

CITY OF LYONS
EMPLOYEE HANDBOOK

Revised December 4, 2017

WELCOME TO THE CITY OF LYONS!

Starting a new job is sometimes unsettling and a little confusing. This Employee Handbook has been developed to help you get acquainted and answer many of your initial questions.

This Employee Handbook explains our personnel policies and benefits, as well as the specific opportunities and responsibilities that exist for you within our City. In an effort to be responsive to the needs of a growing organization, changes or additions to this Handbook will be made when necessary. We will attempt to give advance notice of any changes or additions, although there may be occasions when policies or procedures are changed without advance notice.

We are glad you have joined us, and we hope you will find your work to be both challenging and rewarding.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jason Hall', with a stylized flourish extending to the right.

Jason Hall
City Manager

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SECTION 1: THE WAY WE WORK

A WORD ABOUT THIS HANDBOOK

Purpose

The information contained in this Handbook is designed as an advisory guide to assist the City and our supervisors with the effective management of personnel and is not meant to address every conceivable situation or issue that arises in the workplace. The provisions and guidelines contained in this Handbook are not binding on the City and may be changed, interpreted, modified, revoked, suspended, terminated, or added to by the City, in whole or in part, at any time, at the City's sole option, and without prior notice to employees. This Handbook, however, cannot anticipate and is not intended to cover every situation which may arise or to create specific policy to be applied in every instance. Instead, this Handbook is intended only to give on-site management general advice concerning personnel decisions.

Employment-At-Will

Nothing contained in this Handbook is intended to create, comprise, or define, nor should it be construed to constitute, any type of oral or written employment contract, promise, or guarantee, express or implied, between the City and any one or all of its employees. Nothing in the Handbook is intended to provide any assurance of continued employment or any guaranty of continuity of benefits or rights. I UNDERSTAND THAT I AM AN AT-WILL EMPLOYEE AND NOTHING IN THE EMPLOYEE HANDBOOK OR OTHER DOCUMENTS SHALL BE CONSTRUED TO CHANGE MY AT-WILL STATUS OR OTHERWISE CREATE ANY TYPE OF CONTRACTUAL RIGHT.

In the absence of a specific agreement to the contrary, authorized in writing by the City Manager, employment with and compensation from the City are for no definite period of time and may be terminated by the City or the employee at any time, for any reason, with or without cause, and with or without notice. Any written or oral statements or promises to the contrary are hereby expressly disavowed and should not be relied upon by prospective or existing employees.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

EEO Policy

We are committed to maintaining a workplace that is free of inappropriate or unlawful conduct on the basis of race, color, religion, sex, national origin, age, disability, genetic information, or other protected group status as provided by law. In keeping with this commitment, we prohibit the unlawful treatment (including harassment, discrimination, and retaliation) of employees, applicants, contractors, interns (paid or unpaid), and volunteers, by anyone, including any supervisor, manager, coworker, contractor, subcontractor, vendor, client, visitor, customer, agent, or other third party. It is our policy to comply with all applicable federal, state, and local laws.

Prohibited Conduct

This Policy applies to all aspects of employment, including, but not limited to, recruitment, hiring, promotion, demotion, transfer, lay-off, recall, discipline, termination, compensation, and benefits. Improper conduct also consists of misconduct that includes unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status or activity (e.g., opposition to prohibited discrimination or participation in the statutory complaint process) as provided for by law. This includes conduct by someone to another of the same gender. We prohibit unlawful conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment. No one, including any supervisor, has authority to engage in such conduct.

If you feel you have been subject to the type of conduct prohibited by this Policy, you must report this conduct in accordance with the City's Complaint Procedure, which is contained in this Handbook. You should report any improper conduct before it becomes severe or pervasive, and you do not have to wait until it rises to the level of an unlawful action.

Sexual Harassment

Unlawful harassment based on an individual's sex is prohibited. Unlawful harassment can take many forms. For instance, unwelcome sexual advances, requests for sexual favors, and

other physical, verbal, or visual conduct can constitute sex-based harassment when (1) submission to the conduct is an explicit or implicit term or condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Inappropriate conduct may include explicit sexual propositions; sexual innuendo; suggestive comments; jokes about gender-specific traits; gender-specific foul or obscene language or gestures; displays of foul, obscene, or sexual material; sexually-related emails and text messages; and physical contact, such as patting, pinching, or brushing against another's body. An individual who feels he or she has witnessed or been subject to harassment must follow the City's Complaint Procedure, which is contained in this Handbook.

Prohibition of Other Types of Discriminatory Harassment

It also is against City policy to engage in verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, age, national origin, disability, genetic information, or other protected status (or status of the individual's relatives, friends, or associates) that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities. An individual who feels he or she has witnessed or been subject to harassment must follow the City's Complaint Procedure, which is contained in this Handbook.

Americans with Disabilities Act

It is our policy to provide equal employment opportunity to applicants and employees with covered disabilities under the Americans with Disabilities Act of 1990, as amended, ("ADA") or other applicable law. This Policy applies to all aspects of employment and application for employment. As required by the ADA or other applicable law, we will provide reasonable accommodations to qualified individuals with a disability in the workplace unless such accommodations present an undue hardship or if the individual is a direct threat to the health or safety of the individual or others.

An individual with a disability may request a reasonable accommodation at any time during the application process or during employment. Reasonable accommodations are changes made to the work environment or to the manner or circumstances in which the job customarily is performed that allow an individual with a disability to perform all essential job functions. We are not required, however, to provide an accommodation if doing so would cause an undue hardship to the City or if the individual is a direct threat to the health or safety of the individual or others in the workplace.

All requests for accommodations will be addressed in connection with an interactive dialogue with the affected individual. The responsibility for seeking a reasonable accommodation begins with the employee or applicant. To request an accommodation, an individual should complete an Accommodation Request Form (which is available from the City Clerk) and return it to the City Clerk. Alternatively, an individual may speak to the City Clerk informally about a request for accommodation, but may be asked to complete an Accommodation Request Form.

Upon receiving a request for accommodation, we will seek an interactive process with the individual to clarify his or her needs and identify the appropriate reasonable accommodation. During this process, we may request reasonable documentation, including medical documentation, of the individual's disability and need for a reasonable accommodation. Failure to provide required medical information or to otherwise participate in a meaningful way in the interactive dialogue process regarding an accommodation request may result in denial of an accommodation. Because of the personal nature of some disability issues, we will take every reasonable effort to ensure confidentiality during the review process.

Individuals will be notified of our decision regarding their request for an accommodation. Any individual believing that a reasonable accommodation has not been provided or who otherwise feels he or she has been discriminated against on account of a disability must follow the City's Complaint Procedure, which is contained in this Handbook.

Religious Accommodations

The City respects the sincerely held religious beliefs and practices of all employees and will make, on request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the City's business. An employee whose religious beliefs or practices conflicts with his or her job, work schedule, or with the City's policy or practice on dress and appearance or with other aspects of employment and who seeks a religious accommodation must submit a written request for an accommodation to the City Clerk. Alternatively, an individual may speak to the City Clerk informally about a request for accommodation, but may be asked to complete an Accommodation Request Form. Upon receiving a request for accommodation, we will seek an interactive process with the individual to clarify his or her needs and identify the appropriate reasonable accommodation. Failure to provide required information or to otherwise participate in a meaningful way in the interactive dialogue process regarding an accommodation request may result in denial of an accommodation. Any individual believing that a reasonable accommodation has not been provided or who otherwise feels he or she has been discriminated against on account of a religious belief or practice must follow the City's Complaint Procedure, which is contained in this Handbook.

Compliance with the Genetic Information Nondiscrimination Act (GINA)

It is a violation of City policy to discriminate, harass, or retaliate against an employee or an applicant on the basis of genetic information when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits, or any other term or condition of employment. The City does not use genetic information to make employment decisions. It is a violation of this policy to ask for or obtain genetic information about an applicant or an employee, unless specifically authorized by law. In those circumstances where genetic information is maintained, it will be retained in a confidential manner and in a separate medical file so as to prevent unlawful disclosure.

EMPLOYEE COMPLAINT PROCEDURE
(INCLUDING COMPLAINTS FOR
VIOLATION OF EEO POLICY, VIOLATION OF CITY POLICY, OR
ANY OTHER UNLAWFUL OR INAPPROPRIATE CONDUCT)

All employees should help to assure that we avoid any form of unlawful or inappropriate conduct. If you feel that you have experienced or witnessed (1) harassment, (2) discrimination, (3) improper denial of a request for accommodation, (4) denial of requested leave under the FMLA, ADA, or otherwise, (5) retaliation, (6) violation of any policy of the City or policy in this Handbook, (7) failure to pay overtime or other violation of the FLSA or wage payment laws, or (8) other unlawful or inappropriate conduct by anyone, including an employee, supervisor, manager, coworker, contractor, subcontractor, vendor, client, visitor, customer, agent, or other third party, you are to notify immediately (preferably in writing within 24 hours) the City Clerk. The address and telephone number for the City Clerk is 161 NE Broad Street, Lyons, GA 30436, (912) 526-3626. If you are not contacted promptly about your complaint or are not satisfied with the response, you are to re-file it with the City Clerk and also send notification of your complaint in writing by certified mail to our City Manager, whose address is 161 NE Broad Street, Lyons, GA 30436. If you are not comfortable discussing the matter with the City Clerk or otherwise do not wish to discuss the matter with the City Clerk, you are to file your complaint directly with the City Manager. We prohibit unlawful retaliation against anyone who has made a complaint or provides information related to a complaint.

Employees utilizing this Complaint Procedure are encouraged to use the Employee Complaint Form that is included in the Appendix to this Manual and also is available from the City Clerk.

We will undertake an objective and appropriate review of any complaint and expect all employees to fully cooperate with internal investigations that may be initiated by the City to examine any perceived violation of City policy or procedure or any other matter. To the extent practicable and appropriate, we will keep any complaint and the terms of its resolution confidential. We will take corrective action as we determine is appropriate, including such discipline up to and including immediate termination of employment. We will undertake corrective action to stop

inappropriate conduct before it rises to the level of an unlawful action. You will be notified as to the outcome of your complaint. If you have any questions about the status of your complaint, you should contact the City Clerk at the above telephone number and address.

Intentionally False Claims

We recognize that intentional or malicious false accusations of misconduct can have a serious effect on innocent men and women. Individuals making such false accusations of misconduct will be disciplined in accordance with the nature and extent of his or her false accusation. We encourage any employee to raise questions he or she may have regarding misconduct or this Policy with the City Clerk.

IMMIGRATION LAW COMPLIANCE

The City employs only United States citizens and those non-U.S. citizens authorized to work in the United States in compliance with all applicable federal and state laws.

Further, this City utilizes E-Verify in order to certify the work eligibility of its employees. E-Verify is an Internet-based system operated by Department of Homeland Security in partnership with Social Security Administration that allows participating employers to electronically verify the employment eligibility of their newly hired employees. E-Verify works by electronically comparing the information on an employee's Form I-9 with SSA and DHS records to verify the identity and employment eligibility of each newly hired employee.

As mandated by E-Verify, the City displays both the English and Spanish Notices of E-Verify Participation and the Right to Work Posters in all work locations. Following is a copy of the E-Verify Poster.

If you have any questions, please contact the City Clerk.

This Organization Participates in E-Verify



This employer will provide the Social Security Administration (SSA) and, if necessary, the Department of Homeland Security (DHS), with information from each new employee's Form I-9 to confirm work authorization.

IMPORTANT: If the Government cannot confirm that you are authorized to work, this employer is required to give you written instructions and an opportunity to contact DHS and/or the SSA before taking adverse action against you, including terminating your employment.

Employers may not use E-Verify to pre-screen job applicants and may not limit or influence the choice of documents you present for use on the Form I-9.

To determine whether Form I-9 documentation is valid, this employer uses E-Verify's photo matching tool to match the photograph appearing on some permanent resident cards, employment authorization cards, and U.S. passports with the official U.S. government photograph. E-Verify also checks data from driver's licenses and identification cards issued by some states.

If you believe that your employer has violated its responsibilities under this program or has discriminated against you during the employment eligibility verification process based upon your national origin or citizenship status, please call the Office of Special Counsel at 800-255-7688, 800-237-2515 (TDD) or at www.justice.gov/crt/osc.

E-Verify Works for Everyone

For more information on E-Verify, please contact DHS:

888-897-7781

www.dhs.gov/E-Verify

NOTICE:
Federal law requires all employers to verify the identity and employment eligibility of all persons hired to work in the United States.



E-VERIFY IS A SERVICE OF DHS AND SSA

The E-Verify logo and mark are registered trademarks of Department of Homeland Security. Commercial sale of this poster is strictly prohibited.

