigned vehicles are to be used by employees for the sole purpose of transportation to and from work and work-related usage.

c) Auto-allowance. Auto allowances may only be granted by majority vote of the City Council. Auto-allowances are considered compensatory income. All compensation is subject to withholding. The value of auto allowances shall be determined in compliance with IRS Publication 15-b.

d) Motor Vehicle Records. Motor vehicle and driver's license records will be obtained on all employees prior to employment and at least twice a year thereafter in the months of February and August. A driving record that fails to meet the criteria stated below will result in a loss of the privilege of driving a City vehicle and may result in termination if driving is a necessary function of the position. Criteria that may indicate an unacceptable driving record includes, but is not limited to:
    i. Three or more moving violations in one year;
    ii. Three or more accidents within one year where the employee is determined to be the primary cause of the accident; or
    iii. Any combination of three or more accidents or moving violations.

e) Driver Guidelines and Reporting Requirements. Failure to observe the following driver guidelines and reporting requirements may result in disciplinary action up to and including termination of employment:
    - The use of City vehicles while under the influence of alcohol, drugs, or other substances which impair a motorist's abilities is strictly prohibited.

- Cell phone use while driving a City vehicle shall be kept to a minimum and in accordance with applicable laws. Drivers should complete calls while the vehicle is parked or use the phone in a "hands free" mode via a headset or speaker. While driving, attention to the road and safety should always take precedence over conducting business over the phone.
- Only authorized persons can ride in City vehicles without the prior approval of the Department Director or City Administrator, unless the transportation occurs as part of City business (example: providing a tour to a prospective developer).
- Drivers are responsible for securing City vehicles assigned to them.
- Any employee who has his or her driver's license revoked or suspended shall notify their Department Director and the City Administrator immediately (next business day if not a work day) and discontinue operating any City vehicles or equipment, which require a driver's license.
- Any employee who is arrested for a DUI under the law within the United States shall notify their Department Director and the City Administrator immediately (next business day if not a work day) and discontinue operating any City vehicles or equipment which require a driver's license.
- Employees must report any accident, theft or malicious damage involving a City vehicle to their supervisor and to the Police Department as soon as possible after the incident. Employees are expected to cooperate fully with authorities in the event of an accident and will be subject to a mandatory drug screening. Employees must complete a City Property Damage/Vehicle Accident Report and, if applicable, the Employee Report of Work Related Injury Report.
- Payment of speeding or parking tickets is the sole responsibility of the employee driving the vehicle. Acquiring speeding or parking tickets may result in disciplinary action. Failure to pay such tickets as required by the court may result in disciplinary action up to and including termination of the employee driver. The City will be responsible for tickets relating to liability insurance, proper tags, and correcting fix-it tickets. Employees will be responsible for notifying the City of violations related to liability insurance, proper tags, and any other violations.

CHAPTER 5: COMPENSATION

I. Pay plan

It is the intent and policy of the City to comply with the provisions of the Fair Labor Standards Act, as it applies to local government agencies.

a) The salary of each employee of the City except those appointed officers whose salary is specifically established by ordinance, shall on an annual basis, be set at an amount within the pay range of the position class the employee is assigned. Such determination shall be made by the governing body under the advice of the City Administrator. An employee's continued employment at the salary rate within the class assigned to the employee may be contingent upon the provisions outlined in this manual.
b) The City's official pay scale is kept in the City Clerk's office. When deemed necessary by the governing body, the pay scale may be modified.
c) A new employee will enter employment at a compensation level, according to the City's pay scale, considering relevant experience and professional achievement.
d) Annual raises may be given by the governing body. Consideration for raises will be driven by (a) market worth, (b) internal value, (c) performance, (d) budgetary factors.
e) Subject to the approval of the governing body, merit raises may be awarded to any employee based on the annual performance evaluation submitted by the immediate supervisor.
f) Performance based bonuses may be given at the discretion of the governing body.

II. Achievements, Certifications, Education and Longevity Pay

Achievements, certifications and education or lack thereof should be considered when determining salary increases or decreases or classification changes.

a) With approval from the Department Director and the City Administrator an employee may pursue achievements, certifications and education to be considered for salary increases, promotions, and positions classification changes. If an employee wishes to be considered for a merit raise for completion of achievements, certifications, licenses, education or other continuing education, prior approval from the Department Director and City Administrator must be obtained. All raises are subject to final approval by the Governing Body.
    i. Approval to seek achievements, certification and education in order to be awarded a raise or classification change will be contingent upon budgetary considerations.
b) Employees shall be eligible for Ten Dollars ($10.00) per pay period after 10 years of consecutive service and Twenty Dollars ($20.00) per pay period after 20 years of consecutive service.
c) Employees shall be eligible for One Hundred Dollars ($100.00) per year for less than one year of consecutive service and an additional Fifty Dollars per year for each year of service up to Two Hundred and Fifty Dollars ($250.00).

III. Performance Evaluations

a) Employee performance evaluations will be one component of considerations for determining salary increases and decreases within the limits established in the pay plan. Performance evaluations will also be considered in promotions, classification changes, determining the order of layoffs, to identify employees who should be transferred, who should be demoted or dismissed from employment and other personnel decisions.

b) An evaluation of the performance of each full-time employee and part-time employee with supervisory responsibilities shall be prepared by the employee's immediate supervisor on an annual basis. The evaluation will be documented on a form approved by the governing body. An employee performing on a probationary period will be evaluated at the end of the period.

III. Pay on termination: Voluntary and Involuntary

a) Terminated employees will receive their final paycheck in the first regularly scheduled payday following their date of termination subject to offset or deduction for outstanding financial obligations to the City.

b) Full-time employees are entitled to payment of accrued vacation time provided they have been continuously employed with the City for one year and a portion of sick leave time provided they have been employed with the City for ten consecutive years.

c) Two-week notice. A period of at least 14 days between notice and last day worked.
   i. An employee requesting sick leave during this notice period must obtain supervisor permission and a doctor's note.
   ii. An employee requesting vacation leave during this notice period must obtain supervisor permission.
   iii. Employee must actually work the last day of leave unless requesting sick leave pursuant to subsection i.

d) Payment of accrued leave time will be determined by the following categories and in accordance with the following chart.
   i. Involuntary discharge without misconduct; for example due to lay off or termination of position.
   ii. Involuntary discharge with misconduct; for example due to employee misconduct as defined in Chapter 8.
   iii. Voluntary discharge with 2-week notice; for example employee resignation with a 2-week notice.
   iv. Voluntary discharge without 2-week notice; for example employee abandonment of job.

	Vacation Leave*	Personal Leave*	Sick Leave*
Involuntary discharge			
without misconduct	up to 200 hours		25% up to 180 hours
with misconduct	up to 100 hours		ineligible
Voluntary discharge			
with 2-week notice	up to 200 hours		25% up to 180 hours
without 2-week notice	up to 100 hours		ineligible

e) In the event an employee is voluntarily discharged without 2-week notice, the City Council may determine by majority vote that the employee be paid out in accordance with the voluntary discharge with a 2-week notice in the event the employee can document a personal or immediate family emergency.
f) Service awards and retirement gifts are authorized as follows:
    i. 10 years' service: $200.00 value
    ii. 15 years' service: $250.00 value
    iii. 20 years' service: $300.00 value
    iv. 25 years' service: $350.00 value
    v. 30 years' service: $400.00 value
    vi. 35 years' service: $450.00 value
    vii. 40 years' service: $500.00 value

IV. Overtime Work

With prior notification to employees, schedules, pay periods, and calculation of overtime may change at the discretion of the City Administrator. Any changes will be made in compliance with FLSA.

a) Compensation for authorized overtime work will be at the rate of one and one-half times the employee's regular rate of pay.
b) No person employed in an administrative, executive, or professional position as defined by the Fair Labor Standards Act shall be eligible for overtime compensation.
c) In accordance with the Fair Labor Standards Act, employees shall be eligible to receive overtime pay for all hours actually worked more than 40 hours per week excluding holiday hours and any other leave, except for Fire and Police Department personnel. With prior notification, if overtime becomes a burden on the budget the City Administrator may elect to increase the threshold for overtime pay in the Police Department and/or Fire Department in accordance with FSLA.
d) Firefighter/Driver shall be eligible to receive overtime pay for all hours worked in excess of 106 hours in a two-week (14 days) pay cycle as specified in federal regulations, Title 29, Subtitle B, Chapter 5, Subchapter A, Part 553, Subpart C, Section 553.2.
e) Law enforcement officers shall be eligible to receive overtime pay for all hours worked that exceed 86 hours in a 2-week period. With prior notification to employees, overtime pay may be paid for all hours worked in excess of 43 hours over a 7-day cycle – or any proportionate calculation thereof - as specified in federal regulations, Title 29, Subtitle B, Chapter 5, Subchapter A, Part 553.
f) Callback Pay. In the event an off-duty employee is called back to duty by the supervisor after regular hours and the employee must travel to physically return to a duty station, it shall constitute a minimum of one hour of compensable time worked.
    i. Employees who are called back to duty and meet the above requirements, shall receive compensation for their travel time to and from work and for all hours worked in response to such incident.
    ii. Employees responding to callbacks will receive overtime pay only for hours worked more than the maximum allowable hours under the FLSA and/or this manual during that work period.

iii. Employees must clock in and clock out during all calls to duty.

g) All employees with S.C.A.D.A responsibilities responding to alarm calls by the S.C.A.D.A system shall receive compensation from the point of response and for all hours worked in response to such incident with verifiable documentation, i.e., S.C.A.D.A logs. All S.C.A.D.A responses shall constitute a minimum of one half hour of compensable time worked.

h) Except in emergency situations, all overtime work must have prior approval by the employee's Department Director. Department Directors are required to maintain a record of all overtime authorized and worked.

i) On-call Program. All full-time employees who have completed the probationary period and work in the utilities departments (Water, Sewer, Electrical) shall be enrolled in the On-Call Program. The rotation schedule shall be developed and maintained by the corresponding departmental directors.
   i. A rotation list will be established for the Public Works Department and for the Electric Utility.
      1) When an employee of either of these departments has utilized paid time off, the Department Director may make arrangements to ensure the employee is not on-call while on leave.
      2) In the event the employee does not respond to the call and/or does not return to duty, that employee will be disciplined.

j) Premium On-Call Pay. The premium on-call rate is equal to one and a half times an employees' regular pay. FLSA does not require employers to provide premium on-call pay. This policy may change at the discretion of the City Administrator. Public Works and/or Electric Department nonexempt employees may be eligible for premium on-call pay under the following circumstances:
      1) Employee MUST be called out by the Fire Department or a supervisor to respond in the case of an EMERGENCY.
      2) Hours worked are not subject to overtime pay due to a holiday falling within the week.
      3) Hours worked are outside of the hours scheduled for the week by a supervisor.
      4) Pre-scheduled ongoing maintenance is not subject to premium pay.

V. Compensatory Time Off

Nonexempt employees, except the School Resource Officer, may accrue compensatory time off for hours worked more than the normal work week at the discretion and agreement of the employee, their supervisor, and the City Administrator. Exempt employees are not eligible for compensatory time unless annual rate of pay is less than the FLSA threshold. The rate of accrual will be one and one-half times the extra hours worked with a maximum compensatory time accrual of 40 hours. Compensatory time will be recorded on time sheets and submitted to the City Clerk in the pay period in which it was earned, as well as when taken. The calendar year for eligible employees will begin January 1st and end December 31st. Twenty-four (24) hours of compensatory time will be allowed to be carried over from year to year. Any remaining hours, after hours eligible for carryover must be used prior to the end of the employee's designated

calendar year. Compensatory time not used prior to the end of the designated calendar year must be paid.
The School Resource Officer may accrue compensatory time off for hours worked more than the normal work week at the discretion and agreement of the employee, their supervisor, and the City Administrator. The rate of accrual will be one and one-half times the extra hours worked with a maximum compensatory time accrual of 40 hours. Compensatory time will be recorded on time sheets and submitted to the City Clerk in the pay period in which it was earned, as well as when taken. The calendar year for School Resource Officer will begin September 1st and end May 1st. Compensatory time not used prior to May 1st of the designated calendar year must be paid.

a) Termination or transfer. Upon termination, any unused balance of compensatory time owed will be paid at a rate of one and one-half times the hourly employment rate of the employee at the time of termination. If an employee is transferred to another department every effort must be taken to use the compensatory time within the department it was earned before the transfer takes place. If not taken before the transfer, the accrued time will be taken under the schedule of the gaining department.
b) Promotion to "Exempt" position. If an employee is transferred or promoted to a position classified as "Exempt" all accumulated compensatory time owed will be paid at a rate of one and one-half times the hourly employment rate of the employee at the time of promotion.
c) Retirement. Compensatory time accrued in the last year of employment must be taken prior to retirement. Any unused compensatory time will be paid upon retirement.
d) With approval from the City Administrator, Department Directors may elect to allow departmental employees under their supervision to utilize compensatory time off.

VI. Flex Time

Exempt employees may be granted the ability to flex time. Due to the nature of governmental work, exempt employees are expected to maintain some level of consistent office hours to be accessible to the public. Exempt employees must perform and satisfactorily complete all job duties per associated job description in an appropriate amount of time.

VII. Volunteer Firefighter Compensation

Volunteer Firefighters with the Girard Fire Department receive a stipend for their service. Compensation is given to serve as a small appreciation for the sacrifice of a volunteer's time and the disruption to their private lives. Additionally, compensation helps to defray the costs associated with traveling to and from the station and emergency incident scenes.

a) At the discretion of the Fire Chief, volunteers are compensated at $10 per month for membership in good standing and $10 per call.
b) At the discretion of the Fire Chief, members in good standing receive $10 per emergency response when they report to duty.
c) At the discretion of the Fire Chief, members in good standing receive $10 for attending the Regular Monthly Training (2 hours).

d) At the discretion of the Fire Chief, members in good standing receive $10 for each 2 hours of attendance at Special Training Sessions up to a maximum of $50/day.
e) The Fire Chief and City Administrator have the authority to reduce or put a freeze on Volunteer Firefighter Compensation in the event it becomes a budgetary issue.

CHAPTER 6: ATTENDANCE AND LEAVE

I. Hours of work

The normal work week for all employees except for full-time Fire Department personnel and nonexempt Police personnel shall be 36 hours and Department Directors will set schedules with approval from the City Administrator. Full-time essential personnel employed in the Police Department which operates on a 24-hour basis, will not work fewer than eight hours per day, five days per week unless otherwise scheduled by the Department Director with approval from the City Administrator. A full-time Fire Chief will work the same schedule as Firefighters and will be eligible for pay per his/her regular hourly wage for each pay period worked of 96-, 112-, and 120-hour pay periods. This policy is subject to change at any time by the City Administrator.

a) Documenting time worked. All employees must clock in. Failure to clock in according to the parameters outlined in this policy may result in disciplinary action.
    i. Employees must clock in no more than seven (7) minutes earlier than their official start time.
    ii. Employees must clock out no more than seven (7) minutes later than their official end time.
    iii. Failure to comply will result in disciplinary action.
b) Exempt employees documenting time worked. In order to track hours-based benefits calculations, client billing, grant reporting, FMLA, etc., exempt employees are expected to log time worked. This information is not used to take deductions from an exempt employee's regular salary, unless such deductions are allowable under both state and federal law. An exempt employee's salary will not fluctuate based on the number of hours worked. Pay may be reduced in certain circumstances, such as a full-day absence for personal matters, or a full-day absence for sickness if the employee has already used all of their paid leave.
c) Firefighter/Drivers. Firefighter/Drivers and the Fire Chief will be assigned 24-hour duty periods in an ABC style shift, (Modified Berkley) constituting a rotation of 96-, 112-, and 120-hour periods. Scheduling and overtime thresholds may change at the discretion of the City Administrator; any changes shall be FLSA compliant.
    i. Shift exchange is only allowed in the same pay period and with the approval of the Fire Chief.
d) Police Officers. Police Officers will be assigned five (5) eight-hour duty periods on an overlapping schedule covering 24-hours, seven (7) days per week, constituting a 40-hour work week. Scheduling and overtime thresholds may change at the discretion of the City Administrator; any changes shall be FLSA compliant.
e) School Resource Officer. The School Resource Officer works 40-hours per week and any required overtime during the school year and is off during summer months and school holidays and breaks. School Resource Officer may cover shifts as needed during the

school's summer break. Scheduling and overtime thresholds may change at the discretion of the City Administrator; any changes shall be FLSA compliant.

II. Residency

Mission critical personnel are required to reside within a 15-minute response time of the city limits within the first six months of employment. Mission critical personnel are the City Administrator, Fire Chief, Police Chief and City Clerk. All other employees of the City of Girard are required to reside within a thirty-minute response time to the city limits of the City of Girard or within Crawford County. Where residency requirements are specified by ordinance the ordinance shall supersede these rules.

a) Enforcement, violations and penalties.
    i. If an employee moves outside the residency boundary, such employee shall be considered to have resigned his or her position with the city.
    ii. Maintaining a mailing address within the required residency boundary shall not be sufficient to meet requirements. Employees shall be required to reside within the required boundary.
    iii. An employee who holds a position allowing residence within the thirty-minute guideline who applies for and is hired into a mission critical position, shall accept the residency requirement as a condition of employment in the new position and shall comply with the requirement within six months of employment.
    iv. Location of residency shall not be an excuse for absences or tardiness and may result in a deduction of pay, disciplinary action and/or dismissal.
    v. It is the responsibility of each employee to immediately notify the City Clerk of any change in residence address or telephone number.
    vi. The City Administrator shall have the authority to publish, in writing, rules and regulations which shall be reasonably necessary for carrying out the provisions of this section.

III. Rest breaks

Employees are authorized a rest break of 15 minutes in the morning and in the afternoon but cannot be taken in conjunction with the lunch break. The time of the rest break will be determined by the immediate supervisor.

IV. Holidays

a) The following days are designated as paid holidays for all full-time employees:
    i. New Year's Day
    ii. Martin Luther King Day
    iii. President's Day
    iv. Memorial Day
    v. Juneteenth
    vi. Independence Day
    vii. Labor Day
    viii. Veteran's Day

ix. Thanksgiving Day
x. Friday after Thanksgiving
xi. Christmas Eve
xii. Christmas Day
xiii. Special holidays as approved by the governing body

b) At the discretion of the City Administrator and Mayor and with input from Department Directors, when New Year's Day, Independence Day, Veteran's Day, Christmas Eve or Christmas Day fall on a Saturday or Sunday or – in the case of Christmas Eve and Christmas – on a Friday and Saturday or Sunday and Monday, the preceding Thursday and/or Friday or following Monday and/or Tuesday may be declared a holiday for nonessential employees, Police Chief, and Fire Chief by the City Administrator. For all other essential employees, holidays will always be on the actual day.
c) Part-time employees will be paid only for days worked at their regular rate of pay. Seasonal and temporary employees do not receive holiday pay.
d) Full-time essential employees (Police and Fire) will be eligible for nine hours of straight-pay holiday pay.
e) Full-time essential employees working on a designated holiday will be eligible for holiday pay at a rate of one and one-half times their regular rate.
f) Full-time nonessential employees working a thirty-six (36) hour work week will be eligible for nine hours of straight-pay holiday pay.
g) To be eligible for holiday pay, an employee must not have been absent without leave either on the workday before the holiday or the workday after the holiday.
h) Personal leave to be taken at the discretion of the employee.
i) The City Administrator may dismiss nonessential personnel from work duties with pay at his/her discretion. This will not be designated as an organization-wide 'holiday' as it pertains to payroll.

V. Personal Leave

Each full-time employee, except Fire Department employees, will receive two regular shifts worth of personal hours to be used with prior notice to their supervisor. Full-time employees in the Fire Department will receive one regular shift worth of personal hours to be used with prior notice to their supervisor. A regular shift in the Police Department is eight hours. A regular shift in the Fire Department is twenty-four hours. A regular shift in all other departments is nine hours. A personal hour shall be defined as one regular work hour. Personal hours will be credited to full-time employees on January 1 of each calendar year. Personal hours must be used by December 31st of each calendar year.

VI. Vacation Leave

Vacation leave will be earned beginning on the date of employment under the following conditions:

a) Full-time employee. No paid vacation leave time may be taken during the first six-months of employment. Full-time employees are entitled to paid vacation leave according to the following matrix:

Years of continuous employment	0-10	11-15	16+
Hours earned per month	8	10	12
Maximum hours of accumulation	200	200	200

b) Other classification of employees. No employees may take paid vacation leave time during the first six months of employment.
c) Department Directors and City Administrator. At the beginning of each calendar year each employee designated as a Department Director or City Administrator will receive one-week (5 days) of vacation in addition to their annual accrual rate.
d) Maximum accrual. On December 31st of each year, participating employees with more than 200 hours of accrued vacation will have the option to donate those hours over 200 to the Sick Bank. Employees with more than 200 hours of accrued vacation who are not participating on the Sick Bank will lose all hours over 200 accrued hours.
e) Other employees. Permanent part-time employees who work at least 20 hours or more per week shall earn vacation credit at the rate of 4-hours for each month of employment. Seasonal, temporary and volunteer employees do not earn vacation leave.
f) Probationary period. Employees on probationary status will be credited for earned vacation leave for each month of employment but will not be permitted to use vacation leave during the first 6-months of the probationary period. Probationary employees terminated prior to attaining permanent status will not be paid any accrued vacation leave.
g) Vacation Scheduling. Periods of vacation will be scheduled with the Department Director. In cases where a requested period or specific dates conflicts with other scheduled vacation requests within the department which would adversely impair the department operation, vacation will be approved based on seniority within the department.
h) Holiday during vacation. City holidays which occur within an employee's authorized vacation leave will not count as a day of vacation.
i) Minimum hours. Subject to the approval of the Department Director, employees may use vacation leave in units of not less than one half hour.

VII. Sick Leave

Full-time employees and permanent part-time employees regularly scheduled to work at least 20 hours or more per week, resulting in at least two (2) weekly shifts on a consistent basis week-to-week, shall be entitled to sick leave with pay for absences resulting from illness, injury, accident or other physical incapacity occurring either on or off the job. No employee will be permitted to use sick leave for any period spent on unauthorized leave. Only full-time employees are entitled to sick leave pay for physical and dental appointments provided they give the Department Director at least a one-day notice.

a) Full-time employee. Sick leave time may be taken as it is accrued.
b) Other classification of employees. Sick leave time may be taken as it is accrued.
c) Sick Leave Defined. Sick leave is time off from work that workers can use to stay home to address their personal health and safety needs or the health and safety needs of an immediate family member without losing pay.

i. Failure to use sick leave for this purpose may result in disciplinary action up to and including termination.
ii. Misrepresentation of an illness, accident, or injury or the circumstances surrounding it, in order to utilize sick leave, may result in disciplinary action up to and including termination.

d) Accrual of Sick Leave. Full-time employees earn 8 hours of sick leave for each full month of employment. Permanent part-time employees working a regular, consistent week-to-week schedule of at least two shifts per week and who work not less than 20-hours per week earn four hours of sick leave for each month of employment.

e) Accumulation of Sick Leave. No employee will accrue more than 720 hours (90 days) of sick leave. When an employee has earned 720 hours of sick leave, 24 hours of sick leave will be exchanged for eight hours of vacation time which must be used in the year of exchange and cannot be accrued.

f) Computation. Absence for any fraction of a work day is chargeable to sick leave and shall be calculated in increments of not less than one-half hour.

g) Doctor's certificate. For sick leave more than three consecutive work days or shifts in length, a Department Director may require a signed statement from a health care provider verifying the employee's inability to perform his or her assigned duties as a result of the illness.
i. Failure to comply may result in disciplinary action.

h) Notification. To be eligible for paid sick leave an employee or his or her representative will notify his or her immediate supervisor and give the reason for the absence no later than two hours after the beginning of the first workday for which sick leave was given.
i. Failure to comply may result in disciplinary action.

i) Excessive use of sick leave. If an employee utilizes more than forty (40) hours of sick leave within a twelve (12) month period a supervisor may require a doctor's notice for any additional sick leave. A doctor's note will be required for second consecutive missed shift.
i. Failure to comply may result in disciplinary action up to and including termination.

j) Return to work. The Department Director may require a signed statement from the health care provider stating the employee can return to work and can perform his or her assigned duties if the Department Director is of the opinion the illness or injury may be a concern to the safety and welfare of the employee, other employees, or the public.

k) Sick leave for immediate family. Each employee is allowed to use up to forty-eight (48) hours of sick leave a year to attend to an immediate family members illness, injury, accident or other physical incapacity.
i. These days will be charged to the employee's sick leave.
ii. An employee may request in writing that their Department Director authorize the use of more than forty-eight hours of sick leave to attend to an immediate family member's illness, injury, accident or other physical incapacity. A Department Director's authorization must be approved by the City Administrator.

iii. Immediate family members are designated as the spouse and children that live at home and are under the age of twenty-three (23).
iv. An employee's Department Director or supervisor, may require the employee to validate this usage by providing a doctor's statement that the attention of the employee is necessary for the well-being of the family member.