Esta organización participa en E-Verify



Este empleador proporcionará a la Administración del Seguro Social (SSA, por sus siglas en inglés) y, de ser necesario, al Departamento de Seguridad Nacional (DHS, por sus siglas en inglés) la información incluida en el Formulario I-9 de todo empleado nuevo con el propósito de confirmar su autorización de trabajo.

IMPORTANTE: Si el gobierno no puede confirmar que usted tiene autorización para trabajar, el empleador debe suministrarle las instrucciones por escrito y darle la oportunidad de ponerse en contacto con DHS o SSA antes de sancionarlo de cualquier forma o finalizar la relación laboral.

Los empleadores no pueden utilizar E-Verify para realizar preselecciones de solicitantes y no pueden limitar ni influenciar la selección de los documentos que usted presente para su inclusión en el Formulario I-9.

Para determinar si los documentos incluidos en el Formulario I-9 son válidos, este empleador utiliza la técnica de comparación fotográfica para comparar la fotografía que aparece en las Tarjetas de Residente Permanente, Tarjetas de Autorización de Empleo y pasaportes de los EE. UU. con la fotografía oficial del gobierno de los EE. UU. Asimismo, E-Verify verifica los datos incluidos en licencias de conducir y tarjetas de identificación emitidas por algunos estados.

Si considera que su empleador ha infringido sus responsabilidades en virtud de este programa o lo ha discriminado durante el proceso de verificación de la elegibilidad de empleo por su origen nacional o estatus de ciudadanía, comuníquese con la Oficina del Consejero Especial llamando al 800-255-7688, 800-237-2515 (para personas con impedimentos auditivos) o visitando www.justice.gov/crt/osc.

E-Verify funciona para todos

Para obtener más información sobre E-Verify, comuníquese con DHS al:

888-897-7781

www.dhs.gov/E-Verify

AVISO:

La ley federal exige a todos los empleadores que verifiquen la identidad y la elegibilidad de empleo de todas las personas contratadas en los Estados Unidos.



E-VERIFY IS A SERVICE OF DHS AND SSA

El logotipo y la marca de E-Verify son marcas registradas del Departamento de Seguridad Nacional. Queda estrictamente prohibida la venta comercial de este afiche.

ETHICAL CODE OF CONDUCT

Ethical conduct is integral to the success of the City. It is important that each employee understands and accepts the following standards of conduct for which he or she will be held accountable:

- A. Honest and ethical conduct, including the ethical handling of actual or apparent conflicts of interest between personal and professional relationships;
- B. Full, fair, accurate, timely and understandable disclosure in all reports or other public communications made by the City;
- C. Compliance with applicable laws and governmental rules and regulations;
- D. Prompt internal reporting of violations of this Code to an appropriate person or persons identified in this Code; and
- E. Accountability for adherence to this Code.

The City is committed to maintaining a business environment that is free of inappropriate or unlawful conduct. In keeping with this commitment, we will not tolerate any unethical or illegal conduct on the part of our employees, business partners, contractors, subcontractors, vendors, or agents. All persons or entities performing work on behalf or for the benefit of the City are expected to follow the letter and spirit of all applicable laws, regulations, ordinances and accepted financial reporting standards applicable to our business.

Conflict of Interest. While employed by the City, it is your obligation to act at all times in the best interest of the City and not allow any personal activity to conflict with or interfere with your service to the City. As a result, the assumption of or engagement in any interest, relationship or activity by a director, officer or employee tending to impair the independence of such person's judgment with respect to the best interest of the City constitutes a conflict of interest. Employees must report in writing all situations involving even a possible conflict for review by the City Clerk and thereby avoid any attempt to judge their own case. Any doubts about outside business interests or activities should be discussed with the City Clerk. The City expects its officials and employees to exercise the utmost good faith in the performance of their duties. Keeping the City informed will

enable you to receive proper recognition for individual efforts and will avoid any conflict with established City policies.

Gifts. Gifts deserve special mention. Although gifts are often sent by vendors, suppliers, or citizens of the City to employees as an expression of a friendly association, the acceptance of these gifts may establish in the mind of the vendor, supplier, or citizen who sent the gift the need to continue such a practice in order to continue business with the City. This detracts from the City's emphasis on service to its citizens. It is difficult to justify this practice from the standpoint of ethical business conduct. Therefore, in the best interest of all employees as well as the City's business relationships, you should not accept a gift from a vendor, supplier, or customer of the City. In the event a gift is presented to you, you immediately should report the situation to the City Clerk and present the gift for evaluation of any conflict of interest.

Outside Employment. No City employee may accept outside employment that may interfere with the employee's service to the City without prior written approval from the respective Department Head and City Manager. The request and approval must be in writing and included in the employee's personnel record. Each change in dual employment shall require separate approval. Approval may not be granted when, in the sole discretion of the City, such dual employment conflicts or interferes with, is likely to conflict or interfere with, or gives the appearance of a conflict or interference with the employee's service to the City. Under no circumstances shall City employees engage in any private business or activity while on duty with the City.

Complaint Procedure. The City will not tolerate conduct that is contrary to applicable law. No supervisor or City employee has authority to engage in such conduct. If you feel you have been witness to or have knowledge of the type of conduct prohibited by this Policy, you must report this conduct by utilizing the City's Complaint Procedure, which is contained in this Handbook.

The harassment, discrimination, unlawful treatment, or other form of retaliation against any individual making a report of a violation of this Policy by anyone, including any employee, supervisor, coworker, contractor, subcontractor, vendor, client, customer, or agent of the City, is prohibited. In the event you feel you have been subjected to retaliation for the making of a

complaint pursuant to this Policy, you must report this conduct by utilizing the City's Complaint Procedure, which is contained in this Handbook.

WHISTLEBLOWER AND FRAUD, WASTE, AND ABUSE REPORTING POLICY

Ethical conduct is integral to the success of the City. Because the conduct and character of the City depend upon the actions of many persons, it is important that each employee understands that the City is committed to conducting its activities with integrity. In keeping with this commitment, the purpose of this Whistleblower and Fraud, Waste, and Abuse Reporting Policy is to encourage the reporting of suspected fraud, waste, or abuse in or relating to any programs of the State of Georgia and operations of the City, such as:

- Violation of or noncompliance with any law, rule, or regulation;
- Theft or unauthorized use of City property, including funds, monies, or other assets;
- Embezzlement or other financial irregularities;
- Forgery or other deliberate and wrongful alteration or destruction of City documents or files;
- Misappropriation or destruction of City resources;
- Improprieties in the handling or reporting of money or financial transactions;
- Unauthorized or wrongful manipulation of City systems or databases;
- Disclosing confidential and propriety information to outside parties that otherwise is not subject to public disclosure by law without advance approval;
- Knowingly authorizing or receiving payment or reimbursement for goods not received, expenses not incurred, or services not performed; and
- Knowingly providing false or misleading information as a part of the City's filing with any government agency.

If you feel you have been witness to or have knowledge of the type of conduct prohibited by this Policy, you should report this conduct by using the City's Complaint Procedure, which is contained in this Handbook. The City will not retaliate against any employee who makes a complaint pursuant to this Policy or who objects to, or refuses to participate in, any activity, policy, or practice of the City that the employee has reasonable cause to believe is in violation of or noncompliance with a law, rule, or regulation. This Policy does not apply to policies or practices of the City that implement, or to actions by the City against employees who violate, privilege or confidentiality obligations recognized by applicable law.

A WORD ABOUT OUR EMPLOYEE RELATIONS PHILOSOPHY

We are committed to providing the best possible climate for maximum development and achievement of goals for all employees. Our practice has always been to treat each employee as an individual. We have always sought to develop a spirit of teamwork; individuals working together to attain a common goal.

In order to maintain an atmosphere where these goals can be accomplished, we have provided a workplace which is comfortable and progressive. Most importantly, we have a workplace where communications are open and problems can be discussed and resolved in a mutually respectful atmosphere taking into account individual circumstances and the individual employee.

We believe the main reason we have been able to adhere to our policy of individual and team recognition is that we have been able to speak directly to each other.

We firmly believe that by our communicating with each other directly, we can continue to resolve any difficulties that may arise and develop a mutually beneficial relationship.

TALK TO US

We encourage you to bring your questions, suggestions and complaints to our attention. Careful consideration will be given to each of these in our continuing effort to improve operations.

If you feel you have a problem, you should present the situation to your supervisor so that the problem can be settled by examination and discussion of the facts. We hope that he or she will be able to satisfactorily resolve most matters. If you find that you still have questions after meeting with your supervisor or that you would like further clarification on the matter, you may request a meeting with the Department Head, if your department has a designated Department Head other than your supervisor. The Department Head will review the issues and meet with you to discuss possible solutions. Finally, if you still believe that your problem has not been fairly or fully addressed, or if your department does not have a separate Department Head other than your supervisor, you may request a meeting with the City Manager.

Of course, if you have a complaint that is covered by the EEO Policy or any other City policy as set forth in this Handbook, you must use the City's Complaint Procedure, which is contained in this Handbook.

Your suggestions and comments on any subject are important to us so we encourage you to take every opportunity to discuss them with us. Your job will not be adversely affected in any way because you choose to use this procedure or the City's Complaint Procedure.

SUGGESTIONS AND IDEAS

We are always interested in your constructive ideas and suggestions for improving our operations. Your suggestions should be submitted in writing to your supervisor.

After your suggestion is investigated, you will be notified whether or not it is feasible to put into practice.

Management believes that suggestions indicate initiative on the part of an employee. With your approval, we will place the written suggestion in your personnel file and take it into consideration at the time of your performance review.

CATEGORIES OF EMPLOYMENT

Introductory Period: All new employees (or any employee in a new position following a transfer or promotion) will be on an introductory status until they have completed one hundred twenty (120) days of service with the City, unless otherwise extended. The decision whether to continue your employment in this position will be made by management. However, any employee, during both their introductory period and subsequent employment with the City, may be discharged at any time for any reason.

This introductory period is designed, primarily, to give both the City and the employee an opportunity to determine whether the employee will be able to adequately perform in the assigned job position. At the end of the introductory period, your performance will be reviewed and a decision made regarding your continued employment or any extended introductory period.

Regular Full-Time Employees work a regular workweek (usually 40 hours) and are eligible for our fringe benefits package as described in the applicable benefit plan documents.

Regular Part-Time Employees normally work 30 hours or less each week and are eligible for statutory benefits only. City-provided benefits are not offered to part-time employees.

Seasonal Employees are hired to perform a specific job for a specified period of time, normally less than one year. These employees are eligible for statutory benefits only. City-provided benefits are not offered to part-time employees.

Public Safety Full-Time - 207(k) Employees

Regular full-time law enforcement officers work a 43-hour work week or at least one hundred sixty eight (168) hours during a twenty-eight (28) day cycle or such other schedule as determined to be full-time in compliance with FLSA standards. Regular full-time public safety employees include firefighters who work at least two hundred twelve (120) hours during a twenty-eight (28) day cycle or such other schedule as determined to be full-time in compliance

with FLSA standards. Full-time public safety employees are eligible to receive all authorized City benefits.

It is important for all employees to understand that: (1) no employee is guaranteed any certain number of hours per week or a particular schedule; (2) employees may be shifted from part-time to full-time or vice versa; and (3) the City specifically reserves the right to make changes to employees' hours and schedule without any advance notice or consent by the employee.

TRANSFERS

The posting of open positions will be determined by the City Manager and the Department Head. The City utilizes the option of internal job postings, newspaper ads, and website postings. If an employee wishes to apply for a job that is posted internally, they must notify their Department Head in writing prior to submitting a completed City application. If the position to which an employee transfers carries benefits and salary different from those of the previous position, the benefits of the new position apply. The City Manager must approve the transfer.

SECTION 2: YOUR PAY AND PROGRESS

RECORDING YOUR TIME

We want to be sure that you are paid fairly for all hours that you work. To accomplish this, we must have an accurate record of the time that you work. This City uses a time clock to keep time records. Your supervisor will explain how this clock is used. The important points to remember are:

1. Be sure that you clock in at the start of your shift.
2. Be sure you clock out at the beginning of your lunch period.
3. Be sure you clock in at the end of your lunch period.
4. Be sure you clock out at the end of your shift.
5. If you leave the building on non-City business, you must clock out.

Using any timecard other than your own, or tampering with a timecard in any way, will result in disciplinary action up to and including discharge. Any employees who wishes to make a change to or omission from a timecard must complete a Time Sheet Adjustment form, which is available from the City Clerk. This form must be signed by the employee and the department head.

At the end of each pay period, you are required to approve your time worked and any leave hours recorded for the pay period by noting your approval on a leave sheet or time sheet adjustment sheet. If you believe any of the information reflected is incorrect, you will have the opportunity to explain the issue, which then will be reviewed by the City Clerk. By approving your timecard, you are certifying that the information you submitted is complete and accurate. You may be subject to disciplinary action up to and including termination for submitting any inaccurate information on your report.

Further, it is extremely important that non-exempt employees do not perform any work that is not recorded by the time system. Each employee has an obligation to always must make sure that his or her time is recorded by the standard time recording system. For instance, non-exempt employees may not use their City cell phones for work purposes outside of their normal work schedule without authorization in advance from their manager. If a non-exempt employee uses a

City cell phone for work purposes outside of their normal work schedule, he or she must record all time spent working on his or her timesheet.

If you are asked or instructed by anybody in the City to perform work “off the clock” (in other words, perform work without reporting it on the time system), you are directed to refuse, and you immediately must report the situation by utilizing the City’s Complaint Procedure, which is contained in this Handbook. Make sure you record your work time using the designated time recording system. Finally, if you contend you have not been paid time for all hours worked, please utilize the City’s Complaint Procedure, which is contained in this Handbook.

The City takes reasonable steps to ensure that employees receive the correct amount of pay in each paycheck, and that employees are paid promptly on the scheduled payday. In the event that there is an error in your paycheck, you should promptly report the discrepancy using the City’s Complaint Procedure, which is contained in this Handbook, so that adjustments in pay and/or deductions can be corrected as quickly as possible. In the event of an overpayment, the City will work with you to determine a feasible repayment schedule.

Please also see the City’s related policies on Work Time/Overtime and Meal Time, which are contained in this Handbook.

REST BREAKS

The City does not provide designated rest break periods. If and when rest breaks are given depends on the department involved and the operating needs of the department as determined by the supervisor and/or Department Head. These rest break periods should not exceed fifteen (15) minutes, and employees will be paid during any such breaks. Please note, however, that such periods, including “coffee breaks,” shall not be permitted to allow an employee to come in late, leave early, or extend the lunch period.

CALL-BACK PAY

An emergency call-back is defined as an unscheduled request made by an appropriate management official for an employee to return to work to do unforeseen or emergency work after leaving the building or work location at the end of his or her regular shift and before the beginning of the next regularly scheduled shift.

An on-call employee who is called back to work outside his or her normal work schedule shall be paid for the actual time worked or a minimum of two (2) hours, whichever is greater.

Time worked while on call will be calculated at the employee's regular rate of pay unless the hours worked exceed 40 in a workweek. The only exception to this rule is emergency call-backs that occur during paid holiday leave (see next paragraph). If an on-call employee is not called back, no pay will be earned. Only employees who are called back by a supervisor will be listed on the call back sheet. An employee can request to be put on call-back status as a way to "make up" time lost during the regular work cycle to avoid using vacation or personal leave.

Emergency call-backs that occur during an official City-paid holiday leave will be considered overtime regardless of accrued work cycle hours. Justification must be provided by the Department Head to validate that the call-back is an emergency. An employee who is called back to work an emergency during an official City-paid holiday will be paid at time plus one half for a minimum of two hours or actual hours worked, whichever is greater. This time will be paid in addition to the employee's regular work cycle hours and holiday pay.

Department Heads will establish reasonable maximum response times (between 15 and 60 minutes) for their respective departments.

Employees who are on call must adhere to all City of Lyons policies, including Substance Abuse and Testing. Any variance from such policies may result in disciplinary action, up to and including termination.

PAY ADVANCES

Pay advances will not be granted to employees.

CONFIDENTIALITY OF COMPENSATION AND BENEFITS

The City prohibits improper or unauthorized use of the City's records or computer system to access confidential employee compensation and benefits that is not otherwise subject to disclosure under Georgia's Open Records Act or other applicable law. Improper or unauthorized access to the City's records or computer system may violate federal or state law. This Policy does not prohibit individuals from discussing their own compensation and benefits with other employees, so long as you did not come into possession of such information through access which you have as part of your formal City duties.

WORK TIME/OVERTIME

The City complies with the requirements of the Fair Labor Standards Act and any applicable local law with respect to wages and hours. Please understand that there may be times when you will need to work overtime so that we may successfully meet the needs of our customers. However, all overtime must be approved in advance by the City Manager or his designee.

Non-exempt hourly employees will be paid overtime at a rate of one and one-half times their regular hourly rate for all hours worked over 40 in a week (over 212 hours in a 28-day period for firefighter personnel and over 86 hours in a 14-day period for law enforcement personnel). For all employees, only actual hours worked count toward computing weekly overtime.

A non-exempt employee may request to receive compensatory time off instead of overtime payment. However, employees cannot be required to accept compensatory time instead of receiving overtime payment. Compensatory time cannot be accumulated and must be used within the two pay periods following the accumulation of overtime in a particular workweek. In order to receive compensatory time off, a non-exempt employee must notify and receive permission from his or her supervisor and department director in advance and also complete a Leave Request form.

Exempt salaried employees do not receive overtime pay. Exempt salaried employees are subject to deductions from their salaries only for lawful reasons.

If an employee feels he or she has been subject to an improper salary deduction, has been improperly classified as exempt or non-exempt, or has not been paid overtime for any hours worked over 40 in a workweek, the employee must utilize the City's Complaint Procedure, which is contained in this Handbook. In the event it is determined that an improper deduction was made or that an employee was not paid any overtime due, the City will reimburse the employee.

Please also see our related policies on Recording Your Time and Meal Time, which are contained in this Handbook.

MEAL TIME

A sixty (60)-minute, unpaid meal break must be taken each day by all non-exempt employees. You should be completely relieved of your duties during this meal break. Your supervisor is responsible for approving the scheduling of this meal break.

If you are asked or instructed by anybody in the City to perform work “off the clock” (in other words, perform work without reporting it on the time system) during your 60-minute meal break, you are directed to refuse and to immediately report the situation by utilizing the City’s Complaint Procedure, which is contained in this Handbook. Finally, if you contend you did perform work during a meal break and have not been paid accurately for that time, please utilize the City’s Complaint Procedure, which is contained in this Handbook.

Please also see our related policies on Recording Your Time and Work Time/Overtime, which are contained in this Handbook.

TRAVEL TIME AND WORK OUT OF TOWN FROM THE OFFICE

When a non-exempt employee works out of town, either on a one-day trip or on an overnight visit, the employee will be paid for all compensable time, as provided for the below policy, which shall be interpreted and applied in accordance with applicable federal and state law. Please discuss any questions regarding compensation for your out of town trip with the City Clerk. Please also see our policies on Recording Your Time and Work Time/Overtime, which are contained in this Handbook.

“Authorized traveler” under this Policy means City employees and members of municipal boards and committees appointed by the mayor or the municipal governing body who are traveling on official municipal business and whose travel was authorized in accordance with this ordinance. “Authorized traveler” shall not include the spouse, children, other relatives, friends, or companions accompanying the authorized traveler on city business, unless the person(s) otherwise qualifies as an authorized traveler under this ordinance. In addition, this policy shall not cover City elected officials. Travel time for City elected officials is addressed in a separate policy that is available upon request from the City Clerk.

Expense Reimbursement

Authorized travelers are entitled to reimbursement of certain expenditures incurred while traveling on official business for the City. Reimbursable expenses shall include expenses for transportation; lodging; meals; registration fees for conferences, conventions and seminars; and other actual and necessary expenses related to official business as determined by the City. Under certain conditions, entertainment expenses may be eligible for reimbursement.

Unauthorized purchases include, but are not limited to:

- Alcoholic Beverages
- Un approved entertainment expenses
- Clothing
- Excess hotel amenities (i.e., pay per view movies and games)

Authorized travelers can request either a travel advance for the projected cost of authorized travel, or advance billing directly to the city for registration fees, air fares, meals, lodging, conferences and similar expenses. Travel advance requests are not considered documentation of travel expenses. If travel advances exceed documented expenses, the traveler must immediately reimburse the city. It will be the responsibility of the City to initiate action to recover any undocumented travel advances. Travel advances are available only for special travel and only after completion and approval of the travel authorization form.

A travel expense reimbursement form must be used to document all expense claims. To qualify for reimbursement, travel expenses must be:

- Directly related to the conduct of the city business for which travel was authorized; and
- Actual, reasonable and necessary under the circumstances.

The City may pay directly to the provider for expenses such as meals, lodging, and registration fees for conferences, conventions, seminars and other education programs.

Employees are entitled to reimbursement for meals during approved travel, training, or other time away from the office relating to performance of the employee's job at a maximum of forty-six dollars (\$46.00) per day, based on the following breakdown:

Breakfast \$11.00

Lunch \$12.00

Dinner \$23.00

If any meal is included in the cost of training or conference, then the employee shall not receive reimbursement for the cost of that meal.

Mileage and motel expenses incurred within the City are not ordinarily considered eligible expenses for reimbursement.

The City Manager may make exceptions to this Policy for unusual circumstances. Expenses considered excessive will not be allowed. All Claims for travel expense reimbursement must be

supported by the original paid receipt for lodging, vehicle rental, phone call, public carrier travel, conference fee and other reimbursable costs.

Any person attempting to defraud the City or misuse City travel funds is subject to disciplinary action, up to and including termination of employment, and also may be subject to legal action for recovery of fraudulent travel claims and/or advances.

Pay During Travel

Overnight, Out-of-Town Trips -- Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled work days (such as weekends). Non-exempt employees also will be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited absent advance management authorization. Non-exempt employees will not be paid for time spent in travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile.

Out-of-Town for One Day -- Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things; (i) time spent traveling between the employee's home and the local railroad, bus or plane terminal; and (ii) meal periods.

Local Travel -- Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday. The trip home, however, is non-compensable when an employee goes directly home from his/her final job site, unless it is much longer than his/her regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

Commuting Time -- Under the Portal to Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near his/her home, but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.

Pay During Training

To be authorized and compensable by the City, training must meet all of the following criteria:

- You attend the training during regular working hours;
- Attendance is mandatory; and
- The instruction session is directly related to your job.

Training that does not meet all three criteria will be addressed on a case-by-case basis by department head and City manager.

Employees will be paid their normal hourly wage for scheduled class time that meets the above criteria. Employees required to travel for training time will be compensated as provided in this Policy and are expected to use the shortest, fastest route practicable from Lyons, Georgia to the location of the training.

Personal Vehicle Use

When a personal car is used for travel, reimbursement will be paid for actual mileage. Employees shall pool rides whenever possible. When using a privately owned vehicle, mileage shall be reimbursed at the prevailing rate per mile. If two (2) or more City employees are transported in the same vehicle, mileage will be paid the driver (vehicle owner) only.

SECTION 3: TIME AWAY FROM WORK AND OTHER BENEFITS

HOLIDAYS

Our City observes various holidays during the year. The following are the official holidays that will be observed:

New Years Day (January 1)

Martin Luther King Day (Third Monday of January)

Good Friday

National Memorial Day (May 28)

Independence Day (July 4)

Labor Day (first Monday in Sept.)

Veterans Day (November 11th)

Thanksgiving Day (fourth Thursday in November)

Thanksgiving Friday (Friday following Thanksgiving Day)

Christmas Day (December 25)

If one of the holidays falls on Saturday, it normally will be observed on the preceding Friday; if one falls on Sunday, it normally will be observed on the following Monday.

You must work your scheduled workday before and after the holiday in order to be paid for the holiday, unless you are absent with prior permission from your supervisor. The City retains the discretion, at all times, to modify the holiday schedule (including whether a day is considered a holiday under this policy) without notice to the employees.

ANNUAL LEAVE AND SICK/PERSONAL LEAVE

Annual Leave

Purpose of Leave - Annual leave is leave that is earned to be used for vacations, personal business activities, and other personal activities. Accrual of annual leave is an earned right. Taking annual leave is a privilege that must be approved by the appointing authority or his or her designee.

Accumulation Rate - Beginning the date of their employment, covered employees shall be eligible to earn (40) hours of annual leave per year of employment. Beginning the third anniversary of employment, covered employees shall be eligible to earn (80) hours of annual leave per year of employment. Beginning the seventeenth anniversary date of employment covered employees shall be eligible to earn (120) hours of annual leave per year of employment. Upon separation from employment, a full-time employee, if in good standing as determined within the City's sole discretion, may be paid for unused annual leave.

Leave shall accumulate at a weekly rate equivalent to the yearly total divided by fifty two (52). An employee is not eligible to take annual leave during the first six months of employment except with prior written approval from his/her department head and the city manager. An employee is discouraged from taking annual leave during the second six months of the first year of employment and must have approval from his/her department head in order to qualify for annual leave. Accumulation of annual leave will be suspended during time when employees are on any form of leave without pay status.