VIII. Sick Leave Bank

Full time City employees have the option to voluntarily contribute unused sick, vacation or personal leave to a bank in order to aid fellow employees in the event of a qualifying illness or injury. The bank is to be used by employees who have exhausted all sick leave, vacation leave, and leave benefits and have suffered an illness or injury that completely incapacitates an employee or immediate family member from performing any type of work for a period of eleven (11) working days or more. A qualifying illness or injury is limited to personal, unplanned events, and excludes on-the-job injuries covered under workers' compensation.

a) Establishment of the Bank. The leave bank shall be established by allowing employees to contribute hours to the bank. Donated leave will be directly subtracted from the donator's leave balance. Donators will have to complete the *Leave Bank Donation Form* indicating the amount of time they wish to contribute to the bank. Said forms will be kept on file for future reference. Donations to the leave bank will be totally voluntary, non-refundable, and non-compensable.
b) Utilization of the Bank. A qualifying employee will only receive the number of hours requested if that amount is in the bank at the time of his/her application. If the qualifying illness or injury requires additional time off then the applicant may submit another application. Leave Bank Committee reserves the right to require additional updated physician documentation with subsequent applications.
    i. A qualifying employee may not withdraw more than 960 hours from the leave bank for the entire duration of their employment.
c) Donations of Time to the Bank. An employee may donate unlimited time to the bank, provided that the contribution will not cause the donor's total leave balance to drop below forty-eight (48) hours sick leave, except as noted in Section G. Any employee wishing to donate leave must fill out the leave bank donation form and submit it to the City Payroll Clerk for processing. Once a form has been submitted to the City Payroll Clerk the time will be transferred and cannot be refunded to the employee. Donations are allowed in full hour increments only.
d) Sick Leave upon Voluntary Termination. Employees giving two weeks' notice upon voluntary termination of his or her employment with the city will be paid for 25% of all unused sick leave to a maximum of 720 hours; provided the employee has been continuously employed by the city for ten consecutive years. The employees remaining sick leave will be transferred to the Leave Bank. Employees ending their employment with the City of Girard prior to 10 years of services or terminated employees will transfer all unused sick leave to the Leave Bank.
e) Restrictions.

i. Contributions may not be designated for a specific person or for a specific illness.
ii. The applicant must be a full-time employee of the City of Girard, and be employed by the City for at least six (6) months. The applicant must use all accrued sick leave, personal leave, and vacation leave prior to using any hours received from the leave bank. Only those employees who have contributed a minimum of 16 hours annually (Jan 1 – Dec 31) to the bank will be allowed to access the bank.
iii. Leave Bank Withdrawal Request Applications may not be for more than 85 hours per request.
iv. If an employee leaves the City's employment after leave bank days have been donated to him/her, or returns to work on a full-time basis, the unused hours granted from the bank will revert back to the bank. Once notice of termination of employment has been given, either by an employee or by the City of Girard, requests for leave from the bank will be refused. The City will continue to pay health insurance premiums at the same rate for those employees receiving leave from the bank.

f) Administration of the Bank. The leave bank shall be administered by the Leave Bank Committee. The Leave Bank Committee will consist of qualifying leave bank contributors elected annually from the following City Departments: Police, Golf, Public Works, Electric Utility and Fire.
i. City Administrator and City Clerk shall be permanent members of this committee.

g) Procedures for Employee Requests from the Bank. Applications must be made on the *Leave Bank Withdrawal Request*, which can be obtained from the City Payroll Clerk.
i. All applications must include a written recommendation from the Department Director, and a written statement from a licensed practitioner stating the severity of the condition and an estimated date when the employee can return to work with no restrictions. Applications should be completed by the employee or by his/her representative if the employee is too sick to represent himself/herself and submitted as soon as possible after the need arises.
ii. All requests for donations of leave time from the bank should be submitted to the City Administrator who will call for a Leave Bank Committee (see item g. of this section) meeting. The committee shall keep all requests and supporting documentation strictly confidential. It will be the committee's responsibility to determine whether the illness/injury merits leave assistance, and therefore the committee will have the right to review the applicant's leave history, and request any other pertinent information to assist them in decisions regarding the request.
iii. A quorum of committee members shall meet to determine approval of leave requests by a majority vote. All voting members shall sign the Leave Bank Determination.
iv. The committee shall also review and act upon all requests to contribute to the bank. If the committee determines that an employee does not meet the criteria for donating to the bank, the employee donation form will be returned to the

employee with a denial of the request. The hours will remain in the employee's personal account.

v. The City Administrator will notify the applicant and the City Payroll Clerk of the committee's recommendation. If approved, the City Clerk will credit the applicant's leave account with the appropriate amount of leave granted and subtract the same amount from the balance of the pool.

h) Abuse of the Bank. Abuse of the use of leave from the bank shall include, but is not limited to, the following:

- Misrepresentation of an illness, accident, or injury or the circumstances surrounding it, in order to receive leave to which the member is not entitled under the provisions of this policy.
- Submission by an employee of medical certification which misrepresents the nature of the member's condition.

i. Alleged abuse of the use of the leave bank will be investigated by the Leave Bank Committee. On a finding of wrongdoing, the employee must repay all leave time drawn from the leave bank. The employee may also be subject to disciplinary actions as determined by the City Administrator.

ii. If the employee does not agree with the finding of wrongdoing he/she can request a review by the City Council.

IX. Maternity/Paternity/Adoption Leave

a) 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 utilize 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 status. Maternity leave with or without pay, following end of the pregnancy, shall not exceed a total of 60 calendar days (twelve weeks). If medical complications related to the pregnancy exist, the employee may, with the approval of the Department Director and Governing Body, remain on maternity leave until released by the employee's physician.

a. Whenever there is substantial and unreasonable risk to the reproductive health of an employee, or to the health of a fetus being carried by a pregnant employee, due to working conditions or environment, and that risk is determined by medical evidence presented to the City, the Department Director shall attempt to reduce or eliminate the risk to the employee or fetus through an employment action that is least disruptive to the employee and employer, such as a change in job responsibilities, transfer, or authorized leave of absence.

b) Paternity Leave. An employee may take up to twelve weeks of leave for the birth or adoption of a dependent child. An employee may claim and receive paternity leave in the same manner as provided for sick leave, provided however, that the employee may elect to utilize 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 status. Paternity leave with or without pay, following end of the pregnancy, shall not exceed a total of 60 calendar days (six weeks).

c) Claiming Leave. It is the employee's responsibility to submit a written request for maternity or paternity leave to their Department Head and to complete associated paperwork with the City Clerk.
d) Restrictions. An employee claiming and receiving maternity leave may not also claim and receive paternity leave and vice versa. Before reinstatement, an employee claiming maternity leave must provide the City Clerk with a Fit for Duty form from the employee's doctor indicating the employee is able to safely return to work.

X. Lactation Policy

City of Girard provides breastfeeding employees with the following:

a) Reasonable Time to Express Milk at Work. Employees shall be provided reasonable time to express milk while at work for up to three years following the child's birth each time the employee has need to express milk. Employees should use usual break and meal periods for expressing milk, when possible. If additional time is needed beyond the provided breaks, employees may use personal leave or may make up the time as negotiated with their supervisors.
b) Private Area for Milk Expression. Employees will be provided with a private place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, to express breast milk. The room can be a designated space for lactation. If this is not practical or possible, a vacant office, conference room, or other small area can be used so long as it is not accessible or visible to the public or other employees while the nursing employee is using the room to express milk. The room will:
    i. Be in close proximity to the employee's work station when possible,
    ii. Have a door equipped with a functional lock or, if this is not possible, the room will have a sign advising that the room or location is in use and not accessible to other employees or the public,
    iii. Be well lit,
    iv. Ensure privacy by covering any windows with a curtain, blind, or other covering
    v. Contain at a minimum a chair and a small table, counter, or other flat surface,
    vi. Ideally include an electrical outlet and nearby access to clean water.
c) Employer Responsibilities. City of Girard will:

- Maintain the cleanliness of the room or location set aside for the use of employees expressing breast milk at work.
- Notify employees of their rights under this policy.
- Provide an atmosphere of support for breastfeeding employees and will educate all supervisors and co-workers about this policy.
- No employee shall be discriminated against for breastfeeding or expressing milk during the work period, and reasonable efforts will be made to assist employees in meeting their infant feeding goals while at work.
- Any act found to be intentional that invades a nursing mother's privacy shall be treated as a disciplinary offense and reported to the Department Director, City Clerk or City Administrator.

d) Employee Responsibilities. Breastfeeding employees utilizing lactation support services will:

- Give supervisors advance notice of the need for time and a place to pump upon return to work, preferably prior to their return to work following the birth of the child. This will allow supervisors the opportunity to establish a location and work out scheduling issues.

- Maintain the designated area by wiping surfaces with microbial wipes so the area is clean for the next user.
- Insure the safekeeping of expressed breast milk stored in any refrigerator on the premises. Breast milk can be stored in a general company refrigerator, in a refrigerator provided in the lactation room, or in the employee's personal cooler.

XI. Bereavement Leave

In the case of death of a member of an employee's immediate family (see Chapter 2, Definitions), full-time employees shall be granted bereavement leave not to exceed 3 working days within a two-week period.

In the case of death of a member of an employee's extended immediate family (see Chapter 2, Definitions), full-time employees shall be granted bereavement leave up to 1 working day.

In the event that an employee is to serve as a pallbearer at a funeral, full-time employees shall be granted bereavement leave not to exceed 1 working day.

Bereavement leave may not be granted in any week where the employee has actually worked a number of hours equal to their regularly scheduled number of hours. Time will be charged to sick leave after the bereavement leaves ONLY if a doctor’s note states the employee is unable to perform work due to emotional stress. If the employee needs more time, refer to vacation and sick leave policy.

Employees must provide evidence of the funeral date preferably with a copy of the obituary.

XII. Injury Leave

a) All injuries occurring on the job shall be reported as soon as possible to the employees' immediate supervisor.
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. This compensation will be deducted from the employee’s sick leave. If additional compensation is needed, the difference will be deducted from vacation leave. Upon depletion of both sick and vacation leave, the employee will only receive that amount determined by workers compensation.
d) Employees may be worked under light duty conditions as prescribed by their doctor.

XIII. Military Leave

Military duty means training and service performed by an inductee or enlistee in the Armed Forces of the United States, including time spent in reporting for and returning from such training and service. It also includes active duty training as a reservist in the Armed Forces of the United States or as a member of the National Guard.

a) Eligibility. Any employee who terminates city employment for military duty shall be placed on military leave without pay. Such leave will extend through 30 days after his or her release from military service. If not accepted for military duty, he or she will be reinstated to his or her position without loss of status or reduction in pay (as per K.S.A. 73-213 et seq.)
b) Restoration. An employee returning from military leave will be entitled to restoration of his or her former position or a position of like pay and responsibility provided they apply for reinstatement within 30 days of release of military duty. In addition, the employee in question must be physically and mentally capable of performing the duties of the position.
c) Vacation and Sick Leave. Upon restoration to city service, all unused vacation and sick leave credits prior to the military leave may be restored unless the employee had been paid for unused vacation leave at the time of their induction or enlistment.
d) Military Training. Any employee who is a member of a reserve component of the United States Armed Forces or the National Guard will be granted military leave, without pay, for a short tour of active duty or field training encampment. Vacation leave with pay may be taken jointly with such military training leave.

XIV. Jury Duty and Other Civil Leave

a) Civil Leave with Pay. An employee will be given necessary time off under the following conditions:
    i. With pay while performing jury duty or when appearing in court as a witness in answer to a subpoena or as an expert witness when acting in an official capacity with the city.
    ii. While performing emergency civilian duty with an outside agency.
    iii. For 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 accumulated vacation leave.