Annual leave will be paid at the employee's regular rate and may not cause an employee to receive overtime. In the event that your annual leave time causes your weekly hours to exceed your position's approved work cycle (40 hours / 84 hours), you will be contacted by your supervisor and given the opportunity to sell your vacation or reduce the hours requested for vacation so as the total will equal your position's approved work cycle (40 hours / 84 hours).

Leave Forfeiture - No more than one year's accumulation of annual leave may be carried over from one year to the next. Any leave in addition to that will be forfeited at the completion of the first quarter following the anniversary date. It is not the intention of the City for any of its employees to forfeit leave. All employees are encouraged to plan their leave request with their supervisors to avoid forfeiture. This is the responsibility of the employee and not the City.

Request for Leave - Employees must request all annual leave in advance in writing, and the leave must be approved by the appointing authority or his or her designee before the leave is taken.

Sick/Personal Leave

Purpose of Leave – Sick/Personal Leave is leave accumulated to be taken for bona fide illness or injury, or other medical related necessities such as physician appointments, medical examinations, and dental appointments, of the employee or members of the employee's immediate family or to allow employees to attend to personal business. Sick/Personal Leave

cannot be purchased for a cash equivalent unless or until the leave meets leave forfeiture requirements.

Eligibility - All full-time employees shall be eligible for sick leave.

Accumulation Rate - Beginning the first day of full-time employment, full-time employees are eligible for Sick/Personal Leave. During the first calendar year of employment, employees will receive Sick/Personal Leave in an amount pro-rated at the rate of .77 hours times the number of calendar weeks remaining in the year. On January 1 of each calendar year of full-time employment thereafter, employees will receive forty (40) hours of Sick/Personal Leave. Accumulation of Sick/Personal Leave will be suspended during time when employees are on any form of leave without pay status.

Sick/Personal Leave will be paid at the employee's regular rate and may not cause an employee to receive overtime. Sick/Personal Leave may not be sold.

Maximum Accumulation – Sick/Personal Leave may be accumulated and stored with a maximum accumulation of two hundred and forty (240) hours. Employees will not be paid for accumulated Sick/Personal Leave upon separation from employment.

Reporting - The employee shall report any sick leave absence prior to his or her scheduled work time if possible, and if not, the employee shall see that his or her absence is reported within one (1) hour after the scheduled time for the employee to begin work. Requests for sick leave should be made to the supervisor of the employee requesting leave. A sick leave request form must be completed and forwarded to the personnel division of city hall as soon as possible before or immediately after the leave is taken. Personal leave must be scheduled a minimum of 24 hours prior to date of leave. A leave request form must be completed and approved by department head.

Approval - Sick/Personal Leave requires the approval of the department head or his or her designee.

Physician's Certificate - A medical statement signed by a licensed physician may be required to substantiate sick leave for:

- A. absence of three (3) or more consecutive work days; or
- B. to support a request for sick leave during annual leave.

JURY DUTY

Employees who are summoned for jury duty must provide proof of jury summons. You should make arrangements with your supervisor as soon as you receive your summons. In fairness to our City, you are expected to return to your job if you are excused from jury duty during your regular working hours. The City will pay employees their regular compensation while on jury duty, and employees must submit to the City any fee or compensation the employee receives for serving as a juror.

MILITARY LEAVE

The City will comply with its obligations for those employees who serve in any branch of the United States uniformed military services, including providing any necessary time off, in accordance with federal, state, and local law. The Family and Medical Leave Act of 1993 (“FMLA”) and the Uniformed Services Employment and Reemployment Rights Act (“USERRA”) contain provisions regarding certain types of military leave. The FMLA’s provisions regarding military leave are addressed in detail in the Family and Medical Leave Policy in this Handbook. Employees who are eligible to take military leave must comply with all applicable requirements. Questions regarding the City’s military leave policy should be directed to the City Clerk. If you believe you have been denied leave to which you are entitled or otherwise discriminated against because of your use of military leave, please utilize the City’s Complaint Procedure, which is contained in this Handbook.

PERSONAL LEAVE OF ABSENCE

An employee with one year of employment may be granted a personal leave of absence without pay. The granting of this type of leave normally is for compelling reasons. Requests for a personal leave of absence should be directed in writing to the City Manager. The final decision as to eligibility and to the amount of such leave is within the sole discretion of the City. The City may consider factors such as the employee's tenure with the City, unusual personal hardship, employee work performance, City business needs and expenses, and other business considerations regarding approval and amount of any leave in a particular situation.

A personal leave of absence ordinarily may not exceed two weeks. Leaves of absence are granted only after earned PTO/vacation is exhausted. We will make reasonable efforts to return you to the same or similar job as held prior to the leave of absence, subject to our staffing and business requirements.

It is the employee's responsibility to return to work on the date the personal leave of absence expires. Should the employee fail to return and fail to notify the City Manager of a request for an extension, the City will consider the employee to have voluntarily resigned from employment. A request for extension of a leave of absence must be in writing and must be received at least five working days prior to the expiration of a leave.

Unless pre-approved in writing by an authorized representative of the City, engaging in other gainful employment during any leave of absence is prohibited.

PAID LEAVE

The City will consider requests for paid leave of absence on a case-by-case basis. Requests should be submitted as far as reasonably possible in advance of the need for leave. Requests for paid leave should be directed in writing to the City Manager. The final decision as to eligibility and to the amount of such leave is within the sole discretion of the City. The City may consider factors such as the employee's tenure with the City, unusual personal hardship, employee work performance, City business needs and expenses, and other business considerations regarding approval and amount of any leave in a particular situation.

Employees receiving paid leave will simultaneously exhaust any unused PTO and any FMLA leave.

BEREAVEMENT LEAVE

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his or her supervisor immediately. Up to three (3) consecutive calendar days of paid bereavement leave for each qualifying death will be provided to eligible employees in the following classifications:

- Department Heads
- Regular full-time employees

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as overtime, bonuses, or shift differentials. Approval of bereavement leave will occur in the absence of unusual operating requirements.

Any employee may, with the supervisor's approval, use any other available paid leave, except sick leave, for additional time off as necessary.

The City defines "immediate family" for purpose of this Policy as the employee's spouse, parent, child, sibling; the employee's spouse's parent, child, or sibling; the employee's child's spouse; grandparents or grandchildren.

FAMILY AND MEDICAL LEAVE

The Family and Medical Leave Act of 1993 (“FMLA”) provides unpaid, job-protected leave to eligible employees for certain family and medical reasons, without loss of health insurance benefits. The existence of this Policy shall not alter or expand the statutory requirements of the FMLA, and application of this Policy is correspondingly limited to those employers and employees who are protected based on the provisions of the FMLA.

In addition to the information on the Notice following this Policy (identified as Employee Rights and Responsibilities), the following information is provided to explain the employee’s rights and obligations when requesting a family or medical leave:

A. Eligibility for Leave and Amount of Leave

- To be eligible for leave under this Policy, an employee must have been employed for a total of twelve (12) months, must have worked at least 1,250 hours during the 12-month period preceding the commencement of the leave, and must work at a facility with 50 or more employees within a 75-mile radius of this worksite.
- An eligible employee may take FMLA leave for up to 12 weeks of unpaid leave for one or more of the following reasons: (1) the birth of the employee’s child; (2) placement of a child with the employee for adoption or foster care; (3) to care for the employee’s child, spouse, or parent who has a serious health condition; (4) the employee’s own serious health condition that makes the employee unable to perform the functions of his or her job, or (5) because of a qualifying exigency arising out of the fact that the employee’s spouse, child, or parent is a member of the National Guard or Reserves who has been deployed to a foreign country under a call or order to active duty (or has been notified of an impending call or order to active duty) or is a member of the regular Armed Forces who has been deployed to a foreign country. An employee may take a total of 12 workweeks of unpaid leave for the reasons specified above during a rolling 12-month period measured backward from the date an employee uses any FMLA leave.

- If you and your spouse are both employed by the City, the two of you together are entitled to a combined total of 12 weeks of FMLA leave for the birth, adoption, or placement of a child, or to care for a covered family member with a serious health condition. The right to FMLA leave for the birth, adoption, or placement of a child expires 12 months after the date of the birth, adoption or placement.

- An eligible employee may take up to twenty-six (26) weeks of unpaid, job-protected leave in a single 12-month period (measured beginning on the date the leave begins) to care for a spouse, child, or parent who is a covered servicemember. The term “covered servicemember” means: (i) a servicemember (including in the Regular Armed Forces, the National Guard, and the Reserves) who has a serious injury or illness that was incurred or aggravated in the line of duty while on active duty for which he or she is undergoing treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or (ii) a veteran undergoing medical treatment, recuperation, or therapy for a qualifying serious injury or illness that was incurred or aggravated in the line of duty while on active duty and who was a member of the Armed Forces (including in the National Guard or the Reserves) within five (5) years preceding the date the veteran undergoes that treatment, recuperation, or therapy.

- FMLA leave to care for a seriously ill or injured servicemember runs concurrently with other leave entitlements provided under federal, state, and local law. Leave that qualifies as both leave to care for a covered servicemember and leave to care for a family member with a serious health condition during a single 12-month period may not be designated and counted as both types of leave. Such leave will be designated first as leave to care for a covered servicemember.

- Unless otherwise required by law, no employee will be entitled to more than a combined total of 26 weeks of leave in a single 12-month period for any FMLA-qualifying reason.

- The FMLA permits eligible employees to take leave intermittently or on a reduced- schedule

leave when medically necessary for the serious health condition of the employee or the employee's family member or to care for a covered servicemember with a serious injury or illness. In the case of planned medical treatment, the employee must attempt to schedule the intermittent or reduced-schedule leave so as not to unduly disrupt the City's operations. Intermittent leave is not available for the birth, adoption or placement of a child unless agreed to by the City. The City may transfer the employee temporarily to an alternative position with equal pay and benefits that better accommodates any recurring periods of intermittent leave.

- If an employee is entitled to paid leave under another benefit plan or policy (which includes, but is not limited to, short-term disability, unused paid vacation, and sick, family, or personal leave), the employee must substitute the paid leave for FMLA leave. Such available paid leave will be counted against the unpaid FMLA leave entitlement. The employee is required to satisfy any procedural requirements for receiving payment under paid leave as provided in this Handbook when substituting paid leave for FMLA leave.

B. Request for and Designation of Leave

- To request FMLA leave, the employee must complete and sign a Request for Family and Medical Leave form and submit it to the City Clerk. When the need for FMLA leave is foreseeable, the employee must provide notice and submit the Request for Family and Medical Leave form at least thirty (30) calendar days in advance of the effective date of the leave. If 30 days notice is not practicable (such as if the employee is uncertain as to when the leave will begin or in the case of a medical emergency), the employee must provide notice as soon as practicable. If the need for leave is not foreseeable or in the case of a qualifying exigency, the employee must give the City notice of the need for FMLA leave as soon as practicable under the particular circumstances.
- An employee must provide notice sufficient for the City to determine that the leave is for an FMLA-qualifying event. In the case of unforeseeable leave, calling in "sick" without providing any additional information is not sufficient. When an employee seeks FMLA

leave for a qualifying reason for which the City previously has granted FMLA-protected leave, the employee must specifically reference the qualifying reason for leave or the need for FMLA leave. If the employee fails to provide the City the reason for leave, leave may be denied.

- The employee will be notified within five (5) business days of his or her request for FMLA leave whether the employee is eligible for FMLA leave, absent extenuating circumstances. At that time, employees will be provided written notice of their rights and responsibilities and the consequences for failure to meet these obligations. When the City has sufficient information to determine whether the leave is for an FMLA-qualifying event, the employee will be notified within five (5) business days whether the leave will be designated and counted as FMLA leave, absent extenuating circumstances.
- When scheduling planned medical treatment, the employee must consult with the City in advance to ensure that the City's operations are not unduly disrupted by the employee's absence(s).
- Employees should understand that, for any absences, whether covered by the FMLA or not, it is imperative to follow the City's usual and customary internal notice and procedural requirements for requesting leave, as outlined in the City's Employee Handbook. If an employee fails to comply with the City's internal notice and procedural requirements and no unusual circumstances justify such failure, FMLA-protected leave may be delayed or denied.

C. Certification and Recertification of Leave

- The City requires that an employee provide a complete and sufficient certification of a serious health condition of the employee or the employee's family member, of a qualifying exigency, or of the need to care for a covered servicemember with a serious injury or illness. Certification forms are available from the City Clerk. The employee must submit the completed certification form to the City within fifteen (15) calendar days, unless it is not

practicable to do so under the particular circumstances. Failure to provide such certification may result in the delay or denial of FMLA leave.