XV. Other Leave

a) Meetings and Seminars. Any employee may be granted leave with pay to attend meetings, seminars and conventions related to the employee's work for the city when authorized by the Department Director. Employees will travel via city transportation when available. If an employee uses their personal vehicle the mileage rate will be determined by the rate used by the Kansas Department of Administration. Employees will receive their regular pay rate for attending meetings and seminars. Time traveling from Girard to the seminar, meeting or convention, time traveling back to Girard from the seminar, meeting or convention back to Girard and time participating in the educational components of the meeting, seminar, or convention will be counted as time worked.
b) Educational Leave. Any employee, upon written request, may be granted leave without pay to further his or her education or to seek specialized training when the educational

training is deemed to be specifically beneficial to the City. Educational leave may only be taken after the recommendation of the employee's Department Director and City Administrator and approval by the governing body.

c) Leave of Absence. Any employee, upon written request and with the recommendation of his or her Department Director, may be granted a leave of absence without pay. Any leave requests for a period longer than one month must be approved by City Council.
    i. Requests for leave without pay shall be submitted in writing, stating the reason for and the duration of, the requested leave. Approval from both the Department Director and City Administrator are required prior to being granted.
    ii. Employees on an approved leave of absence will not accrue vacation, sick leave or other benefits during the leave period.
    iii. Employees should exhaust all vacation and personal leave before being designated 'leave without pay'.
    iv. The City will consider continuation of its contribution toward dental and health insurance during a leave of absence on a case-by-case basis.
    v. Failure to return to work as scheduled following an approved leave of absence will be considered voluntary resignation of employment.
        a. Extending leave of absence must be requested and approved prior to scheduled return date.

d) Family Medical Leave Act. Employees may be eligible for unpaid leave according to the FMLA of 1993.

XVI. Leave, Earned Time & FLSA

In accordance with FLSA, employers do not have to count paid holidays, vacation, personal, funeral, sick leave hours or any other leave taken by an employee toward the calculation of overtime, because these hours are not actually 'worked'. The City follows FLSA in this regard and does not count leave time towards hours worked in consideration of overtime pay. Additionally, employees cannot claim leave time that will result in total hours paid exceeding 36 hours, except for Firefighter/Driver and full-time Fire Chief. Firefighter/Driver and full-time Fire Chief cannot claim leave time that exceeds 106 hours or 96 hours if working short shift period. Leave benefits are a matter of agreement between the employer and employee and are subject to change with prior notification.

XVII. Leave Time & Work Schedules

Employees cannot claim leave time that results in hours paid greater than hours scheduled to work.

XVIII. Request for Leave

Except as provided in Section E-5(e) regarding sick leave, all leave must be authorized by each Department Director prior to the leave time being taken. Leave records, including records of sick leave taken, will be maintained in the City's payroll system.

XIX. Credits for Paid Leave

Employees on paid sick leave, vacation leave or other leave with pay will continue to earn credit for sick leave and vacation leave, but no leave will be earned by any employee while on leave without pay.

XX. Domestic Violence Leave

The Domestic Violence Leave Policy is designed to raise awareness of domestic violence; provide employees time off for purposes required by law for victims of domestic violence; provide support, when appropriate, to employees experiencing domestic violence; give guidance to management on how to address the effects of domestic violence in the workplace; comply with all federal and state laws concerning domestic violence; and, create a safer work environment for employees.

a) Definitions
    i. 'Domestic Violence' means a pattern of coercive behavior that is used in an intimate relationship by one person to gain power and control over another. Domestic violence includes physical, sexual, emotional, psychological and financial abuse.
    ii. 'Abuser' means the individual who commits an act of domestic violence.
    iii. 'Survivor' or 'Victim' means a person who is the subject of an act of domestic violence.
b) The City will not discharge, discriminate or retaliate against a victim of domestic violence or sexual assault for taking a reasonable amount of time off from work to:
    i. Obtain or attempt to obtain relief, including but not limited to, a temporary restraining order, restraining order or other injunctive relief to help ensure the health, safety or welfare of the victim or victim's children.
    ii. Seek medical attention for injuries caused by domestic violence or sexual assault.
    iii. Obtain services from a domestic violence shelter, domestic violence program or rape crisis center because of domestic violence or sexual assault.
    iv. Make court appearances in the aftermath of domestic violence or sexual assault.
c) As a condition of taking time off for a purpose set forth in subsection (b), the victim shall provide reasonable notice, unless such notice is not possible.
d) Within 48-hours after returning from time off pursuant to this policy, the victim shall provide documentation to support taking time off. Documentation may include, but is not limited to:
    i. A police report indicating that the employee was the victim and not a suspect of domestic violence or sexual abuse.
    ii. A court order protecting or separating the victim form the perpetrator of an act of domestic violence or sexual assault, or other evidence from the court or prosecuting attorney that the employee has appeared in court.
    iii. Documentation from a medical professional, domestic violence advocate, or advocate for victims of sexual assault, health care provider or counselor that the victim was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence or sexual assault.
e) Victims may utilize any accrued paid leave; or, if paid leave is unavailable, unpaid leave.
f) To the extent allowed by law, the City will maintain the confidentiality of any victim requesting domestic violence leave.
g) The City will make available appropriate information, referrals and resources to victims. Employees desiring such information should contact the City Administrator.

XXI. Voluntary Separation

a) Resignation. An employee who terminates his or her employment voluntarily will be terminated in good standing providing the employee gives a minimum of two weeks written notice to his or her immediate supervisor or Department Director. Under appropriate circumstances, a shorter period of notice may be approved by the employee's Department Director.

b) Reinstatement. An employee who has separated in good standing and who is re-employed within a period of 120 calendar days following separation may be reinstated at not more than a salary he or she was receiving at the time of his or her separation. Unused vacation and sick leave prior to the leave may be restored unless the leave had been paid to the employee or otherwise forfeited. See Chapter 3, Section 7.

CHAPTER 7: OTHER EMPLOYEE BENEFITS

I. Retirement

a) 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 regulations. The cost of this benefit is paid equally by the City and the employee, with the employee contribution subject to payroll deduction.
b) Retirement-KPERS Benefit. 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 regulations. KPERS members are classified as Tier 1 (hired before July 2009) or Tier 2 (hired after 2009). Under current law, Tier 1 KPERS members contribute 4% and Tier 2 KPERS members contribute 6% of their salary by payroll deductions. The employer contribution is determined by KPERS and varies annually.
c) Retirement-KP&F Benefit. All eligible employees of the City fire and police departments are members of the Kansas Police and Fire Retirement System (KP&F) and receive the benefits thereof in accordance with state laws and regulations. Under current law, KP&F members contribute 7% of their salary by payroll deduction. The employer's contribution is determined by KP&F and varied annually.
d) Retirement Date. The Federal Age Discrimination in Employment Act (FADEA) is the policy for City retirement. Normal retirement benefits under KPERS and OASDI accrue as established by FADEA. Retirement will be mandatory for all employees on the first day of the month following the month in which they attain age that full benefits will be established with OASDI.
e) When it is deemed in the best interest of the City, the governing body may, upon written request of an employee, extend the date of retirement. Such request will state the employee is mentally and physically capable of performing his or her duties. Such extension may be continued so long as the employee is mentally and physically capable of carrying out his or her assigned duties.

II. Workers Compensation Benefits

All employees of the City receive the benefits of the Kansas Workers Compensation Act. The cost of this benefit is paid entirely by the employer.

III. Life Insurance and Death and Disability Benefits

a) Employees who are contributing members of KPERS are eligible for the insured death and disability benefits provided by KPERS, which is supplemental to regular KPERS benefits. The cost of this benefit is paid entirely by the employer. This benefit begins on the first day the employee becomes a contributing member of KPERS.
b) Employees who are contributing members of KP&F receive long-term disability benefits.

c) Life Insurance is provided through KPERS.
d) Short-term disability is provided and term life insurance offered.
e) In addition to Death and Disability coverage the City makes available to each full-time employee the option of purchasing group life and accident insurance on a payroll deduction basis. The cost of this additional life insurance is paid by the employee and varies based on the options chosen.

IV. Unemployment Compensation

All employees receive the benefits of the Kansas Employment Security (Unemployment Compensation) Act. The cost of this benefit is paid entirely by the employer.

V. Health & Dental Care Plan

a) All full-time employees are eligible for the City's group health care and dental insurance plan on the first day of the month following the employee's date of hire. A permanent part-time employee who becomes a full-time employee is eligible for group health care insurance upon the date of change in employment status.
b) When an individual employee is required to contribute because of participation in the City's group health care and dental plan, the contribution will be done by payroll deduction. Currently, health care premiums are shared at 20% by the employee, and 80% by the City.
c) During any period in which an employee is on extended leave without pay, on unauthorized leave or is participating in any unlawful work stoppage, all health and dental care insurance costs must be paid by the employee to the City. Failure to pay the premium could result in policy cancellation.
d) During any period in which an employee is on suspension without pay for a period of two weeks or longer the responsibility for payment of premiums will be considered on a case-by-case basis. Employees on suspension without pay for a period of two weeks or longer must make arrangements with the City Clerk and the City Administrator to discuss premium payment.
    i. Potential pay arrangements may involve the employee paying the premiums, cancellation of the policy, deduction of the premiums from accrued leave, etc.
e) Health and dental care insurance coverage will be extended to an individual who is temporarily disabled and receiving workers compensation while serving as a city employee. The employee's share of the cost will be deducted from any compensation due the employee in addition to workers compensation payments. In the event no additional compensation is due, insurance may be extended at the option of the governing body.
f) No employee will be entitled to a cash payment in lieu of health care insurance coverage.
g) Retirees of the City, under age 65, will be eligible for continued participation in the City's health and dental care plan upon payment of all costs thereof in accordance with the provisions of KSA Supplement 12-5040. In addition, the city complies with those provisions of the Federal Consolidated Omnibus Reconciliation Act of 1986 (COBRA) relating to the extension of group health care plan coverage upon termination of city employment.

VI. Other Benefits

a) Season Pool and Golf Passes. Season Pool and Golf Passes. Current employees, Fire Department volunteers in good-standing per departmental policy, and elected officials are eligible to purchase individual or family season swim passes and golf memberships at a discounted rate.
    i. The employee is responsible to pay all taxes.
    ii. Discount for swim passes shall be 75% of the cost. Discount for golf memberships shall be 90% of the cost.

b) Clothing Allowance. At the Department Director's discretion, clothing essential to an employee's job duties may be purchased by the City or a Department Director.

c) Fitness Room. Employees, members of the governing body and volunteers may utilize the fitness facilities located in the Fire Department. Spouses and other family members may utilize the facilities with permission of the Fire Chief and must sign a waiver.

CHAPTER 8: DISCIPLINE POLICY

The purpose of discipline is to help people understand and modify unacceptable behavior and/or attitudes. When it becomes necessary to discipline staff, care must be taken that all mechanisms of punishment are just, consistent and befitting the infraction. Discipline, when used properly and applied in a fair and consistent manner will serve to ensure high standards of performance and efficiency are met, maintain good working relationships among employees, and provide the citizens of the City with the highest possible level of courteous and professional public service. It is the duty of the employee to make conscientious efforts to work and behave in accordance with the values, service standards, rules and regulations of the City and the department in which they work. 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 Director or supervisor to consider disciplinary action to correct the deficiency. Disciplinary history will be considered when determining merit raises.

I. Authority to Discipline

Department Directors are responsible for the conduct and effective performance of all employees under their supervision and have the authority and the responsibility to discipline employees for violations of the rules and regulations of the City of Girard and for any misconduct. Employees are considered representatives and goodwill ambassadors of the City and therefore are expected to abide by all rules, regulations and guidelines as they work throughout the city in carrying out their assigned duties.

The City Administrator has the authority to discipline employees for violations of the rules and regulations of the City of Girard and any misconduct. The City Clerk must be informed of all disciplinary actions and may be present at all disciplinary meetings.

II. General Policy

An employee is subject to disciplinary action if (this list is not inclusive):

a) The employee violates any rule or regulation or procedures applicable to the department in which he or she works.
b) The employee's conduct brings discredit upon the City of Girard 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 which results in misconduct.