- If the City has reason to doubt the validity of a medical certification, the City, at its own expense, may require a second medical opinion from a physician it chooses. If the first and second opinions differ, the City, at its own expense, may require the opinion of a third health care provider that is approved jointly by the City and the employee. The third opinion will be considered final and binding.
- Where the employee's need for leave due to the serious health condition of the employee or the employee's covered family member lasts beyond a single leave year, the City requires the employee to provide a new medical certification in each year the employee subsequently takes leave.
- Where leave is taken for the serious health condition of the employee or the employee's covered family member, the City may require recertification of the leave every six (6) months, or on a more frequent basis in certain circumstances.
- Employees returning from an approved FMLA leave due to their own serious health condition will be required to present a fitness-for-duty certification from their health care provider indicating that they are medically able to resume work. This certification specifically must address the employee's ability to perform the essential functions of his or her job. The City may delay returning the employee to work until this certification is received. Failure to provide this certification may subject the employee to termination.
- In the case of intermittent FMLA leave for an employee's own serious health condition, employees are required to present a fitness-for-duty certification every thirty (30) days if the City determines that reasonable safety concerns exist regarding the employee's ability to perform his or her duties because of the employee's serious health condition.

D. Employee Responsibilities While on Leave

- During an approved FMLA leave, employees are entitled to the same health insurance they had before the leave began. Employees who pay some or all of their health insurance premium will be required to continue to pay the premiums in order to continue benefit coverage during the leave period. The employee is responsible for making arrangements to pay any premiums due during the leave period. Employees who do not return to work following FMLA leave will be liable for the payment of any health insurance premiums paid by the employer during unpaid FMLA leave, unless the failure to return to work was due to the continuation, recurrence, or onset of a serious health condition or for other circumstances beyond the employee's control.
- Employees will be required to periodically advise the City of their status and intent to return to work at the conclusion of the FMLA leave. Employees also must provide notice to the City at least two (2) business days prior to their return to work. If an employee unequivocally indicates his or her intent not to return to work after taking FMLA leave, the employee is subject to termination.
- While on leave, the employee may not be eligible for bonuses or other payments based on attendance or job-related performance goals, in the City's discretion, where the employee has not met that goal due to FMLA leave.
- Outside employment during an employee's leave period without written City approval is prohibited and may result in disciplinary action, up to and including termination of employment. Further, engaging in deceptive or misleading conduct as a part of an employee's leave (including lying about the reason or need for such leave) may result in disciplinary action, up to and including termination.

E. Return from Leave

- Employees returning from FMLA leave will be restored to the same or an equivalent job.

The FMLA does not entitle a restored employee to any right, benefit, or position of employment other than any right, benefit, or position to which the employee would not have been entitled had the employee not taken leave.

- A request to substitute paid leave for unpaid FMLA leave or a request for any leave not covered by the FMLA may be subject to additional approval, certification, and reinstatement requirements. In addition, employees requesting to substitute paid leave for unpaid FMLA leave or requesting other approved leave will be required to complete all applicable forms.

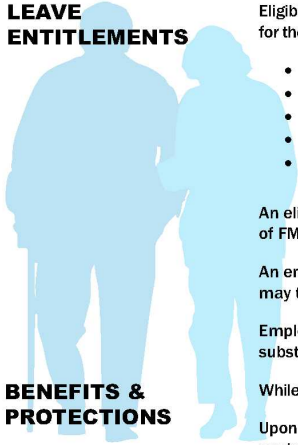
F. Complaint Procedure

If you believe you have been denied any right under the FMLA or otherwise discriminated against because of your use of FMLA leave, please utilize the City's Complaint Procedure, which is contained in this Handbook.

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.



For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division



MEDICAL LEAVE (NON-FMLA)

Employees who need time off from work for qualifying medical reasons, but who are not entitled to leave under the FMLA or other leave law (such as those who are not eligible or who already have exhausted their FMLA leave), may be granted Non-FMLA Medical Leave at the City's discretion. Requests for Non-FMLA Medical Leave should be directed in writing to the City Clerk. The final decision as to eligibility and to the amount of such leave is within the sole discretion of the City. The City may consider factors such as the employee's tenure with the City, unusual personal hardship, employee work performance, City business needs and expenses, and other business considerations regarding approval and amount of any leave in a particular situation.

Upon return from an approved Non-FMLA Medical Leave, the employee must provide a release from his or her health care provider authorizing him or her to return to work and listing any work restrictions. Upon receipt of the return-to-work authorization from the health care provider, the City will review any work restrictions and determine whether the employee's position or another position for which the employee is qualified is available, including whether a reasonable accommodation is appropriate and available. If no such position is available, the employment relationship will be terminated.

This Policy will be applied in conjunction with the Americans with Disabilities Act, the Family and Medical Leave Act, the applicable state worker's compensation law, or other applicable local, state, or federal law.

TEMPORARY MODIFIED DUTY PROGRAM

The City will consider requests for accommodation in the form of modified duty on a temporary basis for employees who are injured or otherwise unable to perform their regular job duties due to temporary incapacity, including due to pregnancy, worker's compensation/occupational injuries, and non-occupational injuries. For such requests for temporary modified duty, including change of job duties, "light duty," reduced work schedule, or leave from work, the City will consider requests on a case-by-case basis. Requests for temporary modified duty should be directed in writing to the City Clerk. The final decision as to eligibility for and to the nature and duration of the temporary modified duty is within the sole discretion of the City. The City may consider factors such as the nature of the employee's impairment and limitations, the nature and requirements of the employee's job position, the employee's tenure with the City, unusual personal hardship, employee work performance, City business needs and expenses, and other business considerations regarding the approval, nature, and duration of temporary modified duty in a particular situation.

This policy is not applicable to, and does not supersede any available rights in connection with, accommodations that are required under the Americans with Disabilities Act ("ADA"), to leave that is required under the Family and Medical Leave Act ("FMLA"), or to non-FMLA medical leave. For any such requests, please see the City's respective Equal Employment Opportunity, Family and Medical Leave, and Medical Leave (Non-FMLA) Policies contained in this Handbook.

OTHER BENEFITS

BENEFITS

Your rights and benefits are determined in accordance with the provisions of the applicable benefit policy, and your benefits are effective only if you are eligible for the benefit (including any insurance) and remain covered or insured in accordance with policy terms. Any benefit policy is subject to amendment, suspension, modification, or termination in accordance with any provision thereof or at the discretion of the City without the consent, notice to, or concurrence of any person covered or insured thereunder.

The City reserves the right to amend, suspend, modify, or terminate these benefits at any time and for any reason. No agent or person, except the City Manager in writing, has authority to contravene the terms of this Policy, including waiving any condition or restriction of any benefit plan, extending the time for making a payment, or binding the City by making any promise or representation. No change in any benefit policy shall be valid unless evidenced by an endorsement on it signed by the aforesaid person. Unless otherwise required by applicable law, once an employee is terminated, the City will not pay benefits under any benefit plan, except for that amount that the employee has contributed into the plan and has not yet utilized up to the time of termination.

To the extent required by law, it is the City's intent to comply with the Patient Protection and Affordable Care Act ("ACA") with respect to its offering of coverage to those employees who qualify as full-time employees under the ACA. The City may use either a monthly measurement method or look-back measurement method for determining full-time employee status under the ACA. If you have any questions about this or whether you qualify as a full-time employee under the ACA, please contact the City Clerk. If you believe that you have not received an offer of coverage when you should have or do not believe that the coverage you have been offered meets the requirements of the ACA, you should report your concerns to us using the Complaint Procedure set forth in this Handbook.

MEDICAL AND LIFE INSURANCE

Eligible employees who have successfully completed ninety (90) days of employment may participate in our group medical and life insurance benefit plans. Information regarding these benefits is available upon request from the City Clerk.

WORKERS' COMPENSATION

On-the-job injuries are covered by our Workers' Compensation Insurance Policy provided at no cost to you. If an employee suffers an injury or illness that was caused at work or that the employee believes resulted from his or her job, the employee must report it to the City Clerk within a reasonable time after the employee realizes that he or she has suffered the injury or illness, which typically (unless exceptional circumstances are present) should be no later than the beginning of the employee's next working shift following discovery of the illness or injury and before engaging in any additional work. We ask for your assistance in alerting management to any condition that could lead or contribute to an employee accident.

Please also see the City's Temporary Modified Duty Program policy, which is contained in this Handbook.

SECTION 4: ON THE JOB

EMPLOYMENT APPLICATIONS

We rely upon the accuracy of information contained in the employment application and the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in exclusion of the applicant from further consideration for employment or, if the person has been hired, disciplinary action, up to and including termination of employment.

CRIMINAL BACKGROUND CHECK POLICY

The City conducts criminal background checks for applicants and employees. The criminal background screen will be job-related and consistent with business necessity. A prior criminal arrest or conviction is not an absolute or automatic bar to employment. The City will consider additional information from the applicant or employee to determine whether the individual's criminal record should bar the individual from working. The City will conduct criminal background checks in compliance with federal and state laws.

NEW EMPLOYEE ORIENTATION

Upon joining our City, you will be given a copy of our Employee Handbook and asked to complete personnel, payroll and benefit forms.

Your supervisor is responsible for the operations of your department and (s)he is a good source of information about the City and your job.

ATTENDANCE AND PUNCTUALITY

Attendance and punctuality are important factors for your success within our City. We work as a team, and this requires that each person be in the right place at the right time. Failure to meet the expectations of the City in the area of attendance and punctuality will result in disciplinary action, up to and including termination.

If you are going to be late for work or absent, you must notify your supervisor before the start of your workday. You are required to speak with your supervisor directly, or, if your supervisor is not available, you must speak with another supervisor. It is not acceptable to have another person call for you or leave a message at the switchboard or with a co-worker.

If you are absent for three days without notifying the City, it is assumed that you have voluntarily abandoned your position with the City, and you will be removed from the payroll.

Excessive absenteeism and tardiness will result in termination. Excessive absenteeism and tardiness is generally considered:

- More than one occasion of unexcused absence.
- Three occasions of excused absence or tardiness in a three-month period.
- Six or more occasions of excused absence or tardiness within a twelve-month period.
- An unacceptable pattern of absences and/or tardiness over an individual's employment history.

It is important to understand that individual circumstances may dictate that fewer tardies or absences than listed above still may be considered Excessive Absenteeism. Your attendance simply is one aspect of your job performance and will be considered together with your overall performance and attitude.

This Policy will be applied consistent with all applicable laws. If you or an immediate family member has a medical condition that results in one or more absences, you may qualify for unpaid leave under the federal Family and Medical Leave Act of 1993 (“FMLA”), and your absence or tardy will not be considered. Likewise, if your absence is approved leave under the Americans with Disabilities Act (“ADA”), your absence will not be considered. For absences that should be approved under the ADA, please consult the ADA Policy set forth in the EEO Policy in this Handbook. Please refer to the Family and Medical Leave Policy in this Handbook for information about leave under the FMLA. Be advised that leave under the FMLA or ADA may require approval in advance and does not necessarily relieve you from your responsibilities as set forth in this Attendance and Punctuality Policy.

If you believe that an absence or tardy improperly has been considered, please utilize the City’s Complaint Procedure, which is contained in this Handbook.

NURSING MOTHERS

The City complies with applicable provisions of the Patient Protection and Affordable Care Act. Consistent with this statute, the City provides all nursing mothers who are non-exempt employees under the Fair Labor Standards Act with reasonable break time to express breast milk for the nursing of a child for one year following the birth of a child. In addition, the City will provide a private place other than a bathroom where a non-exempt nursing mother may express breast milk. These breaks will be unpaid. Please direct all requests regarding this Policy to the City Clerk. If you have any complaint regarding this Policy, please utilize the City's Complaint Procedure, which is contained in this Handbook.

STANDARDS OF CONDUCT

Each employee has an obligation to observe and follow the City's policies (including those policies that may not be expressly stated in this Handbook) and to maintain proper standards of conduct at all times. If an individual's behavior interferes with the orderly and efficient operation of a department, corrective disciplinary measures will be taken. All employees also share an obligation to safeguard the integrity of the City's reputation and assure the continuation of ethical business practices. Disciplinary action may include a verbal counseling, written warning, suspension without pay, and discharge. Please note that the City reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. The City will deal with each situation individually, and nothing in this Handbook should be construed as a promise of specific treatment in a given situation.

The following misconduct may result in discipline up to and including discharge:

1. misconduct;
2. violation of the City's policies or safety rules;
3. insubordination;
4. excessive absenteeism or tardiness;
5. violation of the City's Substance Abuse policy, including possession, use or sale of alcohol or controlled substances during working hours, reporting to work under the influence of alcohol or controlled substances, or unlawful use of controlled substances;
6. possession of dangerous instruments on City property, including illegal firearms;
7. sleeping on the job;
8. unsatisfactory performance;
9. suspicion of theft or dishonesty;
10. violation of City's EEO Policy or Business Practices/Ethical Code of Conduct Policy, or disrespect toward fellow employees, customers, visitors or other members of the public;
11. violation of the City's Workplace Violence Policy;
12. gossiping or discussing/disclosing confidential business or personnel matters;

13. failure to work with a positive attitude;
14. failure to help and support other employees;
15. violation of policies or procedures set forth in the City's Employee Handbook;
16. disrespectful or unprofessional conduct on the phone or by email;
17. unauthorized or inappropriate use or disclosure of confidential information or trade secrets;
18. misuse or misappropriation of City property or funds;
19. carelessness, negligence, waste, or abuse in the care and use of City property;
20. engaging in conduct that creates or gives the appearance of a potential or actual conflict of interest with the employee's employment with the City;
21. falsification of any time, personnel, or other City records;
22. the inappropriate use of cell phones/PDA and personal music devices (such as an iPod) while on duty for personal purposes; and
23. other misconduct as determined by the City.

These examples are not all-inclusive. Because this list does not cover every action for which you may be disciplined, you also are expected to use common sense and conduct yourself in a reasonable and inoffensive manner. We emphasize that discipline and discharge decisions may be based on an assessment of all relevant factors, including the severity of the infraction and the employee's work record, as determined by the City.

PERFORMANCE REVIEWS

Your performance is important to our City. We are not a large organization and believe informal reviews are best suited for our work. Your supervisor or higher level manager will normally review your job progress within our City on a periodic basis during the first year of your employment. These reviews ordinarily will be verbal only, but may be in writing if warranted.

Performance reviews are designed to provide a basis for better understanding between you and the City, with respect to your job performance, potential and development within the City. Please understand, however, that a positive performance review does not guarantee an increase in compensation, a promotion, or continued employment since compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of the City.

New employees will be reviewed at the end of their introductory period.

WORKPLACE VIOLENCE

Application. The City is committed to providing its employees a safe environment for working and conducting business. In this regard, the City will not tolerate any threats, threatening behavior, acts of violence, or any related conduct that interferes with or disrupts the City's safe working environment. This prohibition applies to City employees, vendors, customers, and visitors, whether or not the conduct occurs on or off City property.

Prohibited Conduct. Threats, threatening behavior, acts of violence or related disruptive conduct includes conduct against persons or property that is sufficiently severe, offensive, or intimidating that it disturbs, interferes with, or prevents normal work functions or activities. Specific examples of conduct that may be considered "threats, threatening behavior, acts of violence, or related disruptive conduct" include, but are not limited to, the following:

1. Hitting or shoving an individual.
2. Threatening to harm an individual or his/her family, friends, associates, or their property.
3. The intentional destruction or threat of destruction of property owned, operated, or controlled by the City.
4. Harassing or threatening individuals through any form of written or electronic communications.
5. Intimidating or attempting to coerce an employee to do wrongful acts that would affect the business interests of the City.
6. Harassing surveillance of another City employee and making a credible threat with intent to place the other person in reasonable fear of his or her safety.

7. Possession of firearms, weapons, or any other dangerous devices on City property, except for authorized Police Department employees and except as provided for by O.C.G.A. § 16-11-135, which, subject to several exceptions, allows employees who are licensed to carry concealed weapons to store firearms in their vehicles while on City property, as long as the firearm is properly concealed in a glove box, trunk, or other enclosed compartment within the vehicle.

Complaint Procedure. All employees are responsible for refraining from making threats, engaging in threatening behavior, acts of violence, or related disruptive conduct and for seeking assistance to resolve personal issues that may lead to acts of violence in the workplace. If you feel that you have experienced or witnessed conduct that is prohibited under this Policy, you are to follow the City's Complaint Procedure, which is contained in this Handbook.

SECURITY

We are committed to providing a secure workplace and ensuring the protection of corporate assets and proprietary information. Security is an integral part of your job responsibilities. Be sensitive to information you generate or have access to, protect corporate assets such as inventory, records and office supplies, secure your work area when left unattended, and report security related issues to your manager. If contacted by the media regarding any aspects of your employment, duties, or other activities at the City, please advise the media to direct any inquiries to the City Manager. You should immediately contact the City Manager to advise him/her of any media inquiry.

Please also see the City's policies on Protecting Confidential Information and Employee and Public Relations.

NON-FRATERNIZATION

The City prohibits dating or romantic relationships between a supervisor and a subordinate who reports either directly or indirectly to that supervisor. This prohibition applies to all employees regardless of their marital status. In the event a supervisor and subordinate desire to date or enter into a romantic relationship, the supervisor should immediately notify the City Clerk so that the City may take appropriate steps to avoid any adverse impact in the workplace. This may include the transfer, reassignment, or resignation of one (or both) of the associates involved. The City may, at its discretion, also require any participants in a consensual romantic and/or sexual relationship to execute a Consensual Relationship Agreement. The City will address these situations as confidentially and discreetly as possible. When a violation of this Policy is determined to have occurred, appropriate disciplinary action, up to and including discharge, will be taken.

Please also see the City's policy on Employment of Relatives, which is contained in this Handbook.

EMPLOYMENT OF RELATIVES

The City may permit the employment of a current employee's qualified relative as long as such employment does not, in the sole discretion of the City, create an actual or apparent conflict of interest. The term "family" shall include spouse, mother, father, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, grandmother, grandfather, grandchild, uncle, aunt, nephew, niece, stepparent, stepchild, or member of a family by the remarriage of the employee or a parent.

Candidates are ineligible for employment, promotion, or transfer to a job where an employee who is a relative would recommend or approve hiring, termination, performance appraisals, pay changes, disciplinary actions, or promotions for the candidate. No employee may directly or indirectly supervise a relative. Failure to disclose the name of a relative who is a City employee or applying for employment is grounds for discipline, including termination.

SOLICITATION/DISTRIBUTION

Solicitation by an employee of another employee, including, but not limited to, solicitation for contributions, sale of merchandise, or memberships in clubs or organizations; circulation of petitions; and all other forms of solicitation is prohibited while either the person doing the soliciting or the one being solicited is on his or her working time.

Distribution of advertising material, handbills, and printed or written literature of any kind while on working time is prohibited. However, such material or literature may be made available for presentation or distribution to employees while off duty.

OFF-DUTY EMPLOYEES

Off-duty employees are to visit the City only on matters of business, such as obtaining paychecks, and may not enter work areas of the City unless granted permission to do so by a supervisor.

VISITORS

All visitors, including family members of employees, are required to check in with the receptionist. Visitors are not allowed in work areas without express permission and approval by your supervisor.

PERSONAL BELONGINGS

The City is not responsible for personal belongings that are brought onto the premises. Team members are encouraged not to bring valuable items with them to work. All personal items brought into the facility should be secured in lockers if provided. The City cannot be responsible for loss or damage to your personal property.

CHANGES IN PERSONAL DATA

We need to maintain up-to-date information about you so we would be able to aid you and/or your family in matters of personal emergency. Changes in name, address, telephone number, marital status, number of dependents or changes in next of kin and/or beneficiaries should be given promptly to the payroll manager.

INSPECTION/MONITORING

The City provides offices, desks, computers, and other City property to employees for their use while employed by the City. These items are the property of the City.

The City can make no assurances about the security or privacy of any office, desk, file cabinet, computer, or other City facility and discourages the storage of valuables, perishables, and other personal items in them.

Additionally, the City reserves the right to open and inspect any item of any kind on City property, including in an office, desk, computer and files, file cabinet, or City property and its contents, at any time with or without reason, notice or consent. All vehicles parked in secure parking areas that restrict the general public by way of a gate, security officer or station, or other similar means and all vehicles parked in temporary parking areas are subject to search at any time with or without reason.

Employees should understand that any conversations over the City's telephones and similar voice systems may be monitored or recorded for any reason as a part of normal business operations. By using the City's telephones, employees expressly consent to such monitoring and recording for all lawful purposes, and any use of the City's telephones and similar voice systems is done so with the knowledge and awareness of this Policy.

Similarly, employees should be aware that, in order to promote the safety of employees, patrons, visitors, and occupants, as well as the security of its assets and properties, the City may conduct video surveillance of any portion of its premises at any time, the only exception being private areas of restrooms, showers, and dressing rooms, and that employment with the City constitutes an express awareness of and consent to such surveillance.

CONFIDENTIAL INFORMATION AND RETURN OF CITY PROPERTY

Employees must carefully protect and must not disclose to any third party any confidential or proprietary information belonging to the City that is not otherwise subject to disclosure to the public by law, unless expressly authorized or specifically required in the course of performing authorized services for the City.

Misuse of confidential information can include accessing information not directly germane or relevant to your specifically assigned tasks, disclosing, discussing and/or providing confidential information to any individual not authorized to view or access that data, and failing to properly handle, store, or dispose of confidential data. Individuals with access to confidential information should ensure that any materials containing confidential information are stored safely before leaving their work areas each day and that any confidential information on your computer, tablet, PDA or other personal mobile device shall be protected by use of a reasonably password. In the event that a personal mobile device with confidential information on it is lost or stolen, you must report it immediately to the City Manager.

Further, upon separation from employment for any reason, employees are required to return all of the City's property that is in their control or possession to the City, including, but not limited to, confidential information. This Policy specifically requires employees to return all City property (including electronically stored information) that employees may have taken outside of the office (e.g., personal residence) or transferred to or stored on non-City computers and other electronic storage devices (including PDAs) during the course of their employment. Employees should clearly understand that, upon separation from their employment, they are without authorization to access or use any such City property (other than through a lawful request), whether through a City-sponsored computer or computer network or via a non-City computer or other electronic storage device. Further, for the avoidance of doubt, this Policy also makes clear that no individual is authorized to access the City's computer/network system after they are no longer performing services for the City, unless such post-termination access is expressly authorized in writing by the City Manager.

COMPUTER, EMAIL, AND INTERNET USE POLICY

A. Purpose and Application.

The City provides a variety of technology resources to its employees for purposes of its business operations and to help employees perform their jobs. While these technology resources are often necessary and helpful tools, they also pose risks and must be used with common sense and good judgment. As such, the City has developed this policy to establish guidelines for the use of its technology resources. For purposes of this policy, the City uses the term “technology resources” to refer generally to all of its computing, network, and electronic resources, such as computers, software, networks, email systems, telephones and cellular phones, voicemail systems, fax machines, and Internet access.

B. Business Use Only.

The use of the City’s technology resources is for City business and is to be used for authorized purposes only. These technology resources are established, maintained, and provided by the City for employees to use for the furtherance of the City’s business and not for personal use. However, the City acknowledges that some personal use of its technology resources is inevitable and may be necessary at times. Therefore, the City permits brief and occasional personal use of its technology resources, provided that such personal use is minimal, reasonable, adheres to the requirements in this policy, and does not interfere with the performance of one’s job duties. The City has sole discretion to determine what constitutes reasonable personal use and whether personal use is interfering with the performance of one’s job duties.

C. Personal Mobile Devices at Work.

Employees may bring personal mobile devices to work, such as personal cell phones, smart phones, and tablets. However, these personal mobile devices may not be used to perform any City business or work-related activities, and may not be used to access the City’s data or networks, unless authorized in advance and configured by the City’s IT Department. If authorization is given to use a personal mobile device for work purposes or to access the City’s data or networks, the employee must comply with this Computer, Email, and Internet Use Policy when using the device. Employees also may not use the authorization to use a personal mobile device for work purposes, to

access the City's data or networks to work from home, or otherwise work additional time not approved in advance by the City.

In addition, although employees are permitted to bring personal mobile devices to work, they are at all times expected to devote their entire time and attention to performing their job duties for the City without distraction by their personal mobile devices. Therefore, employees may not use personal mobile devices during work hours except for emergency reasons only. Employees may, however, use personal mobile devices during non-work hours, such as during an approved break or meal period, provided that such use is outside the view of any citizens or visitors who may be the City's offices and is not in violation of any policies in this Handbook, including this Computer, Email, and Internet Use Policy. In addition, employees must keep their personal mobile devices on "vibrate" or "silent" mode at all times while at work.

If your personal mobile device that has any City information on it or has access to the City's technology resources is lost or stolen or its security/confidentiality otherwise is compromised, please notify your supervisor and the City Clerk immediately. Please note that the City reserves the right to take necessary actions to maintain the confidentiality and security of information on a personal mobile device that it learns is lost, stolen or compromised.

D. Ownership and Access to Technology Resources.

All of the City's technology resources, including all data and files stored on or transmitted using the City's technology resources, are the property of the City. This means that the City owns all data and files stored on or transmitted using any of the City's technology resources, such as computers, network servers, or email servers. As such, the City retains the right to access, monitor, and inspect its technology resources, and any of the data and files stored and/or transmitted therein, at any time. This applies even with respect to data or information transmitted or received using any of the City's technology resources, such as its networks or Internet connection, even if such is done using an employee's personal device, such as a personal mobile phone, smartphone, or computer. This right applies both during an employee's employment with the City and after its termination for any reason, voluntary or involuntary.