III. Disciplinary Actions

The following types of disciplinary actions are officially recognized by the governing body:

a) Verbal Warning. A verbal warning is an oral reprimand given to an employee by his or her Supervisor/Foreman, Department Director, the City Clerk or the City Administrator. A record of the warning will be recorded in the employee's personnel file.

b) Reprimand. A reprimand is a written censure to an employee by his or her supervisor, Department Director, the City Clerk or the City Administrator. A copy of the written reprimand will be recorded and placed in the employee's personnel file.
c) Performance Improvement Plan. A performance improvement plan involves a trial period of a specific length of time during which an employee is required to fulfill a set of conditions, improve work performance, or to improve on-the-job behavior. Failure to meet the requirements may result in additional disciplinary actions.
    i) A *Performance Improvement Plan (PIP)* form can be retrieved from the City Clerk.
d) Salary Reduction. A salary reduction is the lowering of an employee's rate of pay within the pay range to 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.
g) Termination. Termination is the removal of an employee from City employment. Termination can be imposed only by vote of the governing body. NOTE: Termination can be carried out for ANY reason except a discriminatory reason.

IV. Procedure for Disciplinary Action

Whenever misconduct of an employee occurs that in the judgment of the employee's Supervisor/Foreman, Department Director or the City Administrator justifies the application of disciplinary actions, the Supervisor/Foreman, Department Director, City Clerk, Deputy City Clerk or City Administrator will:

a) Document the misconduct in writing. The *Counseling Form* may be used in order to document the misconduct in writing. The Counseling Form can be obtained from the City Clerk.
b) Determine the appropriate action to correct the problem.
c) Meet with the employee to review the problem and the proposed disciplinary action. The meeting must be private and include only the employee, the City Official issuing the discipline, and one of the following: (a) the City Clerk, (b) the City Administrator, (c) Deputy City Clerk or (d) a witness who is (i) an employee or official of the City of Girard, and (ii) is at or above the hierarchal supervisory level of the City Official issuing the discipline.
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 disciplinary action.
e) Notify the employee that the disciplinary action will be documented within the personnel file.
f) Provide the documentation to the City Clerk for insertion in the employee's personnel file. The document must be reviewed by the City Administrator.

V. Misconduct Subject to Disciplinary Action

The following is a list of misconduct which may subject an employee to disciplinary action and/or termination. This list is not all inclusive, it is only representative of the types of misconduct which subject an employee to disciplinary action and/or termination. Employees are "employees at will" and the city reserves the right to terminate without cause.

a) Conviction of a violation of any state or federal criminal law.
b) Conviction of a violation of any city law.
c) Failure to follow prescribed safety procedures including failure to notify his or her Department Director of unsafe working conditions.
d) Violation of personnel rules and regulations or departmental rules and regulations.
e) Inattention to duty, carelessness, breakage or loss of public property or funds.
f) Incompetency or inefficiency in the performance of the duties of his or her position.
g) Conduct or action that results in injury, safety issues, or damage to City property.
h) Insubordination or other breach of discipline.
i) Discourteous, disrespectful, unprofessional or disruptive conduct or other behavior in public, to the public or to employees or officers of the City.
j) Creating and/or contributing to a hostile work environment.
k) Failure to address any complaint or grievance with a supervisor, Department Director or the City Administrator (in that order).
l) Abuse of leave, excessive absenteeism or tardiness.
m) Absence without leave.
n) Temporarily leaving the workplace without approval of his or her Department Director.
o) Failure to give proper notice of absence.
p) Unauthorized sleeping on the job.
q) Use of alcohol or prescribed or non-prescribed drugs, on or off the job, to the extent that the employee's job performance or effectiveness as a city employee is impaired.
r) Possession or use of alcohol or drugs while on duty, except for drugs prescribed by a physician. Sale of, offering for sale, or giving away alcohol or drugs while on duty or at the workplace.
s) 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, regulation or policy.
t) Unauthorized possession of firearms or other weapons on the job.
u) Failure to follow any proper direction made by a supervisor, Department Director, or City Administrator or knowingly making a false statement to any employee or office of the city.
v) Claiming leave time under false pretenses or falsifying attendance records for oneself or another employee.
w) Sexual harassment.
x) Disclosing confidential records or information unless directed to do so by his or her Department Director or supervisor.
y) Revocation or suspension of a certificate or license, including a driver's license, when such is required as a condition of city employment.
z) Material falsification of application for employment or making a false statement or report regarding any test, certification or appointment or any attempt to commit fraud.

aa) Giving or attempting to give any monetary consideration or the delivery of undeserved service to or from any person or organization for, or regarding, any test or appointment.
bb) Making decisions based on personal relationships rather than merit and/or in consideration of what is best for the community at-large.
cc) Failure to treat colleagues, staff or customers fairly and consistently.
dd) Taking or offering to take from any person for the employee's personal use, any fee, gift or other thing or service of value of $100 or more, in the course of his or her work or in connection with it, when such gift or other valuable thing or service is given in the hope or expectation of receiving a favor or better treatment than that accorded any other person; 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 or other things or service of value through his or her position in the service of the city.
ee) Discharge of duties in a manner which results in discrimination to any person regarding race, creed, color, sex, age, gender, sexual orientation, physical or mental disability or national origin.
ff) Inferior performance of duties or poor attitude.

Notice: As stated above, all employees except appointed and elected officials are considered at-will employees. Termination can be carried out with or without cause.

In the case of acts of violence or other flagrant misconduct, serious safety violations or criminal offense, an employee may be suspended without pay immediately pending an investigation and review of the matter. An employee may be suspended with pay 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 had been charged with misconduct while on the job and an internal investigation is being conducted.

VI. Formal Complaints from the Public

Formal complaints may be considered when making hiring, promotion and discipline decisions. When a member of the public contacts City of Girard personnel with a complaint the following procedure is to be followed:

1. Inform the complainant that the City of Girard has a formal complaint process and ask the complainant if they would like to file a formal complaint.
2. If the complainant would like to file a formal complaint, direct the complainant to the City Clerk's office.
3. The City Clerk's office will refer complaints involving the Police Officers to the Police Chief and, for all other complaints, will gather the following required information:
    i. Complainant's name and address,
    ii. Date of the incident for which the complaint is being filed,
    iii. Detailed description of the incident,
    iv. Name(s) of City staff involved in the incident (subject(s) of the complaint),
    v. Specific remedy requested if applicable.

4. Once a complaint is filed, the City Clerk and/or Police Chief will inform the City Administrator of such complaint.
5. The City Clerk and one other City official at or above the supervisory level of the subject(s) of the complaint shall confidentially meet individually with the subject(s) of the complaint.
6. City staff will have the opportunity to refute, offer mitigating circumstances or refute the complaint. Either the City Clerk or the other City official present will take notes during this meeting.
7. The original, formal complaint and the notes taken during the meeting with the subject of the complaint will be filed in the personnel file of the subject of the complaint. If the complaint involves an employee of the Police Department the complaint may warrant further investigations and all documentation pertaining to the complaint may be filed with the Police Department.

CHAPTER 9: ON-BOARDING AND OFF-BOARDING

Employee On-Boarding:

Welcoming new employees is a collaborative effort that includes City of Girard staff and the hiring department. Preparing for new employees and providing appropriate guidance and information during the first several days of employment can ensure success.

a) City of Girard staff will meet with the new employee at the start of his or her first day of work to complete new-hire paperwork including the new employee-orientation checklist.
b) Department Heads should be prepared for an employee's first day at work and should welcome new employees with the following:
    - Workstations set up with appropriate equipment and supplies.
    - Introductions to co-workers.
    - A tour of the facilities.
    - An overview of the department and employee responsibilities and duties.
c) The new employee orientation checklist is to be completed by City of Girard staff, the Department Head, and the new employee. The checklist must be completed, signed and filed with City Hall staff.
d) Time spent completing new-hire paperwork and time spent in the orientation meeting are considered hours worked. Each employee's time card should reflect the time engaged in the orientation program as paid hours.

Addition. Employee Off-Boarding

Voluntary Terminations. Employees are requested to provide a minimum of two weeks' notice of their intention to separate employment. The employee should provide a written resignation notification to his or her direct supervisor.

i. Upon receipt of an employee's resignation, the supervisor will notify City Hall and the City Administrator by sending a copy of the resignation letter to the Clerk's office along with any other pertinent information (e.g., employee's reason for leaving, last day of work).
ii. The City Clerk's Office will coordinate the employee's departure from the City. This process will include the employee's returning all company property, a review of the employee's post-termination benefits status and the employee's completion of an exit interview.

Involuntary Terminations. In the event of an involuntary termination, and potential unavailability of the employee, the employee's supervisor will coordinate return of property.

Death of an Employee. A termination due to the death of an employee will be made effective as of the date of death.

i. Upon receiving notification of the death of an employee, the employee's supervisor should immediately notify City Hall staff.
ii. City Clerk staff will process all appropriate beneficiary payments from the various benefits plans.
iii. The employee's supervisor should ensure that the deceased employee's timecard is complete.

Final Pay. An employee who resigns or is discharged will be paid through the last day of work, plus any vacation or sick time for which the employee is eligible, less any deductions, in compliance with state laws. In cases of an employee's death, the final pay due to that employee will be paid to the deceased employee's estate or as otherwise required under state law.

Health Insurance. Medical, dental and vision insurance coverage typically terminates on the last day of the month dependent upon the employee's portion of the premium. Information about COBRA continuation coverage is available through the City Clerk's office.

Return of Property. Employees must return all City property at the time of separation, including uniforms, electronic devices, keys, laptops, identification cards, login information, passwords, etc. Failure to return some items may result in deductions from the employee's final paycheck where state law allows. An employee will be required to sign a wage deduction authorization to deduct the costs of such items from the final paycheck. In some circumstances, the City of Girard may pursue criminal charges for failure to return City property.

Proprietary Information. Generally, documents created by an employee within the scope of their employment, are owned by the City. Employees may not delete, destroy, render inaccessible by the City any documents deemed work-made-for-hire.

CHAPTER 10: NON-HARRASSMENT POLICY

The purpose of this policy is to prevent and redress harassment in the work place. All City employees have the right to work in an environment free from all forms of harassment including harassment regarding race, color, religion, gender, age, national origin, ethnicity, marital status, sexual orientation, disability, veteran status or any other characteristic protected by local, state and federal law.

I. Harassment Defined.

Harassment is verbal, written or physical conduct which degrades or displays hostility or hatred toward another regarding race, color, religion, gender, age, national origin, ethnicity, marital status, sexual orientation, disability, veteran status or any other characteristic and which creates an intimidating, hostile or offensive work environment, unreasonably interferes with an individual's performance or otherwise adversely affects an individual's employment opportunities.

II. Harassment Prohibited

Harassment of any kind is expressly prohibited and shall not be tolerated. Any employee who engages in harassing conduct shall be subject to discipline, up to and including termination. Any employee who knows of an incident of harassment shall immediately report the incidence. The City does not retaliate against, and does not tolerate retaliation against, those who report harassment in good faith or those who cooperate with harassment investigations.

III. Harassing Conduct

Harassing conduct includes, but is not limited to, words or actions relative to race, color, religion, gender, age, national origin, ethnicity, marital status, sexual orientation, disability veteran status or any other characteristic protected by local, state and federal law. Examples of harassing conduct are:

- Epithets
- Slurs
- Negative stereotyping
- Threats

Written or graphic material that degrades or displays hostility or hatred toward an individual or group based on race, color, religion, gender, age, national origin, ethnicity, marital status, sexual orientation, disability, veteran status or any other characteristic protected by local, state and federal law, when such material is distributed or circulated in the workplace.

IV. Gender Harassment

Gender harassment, like all other forms of harassment, is expressly prohibited. Gender harassment is defined as unwelcome sexual advances, requests for sexual favors and all other forms of verbal, visual, physical or written conduct of a sexual nature.

V. Sexual Harassment

a) Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. This includes conduct of a sexual nature where:
   i) Submission to such conduct is made either explicitly or implicitly a condition of an individual's employment.
   ii) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals.
   iii) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

VI. Complaint Procedure

Any city employee who has sexually harassed another city employee is subject to disciplinary action, including loss of pay or termination.

a) Any employee who feels he or she is being subjected to harassment should immediately contact one of the persons listed below with whom the employee feels the most comfortable. Complaints will be made in writing only to:
   i. The employee's immediate supervisor, or
   ii. The employee's Department Director, or
   iii. The City Administrator or Governing Body.
b) The employee should be prepared to provide the following information:
   i. Employee's name, department, and job title.
   ii. Name of the person(s) committing harassment.
   iii. The date(s) and approximate time(s) of the harassment.
   iv. The specific nature of the harassment.
   v. Witness(es) to the harassment, if any.
   vi. Whether he or she has previously reported such harassment and if so, when and to whom.
c) After receiving a harassment complaint, the recipient of the complaint will assist the employee filing the complaint with documenting the incident in writing and the employee will 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 only be disclosed on a need-to-know basis in order to investigate and resolve the matter.
d) Review of Harassment Complaint. It is the responsibility of the City Administrator to coordinate the investigation and review of harassment complaints. If the City Administrator is the subject of the complaint, an independent individual not affiliated with the City of Girard will coordinate the investigation of the complaint. The following procedures shall apply to the receipt, review, and handling of such complaints:

i. The person to whom the complaint is made will immediately present it to the City Administrator.
ii. An investigation into the alleged incident will be promptly started.
iii. Based upon the investigation report, the City Administrator will determine whether the conduct of the person against whom a complaint is made constitutes harassment. In making that determination, the City Administrator will look at the record as a whole and at the totality of circumstances, including the nature of the conduct in question and the context in which the conduct occurred. The determination of whether harassment occurred will be made on a case-by-case basis.

e) Discretion is of the upmost importance regarding sexual harassment complaints. The person accused of the harassment as well as witnesses will only be contacted for interviews if the initial investigation warrants.
f) If after the initial investigation it is determined that sexual harassment may have occurred, all parties, including witnesses and the accused, will be contacted for interviews. Following these interviews, a determination of conduct will be made by the City Administrator.
g) For confirmed cases of sexual harassment, discipline will be imposed according to Article G of this policy.
h) If after the initial investigation the complaint is unfounded, the City Administrator will notify the complainant of the results of the investigation. No further action will be taken on the complaint.

CHAPTER 11: GENERAL SAFETY RULES

The City is committed to the safety and health of all employees and recognizes the need to comply with regulations governing injury, accident prevention and employee safety. The City will maintain safety and health practices consistent with the needs of the City and its citizens, employees, guests and customers. Maintaining a safe work environment, however, requires the continuous cooperation of all employees. Compliance with these safety rules is considered a condition of employment. It is the responsibility of each employee to accept and follow established safety regulations and procedures.

I. Workplace Safety

a) In addition to the safety rules provided herein, all City employees are expected to follow safety procedures as outlined in the City of Girard Employee Safety Manual. From time to time, the City may also post notices dealing with specific safety issues.
b) Each employee must do his or her part to maintain a safe work environment. Below are some general safety rules to assist employees in making safety a regular part of their work.
    i. Keep work areas clean. Grease, debris, ice and spills must be cleaned up immediately to avoid slips and falls.
    ii. Never attempt to operate defective or malfunctioning equipment.
    iii. Never operate machinery or equipment until adequately trained in its use.
    iv. Horseplay on City premises, including the parking lot, whether on duty or off duty, may cause accidents and will not be permitted.
    v. Compliance with all federal, state and local safety laws, as well as City regulations and policies, is required always.
    vi. Employees must be familiar with the use and location of fire extinguishers.
    vii. Designated exit doors are to be unlocked during business hours or fitted with panic hardware.
    viii. Exit hallways must never be blocked.
    ix. If in doubt regarding the safe way to perform a task, do not proceed without consulting a supervisor. If an employee feels a task may be dangerous or beyond the scope of their training, he or she should inform his or her supervisor at once.
c) The City strongly encourages employee participation and input on health and safety matters. Employees may report potential hazards and make suggestions regarding safety without fear of retaliation. The City appreciates, encourages and expects this type of involvement. Although it is the City's responsibility to provide for the safety, health and security of its employees during working hours, it is the responsibility of each employee to abide by the rules, regulations and guidelines set forth, and to report any potential dangers. Failure to adhere to these rules will be considered a serious infraction of safety rules, and will result in disciplinary action.

II. Reporting Safety Issues

a) All accidents, injuries, damage to City property, potential safety hazards, safety suggestions, and health and safety related issues must be reported immediately to the employee's supervisor, Department Director or City Clerk. If an employee is injured, contact outside emergency response agencies, if needed.
b) Whether or not medical treatment is needed, a *Report of Work Related Injury* must be completed immediately in case medical treatment is needed later and to ensure that any existing safety hazards are corrected. An *Accident Investigation Report* must be completed by a Supervisor and/or Department Director
c) Supervisors and/or Department Director's must notify the City Clerk or City Administrator of any accidents within 24 hours.
d) In the event of a non-employee accident, injury or damage to personal property, including vehicles, the incident must be immediately reported to the supervisor or Department Director. If an injury is sustained, offer assistance but allow the injured person to determine the assistance he or she requires, including the need for emergency response agencies. Employees should never admit fault or promise any remuneration or consideration by the City. The Department Director, or their designee, shall gather all the facts, including the name, address and phone number of the injured party, as well as the nature and time of the accident. If possible, gather the same information from any witnesses to the accident or injury.
e) The City is not responsible for any loss, theft or damage to any vehicle or its contents, whether employee, customer or guest owned.

III. Use and Maintenance of City Equipment

a) Employees are to use City equipment, facilities, and vehicles for official use only in the manner prescribed in the City of Girard Employee Safety Policy Manual. All equipment is to receive proper maintenance at intervals specified. Abuse of City equipment will lead to disciplinary action. All City property, including City issued keys and name badges, must be returned immediately upon termination of employment with the City.

IV. Eye Protection

a) Protective eyewear is to always be worn in areas designated by each department.
b) Protective eyewear is to be worn during any type of construction work activity.
c) Each department is required to develop (except general administration) a policy designating where protective eyewear is required.
d) Each department policy will be posted where all personnel have access, and a copy of such policy will become part of the organization personnel policy.
e) Department visitors will follow established policy. Failure to do so will result in immediate removal from the area until protective eyewear is worn. City employees found in violation of the policy will be dealt with according to the personnel policy.
f) The City of Girard will provide proper protective eyewear for employees and visitors. It is up to everyone to properly use the protective eyewear and follow prescribed guidelines.
g) Any employee that needs prescribed corrective eyewear and is required to wear protective eyewear to perform essential functions of their job is entitled to be reimbursed

by the City for up to $150 of the cost of one pair of prescription safety glasses with side shields (see Chapter 11, Section IV., item j).

h) To receive prescription safety eyewear, the employee must bring a current prescription to the City Administrator for review. Once the prescription is verified the City Administrator will authorize the ordering of the eyewear.

i) If an employee normally wears contacts and prefers to wear prescription safety glasses, he or she is entitled to one pair paid for by the City if required to perform his or her essential functions of their job, restrictions apply (see Chapter 11, Section IV., item j). If an employee chooses to continue wearing contacts, he or she must comply with policy as any other person of normal vision and wear supplied protective eyewear. Certain working conditions may not be conducive to wearing contact lenses. However, it is up to the employee to decide if he or she wears prescription safety glasses or normal safety protective eyewear.

j) All safety eyewear supplied by the City are to be used for City purposes only. If prescription eyewear is damaged during duty for the City, and as a result of performing that duty, the city will repair or replace the eyewear. Excessive replacement or repair of eyewear may result in a review by the supervisor to determine if damage is caused by employee mistreatment of the eyewear. If it is determined that mistreatment of the eyewear is occurring, the employee may be subject to discipline according to the personnel policy. Replacement of lost or misplaced eyewear is the employee's responsibility.

k) The City will pay up to $150.00 per pair of prescription safety glasses. Shields must be included in all safety glasses. If the employee desires additional options that exceed this limit, the employee must pay the additional amount.

l) Safety zones that will not require safety glasses include break rooms, rest rooms, and inside vehicle cabs. However, if work is ongoing within any of these areas, outside of normal use, safety glasses will be required. When using full faced masks such as those used in chlorine rooms or while welding, safety glasses will not be required.

CHAPTER 12: TECHNOLOGY & COMPUTER USE

The purpose of this policy is to establish standards for the use of social media for the City of Girard. The use of social media by City departments and their employees can facilitate information sharing and serve outreach and communication goals. Social networking can improve interactivity between the City and the public, and reach populations that favor social media over traditional media.

a) Official City Use. Departments that choose to enhance their communications strategies by utilizing social media in carrying out their functions/missions must do so in ways that maintain good order and discipline, network security, comply with public records retention, legal requirements and ensure consistency with City media standards.
   i. The City Administrator and City Clerk MUST be given access to all departmental social media sites.
   ii. Login information for all social media sites MUST be filed with the City Clerk's Office.
   iii. All social media accounts must be created utilizing a City hosted email address.
   iv. All social media accounts must include disclaimer and rules.
b) Material that is inappropriate for public release shall not be posted nor shall the employee post personal opinions or editorial comment. Employees shall not respond to hate speech, non-sequiturs (i.e., sarcastic comments) or issues that do not deal with departmental/City missions. An employee shall not release information via social media unless it has been verified as factual and has been approved for release by the City Administrator.
c) Circumstances under which a post may be removed from the site are as follows:
   i. Comments not topically related to the site;
   ii. Profane or inappropriate language;
   iii. Sexual content or links to sexual content;
   iv. Solicitations of commerce;
   v. Conduct or encouragement of illegal activity;
   vi. Information that may compromise the safety or security of the public, public systems, the ~~C~~ity of Girard, its agencies, officers, employees or public officials;
   vii. Content that violates a legal ownership interest of any party;
   viii. Content that holds the City of Girard, its agencies, officers, employees, or public officials in false light; or
   ix. Information that violates operational security or is protected by law.
d) The above list shall not be deemed to be all-inclusive and the City of Girard reserves the right to add additional criterion.
e) Updating or posting to City social media sites by employees as part of the employee's official duties must be done with the knowledge and approval of the employee's supervisor and with adherence to policies, codes of conduct, directives, rules, regulations and statutes.
f) Any social media account created for official use by the City of Girard, its departments, officers, employees, or public officials shall be the property of the City of Girard, and not the intellectual or personal property of the officer, employee or public official who

creates, administers or maintains said account. Any user identification and password information for social media accounts must be provided to the City upon the creation and/or modification of said information and passwords used for social media accounts must comply with State Information Technology Executive Council (ITEC) requirements to the extent they are enabled by the social media company in question.

g) Use by Employees. Employees may have personal social media accounts, but these may not be represented as official City sites, and may not be used during work hours unless approved by the employee's supervisor. In all cases, employee use of social media during work hours shall not interfere with work duties. All employees are personally responsible for the information they communicate online. Employees should ensure that their social media activities do not interfere or conflict with their job or commitments to the City of Girard, the department in which they are employed, or the customers of Girard. To the extent permissible by law, employees waive their right of privacy for any information stored or transmitted on City-owned or City-leased equipment.

h) When an employee's non-work related social media activities include any information related to their employment with the City of Girard or the specific department in which the employee works, the employee must make it clear that the views expressed are the employee's alone and do not reflect the views of the City of Girard or the department in which the employee is employed, by stating, for example, "The views expressed in this post are my own. They have not been reviewed or approved by (insert department) or the City of Girard." The application of this rule should not be construed to infringe on any person's rights of expression which are guaranteed by law, each case will be given careful review prior to having any personnel actions taken.

i) Departments may enact a department-specific social media policy with provisions more stringent than this policy for law enforcement staff or because of specific public safety or security reasons. Any such department-specific social media policy must be reviewed and approved by the City Administrator, City Attorney and Governing Body prior to implementation.

j) Any employee who uses computer technology or accesses or uses e-mail or the internet or social media in violation of this policy will be subject to disciplinary action, up to and including termination of employment, and may be subject to criminal prosecution and civil liability.

I. Failure to Follow the Guidelines Set Forth in this Chapter

The City of Girard takes seriously the standards set forth in this Chapter, and violations are cause for disciplinary action up to and including termination of employment.

The City provides electronic media and services, including computers, software, e-mail, telephones, voicemail, fax machines, online services, internet, mobile phones and the worldwide web (collectively "computer technology"), to its employees.