Employees should not have an expectation of privacy in anything they create, store, send, or receive using the City's technology resources. In this regard, employees are specifically advised that passwords are designed to give employees access to all or part of the City's technology resources; they are not designed to guarantee employee privacy or security in any data or file created, stored, sent, or received on any of the City's technology resources. Employees may not change passwords without prior express permission. Upon separation from employment for any reason, employees must return all passwords to the City.

E. Guidelines for Acceptable Use.

Employees are expected to access and use the City's technology resources in a professional manner and in compliance with this and all other City policies. Therefore, employees are prohibited from engaging in any unauthorized, prohibited, or inappropriate conduct using the City's technology resources including, but not limited to, the activities described below. This list is not intended to be an exhaustive description of all conduct that may be inappropriate or violate this policy, but is illustrative of the type of prohibited conduct for which employees may have their privileges of use and access to the City's technology resources revoked and be subjected to disciplinary action:

1. Accessing any technology resources, including networks, servers, drives, folders, or files, to which the employee has not been granted access or authorization or in a manner that exceeds such employee's access or authorization (this includes accessing any other person's computer, voicemail, files, or data without approval);
2. Making unauthorized copies of City files or other data;
3. Using any of the City's files or other data for an unauthorized purpose, even if the employee was otherwise authorized to access such files or data;
4. Revealing, publicizing, or otherwise disclosing without authorization any confidential information belonging to the City not otherwise subject to public disclosure by law;
5. Destroying, deleting, erasing, or concealing the City files or other data, or otherwise making such files or data unavailable or inaccessible to the City or to other authorized users of the City's technology resources;

6. Violating any law, regulation, or order of the United States or any state, county, city, local government, or jurisdiction in any way;
7. Violating the terms of any user agreement, license agreement, or other type of contractual agreement of any software program, application, website, or other product or service;
8. Illegally downloading, copying, transmitting, viewing, or accessing any material protected under copyright law or making such material available to others;
9. Engaging in any other unlawful or malicious activities;
10. Intentionally propagating any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either the City's technology resources or those of any other individual or entity;
11. Defeating or attempting to defeat security restrictions on any of the City's technology resources;
12. Viewing or transmitting any material, or engaging in any conduct, that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, violative of the City's EEO Policy or other personnel policies, or that is otherwise unlawful or inappropriate. The City has sole discretion to determine what constitutes inappropriate use or material under this policy. If you unsure whether any use or material would be considered inappropriate, you should seek clarification from your supervisor before accessing or distributing such material. If you are in any doubt, do not access or distribute the material;
13. Using abusive, profane, threatening, discriminatory, harassing, offensive, otherwise objectionable language in either public or private messages;
14. Sending, receiving, downloading, uploading, or otherwise accessing or viewing any pornographic materials;
15. Causing congestion, disruption, disablement, alteration, or impairment of the City's technology resources;
16. Installing any software without authorization; and
17. Using any of the City technology resource for personal financial gain unrelated to one's employment with the City.

F. Other City Policies.

All of the City's policies, including, but not limited to, its policies on Equal Employment Opportunity, Protection of Confidential Information, Social Media Policy, and Solicitation/Distribution, apply to the use of the City's technology resources. If any employee feels that he or she has witnessed or been the subject of any conduct in violation of this policy, the employee must utilize the City's Complaint Procedure, which is set forth in this Handbook.

G. Discipline.

Employees will be subject to discipline, up to and including termination from employment, for violating this policy. Therefore, before using any of the City's technology resources, employees should consider whether their actions meet the expectations set forth herein. In doing so, employees should be mindful that electronically stored information can often be saved or retrieved even after an employee believes he or she has taken steps to "delete" it.

SOCIAL MEDIA

In general, the City views social networking websites (e.g., Facebook, Twitter, Instagram), personal websites, and blogs positively and respects the right of employees to use them as a medium of self-expression. However, the use of these types of websites can impact both the City and employees alike. Therefore, the City has created this policy to establish its expectations for employee use of these types of websites.

A. Applicability

This policy is meant to apply to social networking sites, personal websites, blogs, photo sharing sites, video sharing sites, podcasts, as well as bulletin boards and comments posted on other websites. For ease of reference, this policy refers to all of these types of websites generically as “social media websites.” The absence of an explicit reference to a specific website is not meant to limit the application of this Policy. Where no policy or guideline exists, employees should use their professional judgment and take the most prudent action possible. You should consult with your manager or supervisor if you are uncertain about any of your activities on a social media website.

B. No Interference with Job Duties

The City’s Internet and computer resources are provided to employees to allow them to complete their job duties and should be used for business purposes only. As such, the City does not allow personal use of social media websites during work time.

C. Personal Use Outside of Work

Employees may use social media websites during their personal time outside of work. Employees must be aware, however, that information they display on the Internet not only reflects on themselves, but could be associated with the City as well. Therefore, employees are expected to follow these guidelines when using any social media website:

1. No employee may use his or her work email address to register on any social media website for personal use.
2. Any social media posting by an employee must be consistent with the City’s policies including, but not limited to, the City’s EEO policy against

harassment and discrimination, as well as the City's policies regarding confidentiality of information. Inappropriate postings may include discriminatory remarks, harassment, threats of violence, intimidation, bullying, defamatory statements, false statements, disclosure of confidential information not otherwise subject to disclosure to the public by law, and similar inappropriate or unlawful conduct.

3. If an employee identifies himself as an employee of the City, or if the City is referred to in or is the subject of a social media posting, the employee must be clear and open about the fact that all opinions or views expressed are those of the employee and not the City. (For example: "The views and comments stated herein are personal and do not necessarily reflect the views of my employer.")
4. An employee must be honest and accurate when posting information or news and if a mistake is made, the employee must promptly correct it. An employee may not post any information or rumors that he knows to be false about the City, its clients or customers, or people working on behalf of the City.
5. Employees are responsible for reading, knowing, and complying with the Terms of Service of the social media websites they use.
6. Employees are expected at all times to comply with the law in regard to copyright, trademark, and plagiarism. Posting of someone else's work without permission is not allowed.
7. The City encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page or social networking site can be relayed and often misunderstood by the reader. Employees must use their best judgment and also comply with the policies set forth in this Handbook.

D. Other City Policies

All other policies in this Handbook apply with equal force to employee use of social media websites. In particular, employees are expected to follow the City's EEO Policy when participating in social media websites. The City considers behavior that is inappropriate in the workplace to be inappropriate on the Internet as well, including that the City's EEO Policy concerning discrimination, harassment, and retaliation applies equally to the treatment of employees in the workplace or on the Internet.

E. Business-Related Social Media Use

An employee is not permitted to visit social media websites during work hours, unless

specifically authorized to do so for business-related purposes, either: (1) by virtue of the employee's job duties; or (2) with express authorization as specified below. Those employees who do have authorization and post messages on City websites or social media accounts should understand that they are posting on behalf of the City and must adhere to the City's professional standards, values, policies, and applicable laws at all times.

Employees who have job responsibilities that include posting information to City-maintained websites or social media accounts understand and agree that the content and followers of the blog or other website belong exclusively to the City and that, upon request, the employee must provide the City with any information necessary to log in to the website or social media account. No employee may create an official City account or change a password, as this is solely the responsibility of the City's IT department. Further, employees must comply with all copyright, trademark, and other applicable laws when posting material to a City website or social media website.

Employees who do not have job responsibilities that include the posting of information to City-maintained websites and/or social media accounts on behalf of the City or in a manner that could reasonably be attributed to the City must obtain express written authorization from the City Manager before posting any material to a City website or social media website.

All employees authorized to post on the City social media accounts should identify themselves and their affiliation with the City. Any content posted should be current and accurate. If you do make an error, take responsibility for it and correct it quickly. Do not post any information that is obscene, defamatory, libelous, threatening, harassing, or intimidating to another person or entity. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of any characteristic protected by law or City policy.

F. Employment Representations

Following the end of your employment relationship with the City, you must take prompt affirmative steps to ensure that no social media website represents you to be a current employee of

the City.

G. Disciplinary Action

While the City respects the right of employees to use social media websites, it has established this policy for the benefit and protection of the City and its employees. Any employee witnessing or who believes a violation of this policy has occurred must utilize the City's Complaint Procedure, which is contained in this Handbook. The City takes the expectations explained above very seriously. As such, employees are advised that violating this Policy may result in disciplinary action, up to and including termination.

CARE OF EQUIPMENT

You are expected to use proper care when using the City's property and equipment. No property may be removed from the premises without the proper authorization of management. If you lose, break or damage any property, report it to your supervisor at once.

CITY VEHICLES

City vehicles may be used only for job-related travel.

Operators of City vehicles are responsible for the safe operation and cleanliness of the vehicle. Employees operating City-owned motor vehicles or privately owned vehicles while conducting City business shall observe all traffic laws, rules, and regulations and the dictates of common sense and good judgment. All employees whose duties require the operation of a City-owned motor vehicle or who operate a privately owned vehicle while conducting City business as a part of their employment with the City must possess a valid state driver's license. The use of seat belts is mandatory for operators and passengers of City vehicles and privately owned vehicles being operated while conducting City business. Employees are responsible for any moving violations and fines incurred when operating a City vehicle or a privately owned vehicle while conducting City business. Accidents involving a City vehicle must be reported to your supervisor immediately. Employees may not smoke in a City-owned vehicle.

SEVERE WEATHER

Severe weather is sometimes to be expected. Although driving may at times be difficult, when caution is exercised, the roads are normally passable. Except in cases of severe storms, we are all expected to work our regular hours. Time taken off due to poor weather conditions is to be made up, used as vacation, or is unpaid.

Under emergency conditions, Public Safety and Public Works Employees are considered “essential emergency personnel” and are subject to be on call. If any employee who is considered essential emergency personnel does not report when requested or required because the employee deems the conditions to be too dangerous to travel from their home to their work location, the employee will be required to take vacation leave in order to be paid for the time. In addition, the manager or supervisor will review each case of non-report, and if deemed necessary, may issue disciplinary action. If an Official City Emergency Closing is issued by the governing authority or its designee due to a natural disaster or inclement weather, all administrative non-emergency personnel will receive pay for their regularly scheduled hours for that day.

PERSONAL TELEPHONE CALLS

It is important to keep our telephone lines free for customer calls. Although use of the City's telephones for a personal emergency may be necessary, routine personal calls are prohibited. Further, employees should refrain from using their cell phone in the workplace during work time, except for legitimate business purposes. Any use of the City's long-distance telephone for personal use is absolutely prohibited.

MOBILE TELEPHONES AND PORTABLE COMMUNICATION DEVICES

The City provides mobile telephones and other portable communications devices to some employees as a business tool. They are provided to assist employees in communicating with management and other employees, citizens, and others with whom they may conduct business. Mobile telephone or portable communications device use is primarily intended for business-related purposes. However, occasional, brief personal use is permitted within a reasonable limit. Mobile telephone and portable communication device invoices may be regularly monitored by the City, and employees should not have any expectation of privacy in any information that may be contained in such invoices.

When driving a motor vehicle on City business, employees are prohibited from texting and should minimize their use of any mobile telephone or portable communication device. If you must make or receive a call while driving, then you should keep your conversation as short as possible and must comply with the following safety guidelines: (1) use a speaker phone or hands-free device whenever one is available; (2) never look up or dial a number while the vehicle is moving; (3) do not use the mobile telephone or portable communication device in heavy traffic or bad weather; and (4) keep your eyes on the road at all times. In addition to these requirements, employees must comply with all federal, state, and local laws regarding the operation of motor vehicles, including those governing texting and the use of mobile telephones and portable communication devices while driving.

Employees also should understand that the City may install and utilize global positioning system (GPS) tracking on City-issued mobile telephones or other portable communication devices for business-related purposes and also may discipline employees based on the information gathered by the tracking software. The GPS tracking software will provide the City the ability to gather and monitor information related to the location of the mobile telephone or portable communication device. By your continued employment and use of the City-issued mobile telephone or portable communication device, employees expressly consent to such tracking and acknowledge that they have no expectation of privacy in the information generated by this software, including their location, as a result of having a City-issued mobile telephone or

portable communication device. To the extent that employees do not want the City to gather location information on non-working time, the City encourages employees to turn off their City-issued mobile telephone or portable communication device or simply leave them at home.

DRESS AND GROOMING

Personal appearance on the job is important to the City. All employees are expected to maintain high standards of personal appearance and cleanliness, and in doing so, dress and groom themselves in a fitting manner. Employees are expected to maintain the highest standards of personal cleanliness and present a neat, professional appearance at all times.