I. General

a) Scope of Policy. This policy applies to all departments and other individuals or groups that use Computer Technology. Individual departments may implement more restrictive policies for application within their departments, but may not implement more lenient policies.
b) Ownership. Computer Technology, including all data files and applications opened, created, downloaded, stored, or transferred are on the property of the City of Girard. All materials and information created, transmitted or stored on or using computer technology are the property of the City and may be accessed only by authorized personnel.
c) Employee Responsibilities. The City encourages the use of computer technology to make communication more efficient and effective. However, all employees should remember that computer technology is provided solely to facilitate and support City business. All computer technology users have the responsibility to use these resources professionally, ethically, and lawfully.

II. E-Mail and Internet Usage

a) The following guidelines apply to use of e-mail and the internet. Rather than attempting to cover every possible situation, this policy is designed to express the City's philosophy and set forth general principles when using Computer Technology.
    i. Prohibited Communication. Computer technology shall not be used to knowingly transmit, retrieve, or store any communication that is: discriminatory or harassing; derogatory to any individual or group; obscene, pornographic; defamatory or threatening; fraudulent; in violation of any license governing the use of software; illegal or contrary to the City's policy or business interests; related to political activity or campaigning; or in furtherance of a personal business enterprise.
    ii. Participation in Online Forums. Employees should remember that any messages or information sent via computer technology to one or more individuals via an electronic network, to include internet mailing lists, bulletin boards, and online services, are identifiable and attributable to the City.
b) Unknown Sources or Unexpected E-mails. Employees must use extra caution when an e-mail is received from an unknown source or when an e-mail is from a known source but is unexpected or appears suspicious. Address books are sometimes used by outside sources to spread viruses. The potential to spread viruses is significant; opening an unexpected or suspect e-mail could have undesirable consequences to the entire City's computer system. Extra care should also be used in opening attachments: "When in doubt, throw it out."

III. Personal Use of Computer Technology

a) Computer Technology is provided by the City of Girard for business use, to assist employees in the performance of their jobs. Use of computer technology for personal, non-business purposes is permissible but must be done in a manner that does not negatively affect use of computer technology for business purposes. Employees are expected to act responsibly and not abuse this privilege.

IV. Monitoring Employees' Use of Computer Technology

a) The City has the right, but not the duty, to monitor all use of computer technology, including electronic files and employee e-mail, to the extent necessary to ensure that computer technology is being used in compliance with law, this policy and other City policies.
b) Employees should use the same care in drafting e-mail and other electronic documents as they would for any other written communication. Anything created on a computer may be reviewed by others. E-mail should not be considered a confidential form of communication. Even deleted e-mails may be recovered and read by others. Employees should use other media to transmit sensitive or confidential information.

V. Software

a) All City-owned software is the property of the City and shall be used only in compliance with applicable software agreements.
b) To prevent computer viruses from being transmitted through Computer Technology, unauthorized downloading of software is strictly prohibited. To ensure that incompatible software is not installed, all software must be approved by the Department Director.
c) All employees will comply with licensing requirements for software purchased by the City.

VI. Confidentiality

a. Employees will respect the confidentiality of other individuals' electronic communications. Except when permission has been expressly granted by City management, employees are prohibited from engaging in, or attempting to engage in the following:

i. Monitoring or intercepting the files or electronic communications of other employees or third parties;
ii. Hacking or obtaining access to systems or accounts they are not authorized to use;
iii. Using other employees' log-ins or passwords; and
iv. Breaching, testing or monitoring computer or network security measures.

b. No e-mail or other electronic communications that hide or attempt to hide the identity of the sender or represent the sender as someone else will be sent using computer technology.

c. Computer technology and services should not be used in a manner that is likely to cause network congestion or significantly limit the ability of other employees to access and use the network.

d. Anyone obtaining electronic access to other materials that are the property of other companies or individuals must respect all copyrights and cannot copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner.

e. Management is responsible for safeguarding passwords. Individual passwords should not be printed, stored online, or given to others, but must be given to management. Each employee is responsible for all transactions made using their password. Misuse of other employee's passwords is cause for disciplinary action.

f. Employees must exercise caution when conducting City business on personal computers or when transporting City electronic files off City premises, particularly when the information is of a confidential nature. Employees are responsible for the security of all electronic files they carry on their person or work on outside of a City facility.

VII. Law Enforcement and Investigation Exception

Exceptions to this policy will be made as needed for the purposes of conducting law enforcement investigations and for investigation of suspected employee misconduct.

VIII. Social Media Policy

a) Official City Social Media Pages. The goals of social media use by the City include: building and extending outreach, educating and informing residents, opening communication channels to provide transparency, and providing an outlet to celebrate the community's successes.
b) All City social media sites shall be approved by the City Administrator. Official and sanctioned use of City social media sites shall be limited to City Administrator and City Clerk. The City Administrator may sanction other City staff or City representatives to use City social media sites.
c) The City Administrator shall be responsible for setting up, maintaining, and closing all City social media sites. The City Administrator or City Clerk shall be responsible for posting content, ensuring content accuracy, and deciding what are and are not acceptable posts.
d) All social media sites shall clearly indicate that they are maintained by the City and shall have City's contact information prominently displayed.
e) The City reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.
f) City social media articles containing any of the following forms of content shall not be allowed for posting:
    i. Comments not topically related to an issue or article being commented upon;
    ii. Photographs of employees or members of the public, without written permission;
    iii. Any personal, sensitive or confidential information about anyone;
    iv. Profane language or content that promotes, fosters, or perpetuates discrimination based on race, creed, color, age, religion, gender, marital status, status about public assistance, national origin, physical or mental disability, or sexual orientation;
    v. Comments that support or oppose political campaign or ballot measures;
    vi. Sexual content or links to sexual content;
    vii. Solicitations of commerce;
    viii. Conduct or encouragement of illegal activity; or
    ix. Content that violates a legal ownership interest of any other party.
g) On-Duty Use of Social Media by Employees. The on-duty use of social media by employees is restricted in the following ways:

i. Employee use of personal social media at work must not interfere with performance of the employee's duties or with the workplace, and not involve commercial or other prohibited activities.
ii. City employees may not excessively use social media on any of the City's electronic resources while they are supposed to be working. The City Administrator may totally restrict access if he/she determines that the use of social media is abusive.
iii. If the City monitors employee use of social media at work, written notice of the nature and scope of monitoring shall be provided to the employee.
iv. Employees must include in any post on a personal site, which relates to the City or their job, a disclaimer that the posting reflects their own opinion, and not that of the City of Girard.
v. No employee or governing body member may require access to another employee's or governing body member's private social media page(s).

h) Failure to comply with this policy may lead to discipline up to and including dismissal.

i) Off-Duty Use of Social Media by Employees.
i. No employee of the City shall be punished for expressions, or litigation, made as a private citizen regarding matters of public concern, unless those expressions, or that litigation, substantially disrupt the efficient and effective delivery of public services by the City.
ii. No employee of the City shall be punished for their political beliefs or associations, unless that employee possesses policymaking authority and their political association is an appropriate requirement for the effective performance of the public office involved.

j) Use of Social Media by Elected Officials. Elected officials who use the City's official social media are subject to the same requirements as employees.
i. The City of Girard's Code of Ethics for elected officials is adopted by reference into this social media policy.
ii. Elected officials should not use any social media (personal, professional or the government's official social media) to discuss business or affairs of the City of Girard. Discussion includes Facebook "likes", Twitter "Retweets" and "Favorites", and all other similar expressions of approval for another governing body member's social media posts.
iii. Elected officials who use social media to communicate with constituents and for campaigning should establish separate social media for those purposes, and not access their "campaigning" social media through government technology.

d) Regulation of Public Comments on City Social Media Sites. It shall be the responsibility of the City Administrator, Clerk and any other staff so assigned by the City Administrator, to monitor all public comments on City social media sites.

e) Any city social media site that allows for public comment shall be accompanied by a "Public Comment Policy" that includes, but is not limited to, the following provisions:

i. All comments or links posted by a member of the public will be removed, if they are off-topic, obscene or pornographic, defamatory, harassing, commercial, criminal, political, or that violate the intellectual property rights of others.
ii. The City only monitors comments during business hours, and thus information conveyed after hours will not be received until the next business day.
iii. All public comments are subject to disclosure as public records.
iv. No comment shall be removed from any city social media site that allows for public comment, unless that comment violates the provisions of the Public Comment Policy.

IX. Electronic Buy-Back Policy:

The purpose of this policy is to allow employees to purchase electronic equipment utilized solely by that employee Electronics must have been purchased at least one year prior to buyback and not needed by the City for other employees or purposes. Electronics will be assessed for condition to determine value.

a) Value. The amount the employee will pay for the electronic device will be determined by an assessment in value. Depending on condition, value may be determined by trade-in value, reviewing comparable sales, or retail cost of the same device.
b) Condition Assessment. City Staff will assess the condition of the electronic device to aid in determining value.
c) Eligibility. To be eligible to buy-back electronic devices, employees must have been employed full-time by the City for a period of at least two years, resigned with at least a 2-week notice, successfully completed off-boarding and issued payment. All information proprietary to the City must be removed from the device.
d) Procedure. The electronic device must meet the guidelines set forth in the Electronic Buy-Back Policy.
    a. The electronic device will be offered for purchase at fair value. If the employee declines to purchase the device then it will be surplused. If the device fails to sale at surplus, the device will be properly disposed of or donated.

X. Violation of Policy

Any employee who uses computer technology or accesses or uses e-mail or the internet or social media in violation of this policy will be subject to disciplinary action, up to and including termination of employment, and may be subject to criminal prosecution and civil liability.

X. Terminology

'Computer Equipment' means computers or computer output devices to include printers, plotters, communication devices, display terminals, personal computers, servers, switches.

'Computer Technology' means all electronic media and services, including computers, software, e-mail, telephones, voicemail, facsimile machines, online services, internet and the worldwide web, provided to employees by the City.

'Download' means the transfer of a copy of machine-readable data from one originating computer to another.

'Licensing' means a requirement that computer software or other programs be used only with the permission of and subject to the restrictions, including restrictions on the number of users, imposed by the owner of the software or program.

'Password' means a secure combination of characters entered by a person and used by the computer to verify authorized access to computer functions.

'Social media' means all types of social networking sites, including, but not limited to, Facebook©, Myspace©, Twitter©, LinkedIn©; blogs and other on-line journals and diaries; bulletin boards and chat rooms; microblogging, video on YouTube© and similar media.

'Software' means a stored sequence of machine-readable instructions that cause a machine to perform calculations or functions. Software may be purchased or created in-house.

CHAPTER 13: MEDIA

The City is committed to making certain that all disclosures made in financial reports and public documents are full, fair, accurate, timely and understandable. This obligation applies to all employees with any responsibility for the preparation for such reports, including drafting, reviewing and signing or certifying the information contained therein. There is never an excuse for misrepresenting facts or falsifying records.

I. General

Employees should inform their Department Head or City Administrator if they learn that information in any public communication was untrue or misleading at the time it was made.

II. Recordkeeping

The City creates, retains and disposes of records as part of the normal course of business and in compliance with all City of Girard policies and guidelines, as well as all regulatory and legal requirements. All records must be true, accurate and complete, and data must be promptly and accurately stored in the City Clerk's office.

Employees must not improperly influence, manipulate or mislead any unauthorized audit, nor interfere with any auditor engaged to perform an internal independent audit of any City of Girard books, records, processes or internal controls.

III. Accountability

Each employee is responsible for knowing and adhering to the values and standards set forth in this manual and for raising questions if uncertain about a policy. If an employee is concerned whether the standards are being met or are aware of violations of the policy, the employee must follow the proper chain of command to report concerns and/or violations.

IV. Confidential and Proprietary Information

Integral to the City of Girard's success is our protection of confidential information, as well as nonpublic information entrusted to us by employees, customers and other business partners. Confidential and proprietary information are protected through the Kansas Open Records Act, K.S.A. 45-219 et seq. . Employees will not disclose confidential and nonpublic information without proper authorization. The City Clerk serves as the Open Records Officer.

V. Use of City Resources

City resources, including material, equipment and information, are provided for City business use. Nonetheless, occasional personal use of electronic communication devices is permissible as long as it does not affect job performance or cause a disruption to the workplace (e.g. making a phone call to a family member or checking personal email). Cellular devices issued to police officers are subject to subpoena and review by defense attorneys and the court. If any personal information, including but not limited to personal contacts or texts, google, or social media surfing, is on the phone, it will likely be reviewed by defense attorneys and the court.

Employees and those who represent the City of Girard are trusted to behave responsibly and use good judgment to conserve company resources. Department Heads are responsible for the resources assigned to their departments and are empowered to resolve issues concerning their proper use.

In order to protect the interests of the City of Girard network and our employees, the City of Girard reserves the right to monitor or review all data and information contained on an employee's company-issued computer or electronic device, the use of the internet or City of Girard's intranet. The City of Girard will not tolerate the use of company resources to create, access, store, print, solicit or send any materials that are harassing, threatening, abusive, sexually explicit or otherwise offensive or inappropriate.

VI. Media Inquiries

The City of Girard is high-profile in our community, and from time to time, employees may be approached by reporters and other members of the media. In order to ensure that employees speak with one voice and provide accurate information about the City, employees must direct all media inquiries to the City Administrator. No one may issue a press release without first consulting with the City Administrator.

k) When an employee's non-work related media activities include any communication related to their employment with the City of Girard or the specific department in which the employee works, the employee must make it clear that the views expressed are the employee's alone and do not reflect the views of the City of Girard or the department in which the employee is employed, by stating, for example, "The views expressed are my own. They have not been reviewed or approved by (insert department) or the City of Girard." The application of this rule should not be construed to infringe on any person's rights of expression which are guaranteed by law, each case will be given careful review prior to having any personnel actions taken.

l) When communication with the media – or any person or organization – employees will adhere to Section IV. Confidential and Proprietary Information.

CHAPTER 14: DRUG- & ALCOHOL-FREE WORKPLACE

The City is committed to providing a work environment which is safe, healthy and productive. The use of drugs and alcohol severely reduces productivity and greatly enhances the likelihood of accidents and injuries in the workplace. Therefore, no employee may use, possess, distribute, sell or be under the influence of any illicit drug (which includes prescription drugs that are illegally obtained or misused) or alcohol while engaged in work for or on behalf of the City on the premises of the City; including travel to and from any off-premise location; or while operating a vehicle or equipment owned or leased by the City.

I. Prescription or Over-the-Counter Medications

Legal use of prescribed drugs is permitted on the job only if such use does not impair an employee's ability to safely and effectively perform his or her job. The use of prescribed drugs or over-the-counter medication which may adversely affect performance or behavior must be reported to the supervisor before beginning work on the day in which the medication is taken.

II. Duty to Report

a) If an employee suspects that another employee or supervisor is under the influence, using, selling, possessing, or purchasing alcohol or drugs while on duty or engaged in City business, or while using City vehicles or other property, that employee shall report his or her suspicions to a non-involved supervisor, Department Director, or the City Administrator. Failure to report suspicions is cause for disciplinary action.
b) If a supervisor suspects that an employee is under the influence of alcohol or drugs, the supervisor will contact the City Administrator or his or her designee to arrange for testing in accordance with applicable alcohol and drug screening and testing guidelines. The supervisor or designee will provide transportation to and from testing. Refusal to submit to a drug or alcohol test will be grounds for termination.

III. Drug-Related Convictions

Any City employee convicted of violating a criminal drug statute, whether resulting from a trial or a plea of guilty or no contest, shall inform the City of such conviction, within five (5) days after the conviction. The City reserves the right to require employees convicted of violating a criminal drug statute outside of the workplace, to participate in an approved rehabilitation or drug abuse assistance program as a condition of continued employment and as an alternative to termination. If such a program is offered and accepted by the employee, such employee must satisfactorily participate in the program as a condition of continued employment.

IV. Drug and Alcohol Testing

All employees are subject to pre-hire, reasonable suspicion and post-accident drug and alcohol testing, whereas all employees are also subject to random drug and alcohol testing. In an accident where any injury has occurred or any equipment has been damaged, a drug/alcohol screen must be completed within two hours, unless employee is obtaining care for life threatening injuries.

V. Violation of this Policy

Employees who violate any aspect of this policy may be subject to disciplinary action, up to and including termination. In addition, the City may, in its discretion, require employees who violate this policy to successfully complete an alcohol or drug abuse assistance or rehabilitation program as a condition of continued employment.

CHAPTER 15: EMPLOYEE ASSISTANCE PROGRAM (EAP)

This page is reserved for the inclusion of an Employee Assistance Program upon the development of an EAP for City employees

APPENDIX A: Employee Acknowledgement of Personnel Policy Manual

By signing below, I acknowledge the following:

- I have received a copy of the City of Girard, Kansas Personnel Policy Manual;
- I have read and understand its contents, including the Standards of Conduct;
- I understand that I am responsible for knowledge of all content of this Manual and that failure to comply with the policies and rules set forth in this Manual may result in disciplinary action, including the possibility of termination;
- I understand the Manual applies to my employment with the City;
- I understand that the City reserves the right to change, interpret, withdraw or add to any of the policies, benefits or terms of this Manual at its discretion and without prior notice or consideration to any employee;
- None of the policies, benefits or terms and conditions of employment has been or is required to be approved by any employee or employee group;
- I acknowledge that my employment with the City is "at-will," meaning that the terms of employment may be changed with or without notice and with or without cause, including, but not limited to, termination, demotion, promotion, transfer, compensation, benefits, duties and location of work;
- There is no agreement expressed or implied between the City and me for continuing or long-term employment;
- I understand that nothing contained in the Manual is an express or implied contract of employment. While supervisors have certain hiring authority, no supervisor or representative of the City has any authority to alter the at-will relationship;
- I understand that, on occasion, I may be asked to work overtime and, in such circumstances, may be provided compensatory time off in lieu of overtime pay (non-exempt only);
- I have received the Manual and I understand that it is my responsibility to read and comply with the policies contained in it and any revisions made to it;
- I understand and acknowledge that I have been given the opportunity to ask any questions that I have about the contents of the Manual and have had those questions answered; and
- I understand that it is my responsibility to update my copy of the Manual when I am notified of a revision to the Manual.

Do not sign this receipt until you have completely read and understand the contents of the Manual and have satisfied yourself with answers to any questions you may have concerning it.

_____ _____

Employee Signature Date

_____

Employee Printed Name

Return signed Employee Acknowledgement of Personnel Policy Manual to the City Clerk.

APPENDIX B: Acceptable Use Agreement for Information Technology

By signing below, I acknowledge that I understand and agree that:

- For the purposes of this Agreement, "information technology" includes computers, smartphones, tablets, internet access, electronic mail, voice message systems, facsimile devices, and all other electronic systems used by the City;
- By using information technology either on equipment provided by the City of Girard or during time for which I am paid by the City of Girard, I agree to be bound by policies and procedures established by the City to govern access to such technology;
- Department Directors shall be responsible for setting specific departmental policies on information technology usage within the framework of the overall City policy.
- This policy does not prevent the Police Department from conducting official investigations or storing data of any nature necessary in the course of an investigation, court proceeding, or other official business.
- Information technology is provided for transaction of City business including research, communication and creation and maintenance of official instruments and other records;
- No one is authorized to access information technology provided by the City without signing this agreement, and violation of this Agreement may subject me to disciplinary action including dismissal of my employment;
- Electronic mail is an extension of the government of the City of Girard;
- Electronic mail messages can be traced to the sender and recipient even after deleted from computers;
- The City may be required to produce evidence relating to or arising out of my use of information technology for matters of litigation, pursuant to the Kansas Open Records Act, and other purposes; I will not knowingly solicit, receive, communicate, download, forward or otherwise access anything that might be construed as harassing, hostile, or offensive to others based on ethnicity, race, sex, disability, age, religion, national origin, or any other characteristic protected by law;
- Personal use of privately-owned hardware and software is permitted. However, such shall be limited in time and frequency in accordance with City/Departmental policies and common sense. Excessive time spent on personal activities during working hours will subject the employee to disciplinary action.
- I will not knowingly solicit, receive, display, print, download, or send any questionable image or message;
- I will immediately advise people I know who are sending me improper or questionable material that such transmissions should stop;
- I will not open items that the virus scanner has warned contains a virus or other content harmful to the City's information technology and will delete such items immediately;
- I will use caution when replying to e-mails and ensure that auto reply messages are set to reply to only valid e-mail addresses;
- I will abide by the City's Information Technology Usage policy and procedures, as they may from time to time be amended or supplemented; and I will not use City information

technology for inappropriate uses. Examples of inappropriate uses of City information technology include, but are not limited to:

- Any illegal activity;
- Gaming: betting, gambling, wagering;
- Representing personal opinion as that of the City; or unauthorized solicitations;
- Revealing unauthorized or confidential information; engaging in slander, libel, or other forms of defamation; accessing pornographic material for other than law-enforcement purposes; or
- Communicating obscene messages or information in any form;

If I have a question about whether a use is inappropriate, I will contact my supervisor and abide by his or her decision.

I further understand and agree that I have no expectation of privacy of any usage logs or electronic files during the use of City information technology. The City of Girard reserves the right to review, audit, or monitor my use of any City information technology, with or without notice to me.

_____ _____

Employee Signature Date

_____

Employee Printed Name

Return signed Acceptable Use Agreement for Information Technology to the City Clerk's Office.

APPENDIX C: Employee Acknowledgement of Non-Harassment Policy

By signing below, I acknowledge that I understand and agree that:

- I have been provided with a copy of the City of Girard's Non-Harassment Policy and that I have had a reasonable opportunity to review the policy and ask any questions regarding the Policy and the complaint procedures.
- I understand that harassment of any kind is expressly prohibited by the City, and that if I have reason to know of an incident of harassment, I must immediately report it, as outlined in the Harassment Complaint Procedure.
- I further understand that the most important aspect of the Harassment Complaint Procedure is that the incident is immediately reported, investigated and addressed.
- I understand that I may report an incident of harassment to my supervisor, Department Director, the City Administrator or the City Clerk at any time.

_____ _____

Employee Signature Date

_____

Employee Printed Name

Return signed Employee Acknowledgement of Non-Harassment Policy to the City Clerk.

APPENDIX D: Achievements, Certifications and Education

Prior approval from Department Director and City Administrator for consideration of merit increase due to achievements, certifications and education required – see Chapter 5, Section II. Dependent upon position classification, the City of Girard may provide access to certain trainings and education which may be considered for merit increases. Each position classification is not eligible for merit increases for all achievements, certifications, trainings and education listed. All merit increases are dependent upon budgetary considerations and departmental needs.

All Supervisors

(CPM) Certified Public Manager - $1.00
(PMP) Project Management Professional - $1.00

City Administrator

(CEcD) Certified Economic Developer - $0.25
(LEED AP ND) Leadership in Energy & Environmental Design Accredited Professional Neighborhood Development - $0.25

City Clerk

(MMC) Master Municipal Clerk - $1.00
(CMC) Certified Municipal Clerk - $1.00
January following completion of years one through three at IIMC/CCMFOA Institute - $0.25
(PHR) Professional in Human Resources - $0.25
(SPHR) Senior Professional in Human Resources - $0.25

Police Department

Fire Department

(CFI-I) Certified Fire Inspector I - $0.25
(CFI-II) Certified Fire Inspector II - $0.25
(CFPS) Certified Fire Protection Specialist - $0.25
Certified Fire Instructor I - $0.25
Certified Fire Instructor II - $0.25
Certified EMS Instructor - $0.25
Certified Fire Investigator - $0.25
Certified Fire Officer I, II or III - $0.25 (each)
Certified Driver-Operator Pumper and Aerial - $0.25
EMT- $1.00
EMT-Advanced - $0.25

Public Works Staff

Class III Water License - $1.00 (dependent upon state regulation)
Class II Wastewater License - $1.00 (dependent upon state regulation)

Electric Utility Staff

Merchant's Course (per completed year) - $1.00

Code Compliance Officer

(CFPE) Certified Fire Plan Examiner - $0.25
(CFI-I) Certified Fire Inspector I - $0.25
(CFI-II) Certified Fire Inspector II - $0.25
(CFPS) Certified Fire Protection Specialist - $0.25
(LEED AP ND) Leadership in Energy & Environmental Design Accredited Professional Neighborhood Development - $0.25

Golf, Parks and Recreation Department

Other pre-approved certifications achieved by salaried personnel may be compensated at the scale of a $500 increase to their annual salary for each $0.25 hourly increase for non-exempt personnel. Employees may be recognized by compensation up to $0.50 per hour for educational attainment for each level of schooling completed relevant to the employee's job duties. Qualifying levels of education are: Associates Degree, Bachelor's Degree, Master's Degree, and Doctorate Degree.

Certification and education adjustments are awarded every January and July.