Our customers' satisfaction represents the most important and challenging aspect of our business. Whether or not your job responsibilities place you in direct customer contact, you represent the City with your appearance as well as your actions. The properly attired man or woman helps to create a favorable image for the City and to the public and fellow employees. Any questions concerning appropriate attire should be directed to the City Clerk.

The City shall reasonably accommodate employees' covered disabilities and sincerely held religious practices with regard to dress and grooming in accordance with applicable law, unless such accommodation would cause the City an undue hardship. Employees desiring such an accommodation must submit a request in writing to the City Clerk for consideration and approval. Appropriate documentation of the need and basis for an accommodation may be required in connection with such a request.

Please see our related policy on Equal Employment Opportunity, which is contained in this Handbook. If you feel you have been denied an accommodation for personal appearance based on a disability or sincerely held religious practice, you must use the City's Complaint Procedure, which is contained in this Handbook.

PARKING

The City has space available for parking at our building. The City is not responsible for loss, damage, or theft of your vehicle. Therefore, we suggest that you lock your car doors.

CITY SOCIAL EVENTS

From time to time, the City may invite its employees to attend social gatherings paid for or sponsored by the City. Attendance at these events is completely voluntary. These social events should not be considered “work” or “work related,” and typically are only for social pleasure or employee morale.

Employees who choose to attend City social events must act in a responsible manner, particularly when alcohol is served or available. Employees who choose to consume alcohol during City authorized activities are responsible for ensuring their alcohol consumption is in moderation and they remain capable of carrying out work tasks and behaving in accordance with usual business standards and City policies. Even though these events are voluntary and outside of work, your actions can reflect on the City. Accordingly, your conduct during City social events should be professional and appropriate. Please be aware that if you violate policies in this handbook (e.g., the City’s EEO policy), you may be subject to disciplinary action.

Employees should never consume alcohol in excess at City social events. If you believe you are incapacitated and/or cannot drive safely, the City will arrange for transportation home from City social events at its expense.

SECTION 5: SAFETY IN THE WORKPLACE

EACH EMPLOYEE'S SAFETY RESPONSIBILITY

Employees are expected to obey safety rules, follow established safe work practices and exercise caution in all their work activities. Safety can only be achieved through teamwork. Each employee, supervisor, and manager must practice safety awareness by thinking defensively, anticipating unsafe situations, and reporting unsafe conditions immediately. The City is committed to providing a safe workplace for all employees. As the City has accepted this responsibility, employees in turn must accept the responsibility to work safely for themselves and the lives of their coworkers. This duty means working intelligently, with common sense and with foresight.

If an employee is involved in or witnesses an accident at work, he/she must report it immediately to a supervisor and the City Clerk, regardless of how minor and whether or not it results in personal injury. Even minor accidents may indicate an unsafe condition that should be corrected. If an employee suffers an injury or illness that occurred at work, the employee must report it to the City Clerk within a reasonable time after the employee realizes that he or she has suffered the injury or illness, which typically (unless exceptional circumstances are present) should be no later than the beginning of the employee's next working shift following discovery of the illness or injury and before engaging in any additional work. Failure to properly report an incident may result in denial of workers' compensation benefits. If an employee requires medical attention, a supervisor or other City representative will arrange for appropriate medical treatment. We prohibit unlawful retaliation against anyone who reports a workplace injury or illness or provides information related to a report. In the event you feel you have been subjected to retaliation for reporting a workplace injury or illness, you must report this conduct by utilizing the City's Complaint Procedure, which is contained in this Handbook.

Rules alone will not prevent accidents. It takes the cooperation of all employees to see that accidents are eliminated. Employees should report any unsafe conditions to their supervisors immediately, and always try to THINK SAFETY!

Please observe the following precautions:

1. Notify your supervisor of any emergency situation. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately.
2. The use of alcoholic beverages or illegal drug substances or the improper use of legal prescription drugs during working hours will not be tolerated. The possession of alcoholic beverages or illegal drug substances on the City's property is forbidden.
3. It is absolutely prohibited for any employee to bring or maintain a firearm or any dangerous instrument on City property (except for authorized Police Department employees and the limited exceptions discussed in the Workplace Violence Policy).
4. Use, adjust and repair machines and equipment only if you are trained and qualified.
5. Get help when lifting or pushing heavy objects.
6. Understand your job fully and follow instructions. If you are not sure of the safe procedure, don't guess -- ask your supervisor.
7. Know the locations, contents and use of first aid and firefighting equipment.

A violation of a safety precaution is in itself an unsafe act. A violation may lead to disciplinary action up to and including discharge. If you believe this Policy has been violated, please utilize the City's Complaint Procedure, which is contained in this Handbook.

GOOD HOUSEKEEPING

Good work habits and a neat place to work are essential for job safety and efficiency. You are expected to keep your place of work organized and materials in good order at all times. Report anything that needs repair or replacement to your supervisor.

SMOKING IN THE WORKPLACE

Our City is committed to providing a safe and healthy environment for employees and visitors. Therefore, smoking is not permitted on City property.

HAZARDOUS WASTES

The Environmental Protection Agency has grouped certain chemicals and chemical groups into categories which have been defined as toxic. This means that, in concentrated forms or by accumulating and combining with other chemicals (even the air), these chemicals can be hazardous to human health if exposure occurs.

From time to time in the normal course of their jobs, employees may handle materials that have been classified as hazardous by the standards of the Occupational Safety and Health Act (OSHA) regulations. Hazardous materials that are received from the City's suppliers should have Material Safety Data Sheets (MSDS) or labels that state the chemical ingredients of the contents, precautions to take, and what to do if exposure occurs. If any employee suspects that the materials or wastes he/she may encounter as an associate are hazardous (whether or not they are being created or used by the City), he/she should inform the City's Director of Operations immediately.

The City is committed to not creating or disposing of hazardous wastes that will contaminate the environment. We will choose materials that have been judged as non-hazardous whenever possible and will properly dispose of hazardous materials if used. Also, we will not knowingly dump any wastes into the environment at any time. The City will inform employees how to control hazardous wastes and what to do if they are exposed to hazardous wastes.

SUBSTANCE ABUSE

No employee shall work, report to work, be present on City premises or in City vehicles, or engage in City activities while under the influence of alcohol or controlled substances. The unlawful manufacture, distribution, dispensation, possession, sale, or use of alcohol or controlled substances while employed with the City is also strictly prohibited. Any violation of this Substance Abuse Policy may result in disciplinary action up to and including discharge. This Policy will be applied consistent with federal and state law.

The City further reserves the right to take any and all appropriate and lawful actions necessary to enforce this Policy, including, but not limited to, the inspection of employees' personal property in certain circumstances, as well as City-issued lockers, desks, or other suspected areas of concealment.

Legally prescribed medications/drugs may be taken during working hours, but working while under the influence of prescription or over-the-counter drugs (or another substance) is not allowed to the extent that such use, influence, or presence in the body may affect the safety of employees, customers and/or members of the public, the employee's job performance, or the safe and efficient operations. Employees should notify their supervisors if the use of prescribed medications/drugs may affect the safety of employees, customers and/or members of the public, the employee's job performance, or safe and efficient operations. Abuse of prescription medications/drugs will not be tolerated.

The City may conduct pre-employment screening examinations designed to prevent the hiring of individuals who use illegal drugs. The City also may conduct drug and alcohol testing if and when there is reasonable cause to suspect an employee is under the influence of drugs and/or alcohol while on City property. Additionally, the City reserves the right to conduct unannounced substance abuse tests of employees in safety-sensitive job positions (including, but not limited to, police officers and firefighters) to ensure compliance with this Policy, and the continued employment of such employees reflects their consent to such tests. Furthermore, the City reserves the right to conduct drug and alcohol testing of an employee who is involved in a

work-related accident where 1) the City determines that employee drug or alcohol use is likely to have contributed to the incident and for which the test can accurately identify impairment caused by drug or alcohol use, or 2) where such testing otherwise is permitted under an applicable state or federal law or regulation. An employee's refusal to submit to the test at the time requested may result in disciplinary action up to and including termination. If, due to injuries, the employee cannot submit to testing within the prescribed time, the employee will provide the City with necessary authorization required to obtain hospital reports and other documents that would indicate the presence or non-presence of any drugs and/or alcohol in the employee's system at the time of the accident.

City-sponsored activities that may include the service of alcoholic beverages are not prohibited under this Policy. However, all employees are viewed as representatives of the City, whether at work or participating in these events. The City expects that such consumption will be in moderation so as not to reflect negatively on the City's professional reputation. An employee should not operate a motor vehicle or otherwise engage in any hazardous activity if the alcohol consumed would impair their ability to safely perform those functions. Full compliance with this Policy is a condition of employment and continued employment.

Drug and Alcohol Treatment

The City recognizes that alcohol and drug abuse and addiction can be treatable. Employees who have drug or alcohol dependency problems, or who feel they may have such problems, are encouraged to seek assistance. We offer employees and their family members assistance through our Employee Assistance Program (EAP). Additional services also may be available through the City health plan, at the employee's expense. The City Clerk can help you reach out to these resources.

We will support voluntary treatment efforts. It is the employee's responsibility, however, to pursue and complete treatment before the problems result in unsatisfactory job performance, attendance, safety concerns, or other misconduct, and before a violation of this policy occurs. An employee who tests positive for an illegal drug, for example, cannot immediately enter a drug treatment program to avoid the possibility of a disciplinary action or employment separation. An

employee who makes a first-time voluntary report that he or she intends to seek assistance for dependency problems may be placed on a leave of absence or adjusted working schedule to allow for inpatient or outpatient treatment.

JOB REFERENCES

The City's reference policy is that employees are not to provide any reference regarding a current or former employee's employment with the City. Any request for a reference or employment history of any kind should be directed to the City Clerk. For your information, the City Clerk or his/her designee's response will be limited to providing dates of employment and job positions.

Upon written request with authorization from the former employee, the City will provide salary history. Again, this information will only be given by the City Clerk or his/her designee, and no employee is authorized to provide any information of any kind concerning a current or former employee.

NOTICE OF RESIGNATION

Should you decide to leave your employment with us, we ask that you provide us with at least two weeks' advance notice of your resignation. Your thoughtfulness will be appreciated and will be noted favorably should you ever wish to reapply for employment with the City. Additionally, all resigning employees may complete a brief exit interview prior to leaving. Upon the end of your employment for any reason, you must return the Employee Handbook and all City property to the City.

DISCLAIMER AND ACKNOWLEDGMENT – PLEASE READ CAREFULLY

I have received a copy of the City's Employee Handbook, and I accept responsibility for reading this Handbook and becoming familiar with its contents. I understand that this Handbook consists of general guidelines that may or may not be applied or followed in specific cases. This copy may not be the most current version. I acknowledge that a copy of the most current version of the Employee Handbook is available from the City Clerk. The current version maintained by the City Clerk is the official Employee Handbook.

Purpose -- The information contained in this Handbook is designed as an advisory guide to assist the City and our supervisors with the effective management of personnel and is not meant to address every conceivable situation or issue that arises in the workplace. The provisions and guidelines contained in this Handbook are not binding on the City and may be changed, interpreted, modified, revoked, suspended, terminated, or added to by the City, in whole or in part, at any time, at the City's sole option, and without prior notice to employees. This Handbook is not intended to cover every situation which may arise or to create specific policy to be applied in every instance. Instead, this Handbook is intended only to provide general guidelines concerning personnel decisions. Of course, if any employee is subject to a collective bargaining agreement, that agreement supersedes any provisions of this Handbook that are in conflict. Also, this Handbook and any practice or policy of the City will be applied consistent with all applicable laws and regulations.

Interpretation -- Interpretation of the policies and procedures contained in this Handbook is governed by, and is the responsibility of, the City Manager. Whenever clarification or assistance in interpretation is required, please contact the City Manager.

Employment-At-Will -- Nothing contained in this Handbook is intended to create, comprise, or define, nor should it be construed to constitute, any type of oral or written employment contract, promise, or guarantee, express or implied, between the City and any one or all of its employees. Nothing in the Handbook is intended to provide any assurance of continued employment. In the absence of a specific agreement to the contrary, authorized in writing by the City Manager of the City, employment with and compensation from the City are for no definite period of time and may be terminated by the City or the employee at any time, for any reason, with or without cause, and with or without notice. Any written or oral statements or promises to the contrary are hereby expressly disavowed and should not be relied upon by prospective or existing employees. I further understand that the City's policies and procedures, including those described in any publication, letter, poster, handout, or other communication, are subject to suspension, modification, or elimination at any time, without notice.

Signature

Date

Print Name